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DOCUMENTS, ESSAYS AND FACTS:

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES.

WM. OGDEN NILES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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§ We have been compelled to omit many things said and done in both houses of congress during the present week; but the record will be brought up in our next, after which we will commence the publication of the leading speeches and reports, many of which are of great interest just now, and useful for reference.

§ We have crowded our pages with a variety of interesting articles relating to the movements upon the northeastern frontier, including the bill from the committee on foreign relations, giving to the president of the United States additional powers for the defence of the country in case it should be invaded by a foreign power. The report which accompanied the bill, shall have a place in our next.

The debate upon this question is still going on with much animation in both houses, and indicates but one opinion as to the propriety of placing the country in a condition to repel an attempt on the part of Great Britain to enforce, by arms, her claim to exclusive jurisdiction over the disputed territory, and a bill to that effect will be passed with great unanimity. But from all we see and hear, we are confident that the question will be settled in the amicable spirit indicated in the agreement between the president of the United States and the British minister. The large body of British troops assembled in New Brunswick and Canada, estimated at 15,000, has, however, created a different impression in the minds of some persons, who think that the British government is resolved to vex an issue for which she is so well prepared; and is rather disposed to avenge the alleged supineness of this government in restraining our citizens from invading the Canadas. This is a short-sighted view of the subject, for nothing can be more certain than that in case of a rupture between the two countries, the Canadas would throw off their allegiance and act with the United States against Great Britain as against a common enemy; and she might thus lose more territory than she would gain if her demands upon our northeastern border were complied with in their greatest latitude. There are, besides, a hundred reasons connected with her policy and the relations existing between the two countries, which forbid the idea of a collision, unless under circumstances of great aggravation; as for instance, a persistence in the ground of exclusive jurisdiction set up by the lieutenant-governor of New Brunswick. The question would then become one which might involve the national honor, about which there should be no hesitation or compromise; and with the fixed opinion of the people of the United States, that the territory in question rightfully belongs to us, all would unite with determined zeal to repel the invaders.

TREASURY NOTES. *Treasury department, March 1, 1839.* The whole amount of treasury notes, authorized by the act of October 12, 1837, has been issued, viz: \$10,000,000

Of that issue there has been redeemed the sum of 8,270,130

Leaving outstanding of the first issue the sum of \$1,729,870

In lieu of those redeemed there has been issued under the act of May, 21, 1838, the sum of \$3,709,510 01

Of that issue there has been redeemed the sum of 836,733 57

Leaving of the second issue outstanding the sum of \$4,823,076 44

Aggregate amount outstanding \$6,552,916 44

LEVI WOODBURY,
Secretary of the treasury.

HURRICANE AT MARTINIQUE. *Department of state, Washington, March 1, 1839.*

Extract from a letter received at this department from the United States consul at St. Pierre, Martinique, dated February 7, 1839.

"I have to inform your honor that in consequence of the recent disaster, the governor and
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council have been pleased to throw open the ports of this island for the next six months on all kinds of breadstuffs and building materials, free from duty.

"Also, the colonial duty on molasses is withdrawn for the like period of time, making molasses come about one dollar less on a hoghead than heretofore."

THE NEWS AND THE MARKETS. The New York Courier of Tuesday, says:

The advices from England relative to flour and cotton, received by the steam ship Liverpool, [see page 4.] to the 6th inst. have been generally regarded as unfavorable, particularly to the former article, and had the effect of suspending any further operations. Holders of cotton, however, are firm at the previous asking prices, from which they show no disposition to recede. The price of flour is also nominally the same—though we understand that western could have been purchased to-day at \$3.87, and Georgetown at \$3.50a5.62 1-2, a decline of 12 1-2 cents per barrel on Saturday's prices. The quotations for American flour at Liverpool on the 6th inst. was 40a42s per 198 lbs.—the latter price only obtained for small parcels.

The steam ship Great Western went to sea this afternoon at half past one o'clock, having been detained until that hour, in order to admit of the letters by the Liverpool being answered by this opportunity. The Western takes out an unusually large number of letters, no less a sum than \$1,450 having been taken for postage at the Merchants' Exchange reading rooms alone.

MR. PRICE. We find the following letter from this gentleman, said to be genuine, in a New York paper. The National Intelligencer is authorized to say it was not addressed to his son.

Copy.
London, Dec. 26, 1838.

My dear —

By the arrival of the packet Independence, I have the New York papers of the 7th inst., abounding with the most scandalous conjectures, in respect to my visit to this country.

The circumstances inducing it were wholly of a private nature, and would not on pain of the most insupportable obloquy, seem to require a bill of particulars.

But I deem it to be my duty to state to you, that the charge of my being a defaulter in office is wholly unfounded. That in the last five years, millions of government claims have been deposited with me for collection, and that upon the adjustment of my claims upon government for their prosecution and collection, the balance will be adjudged to be against the government.

It has been too much the fashion of the times, to condemn public agents, upon ex parte statements.

At least two memorable cases in the union are recorded of district attorneys of the United States held up to public execration as defaulters, who after investigation of the charges against them, were signally rewarded with a public expression of their fellow citizens.

It is not exactly fair to proceed trial by condemnation, and I can only for the present assure you, that if my just claims are allowed, the government will have as little cause as, I think, individuals ever had of complaining of my administration of the office I have recently resigned.

I am, dear sir,
Yours,

FROM FLORIDA. The "Globe," of last night contains the following:

We have just seen a gentleman who left Tallahassee on the 21st ultimo, from whom we learn that murders by the Indians are of every day occurrence in that neighborhood. Between the 17th and 21st, during this gentleman's stay at Tallahassee, fifteen citizens had been killed by the Indians. The Seminoles have introduced dogs into their warfare. Our informant, who is familiar with the military events in Florida, tells us he saw, himself, the corpse of a militiaman, one of a small party, which had been dispersed by the Indians, who had been hunted

down by dogs, and held at bay until the Indians approached an shot him.

The gentleman to whom we allude, and who has had the best opportunity of judging, gives it as his opinion, that no mode of expelling the Indians from Florida will be so efficacious as that of the military occupation bill which has passed the senate; and this, he says, is the general opinion of the people of Florida, as well as of the officers employed in the military service there.

FROM BUENOS AYRES AND MONTEVIDEO. By the arrival at Philadelphia of the brig Madonna, capt. Wise, from Buenos Ayres and Montevideo, the editors of the United States Gazette have, through the Exchange, files from the latter city to December 22.

The Montevideo papers are much occupied with the official documents of the general in chief, who seems to have his hands full in correcting the proceedings of the courts of justice, the halls of education, and the theatres; for the latter he has appointed certain censors and directors. Meanwhile, all seems unsettled in the politics of those delightful regions, and a victory that promises quiet, seems to lead only to a contest for spoils.

We notice that the general in chief, in Montevideo, interfered to suspend the sentence of a court, pronounced against a man and his son. They were to be banished. The motives for mercy were the former good conduct of the man and the public services of his wife.

The political information from the other side of the continent, appears to be no later than has been previously published.

A letter to the editor of the Gazette states that Fructuosa Riveira entered the city of Montevideo on the 11th of March, with about 1,000 armed men, and took possession of the place peacefully.

The French blockade of Buenos Ayres continues with rigor. Passenger packets only are allowed by the French admiral to run from Montevideo to Buenos Ayres. Rosas still holds out, and has sent by the last British packet a minister plenipotentiary (Mr. Moseno) to England, to endeavor to induce that government to interfere in his behalf. American commerce is flourishing at Montevideo, no less than 17 vessels being in port on the 23d of December; but produce was very scarce, and had risen some 15 a 20 per centum within the last ten days—vessels will be detained some time for their cargoes.

The U. S. ship Fairfield and brig Dolphin were at Montevideo on the 23d of December. A "brush," as it is termed, took place between the commander of the Dolphin and the commander of the French fleet, which is thus stated:

"Lieutenant Purviance informed the commander of the French brig then blockading the port, that the American vessel Fleet must be allowed to depart. The French commander insisted that he would capture her; but it was subsequently agreed that the Fleet should be conveyed to Montevideo by the Dolphin, and if the French admiral there should think the Fleet a prize, she should be given up. This was done, and the French admiral disclaimed any control over the F."

NORTHEASTERN FRONTIER. Gen. Scott arrived in this city, from his duties on the Canada frontier, on Saturday last, and left it on Thursday on his way to the northeastern frontier, charged with instructions from the executive relative to the existing difficulties.

The New York Commercial of Tuesday evening, contains the following interesting abstract of the intelligence received since the advices inserted on pages 5 and 6, were received:

After publishing the answer of gov. Fairfield to sir John Harvey's first communication, it proceeds to notice the reply of sir John Harvey to the demand for the release of Mr. McIntyre, dated the 19th. It is courteous, but firm. Sir John informs governor Fairfield that after examination of Mr. McIntyre, the attorney general was of opinion that his offence was rather against the law of nations than against the laws of the province; that it was a state affair, and therefore to be decided upon by the government of Great Britain, to which the case would be referred.

In the meantime sir John has ordered the release of Mr. McIntyre, on parole that he would present himself before the government of New Brunswick whenever required to do so.

Sir John then says: "That if it be the desire of the state of Maine that the friendly relations subsisting between Great Britain and the United States shall not be disturbed, it is indispensable that the armed force from that state now understood to be within the territory in dispute, be immediately withdrawn, as otherwise I have no alternative but to take military occupation of that territory, with a view to protect her majesty's subjects and to support the civil authorities in apprehending all persons claiming to exercise jurisdiction within it.

2d. That it is my duty to require that all persons, subjects of her majesty, who may have been arrested in the commission of acts of trespass within the disputed territory, be given up to the tribunals of the government, there to be proceeded against according to law.

3d. That in the event of the rumor which has just reached me relative to the arrest, detention, and interruption of James McLaughlin, esq., the warden of the disputed territory, being correct, that that officer be enlarged and the grounds of his detention explained.

And concludes by saying:

"With regard to trespasses upon the lands of the disputed territory, I beg leave to assure you that the extent to which these trespasses appear to have been carried, as brought to my knowledge by recent occurrences, will lead me to adopt without any delay the strongest and most effectual measures which may be in my power, for putting a stop to and preventing the recurrence of such trespasses."

Upon receipt of this letter, governor Fairfield ordered the release of Mr. McLaughlin, the warden, also upon parole to surrender himself to the authorities of Maine, whenever required to do so.

Then we have a letter from Geo. F. Street, esq., solicitor general of New Brunswick, to Mr. Jarvis, provisional land-agent, dated at the mouth of the Aroostook river, February 17, expressing, by order of sir John Harvey, his great surprise at the presence of an armed force in the disputed territory, "so called," attempting to exercise jurisdiction there, and seizing upon British subjects, without having given any notice to the authorities of the province, of the causes which led to this act of aggression.

He then gives notice that unless the armed force is immediately withdrawn, and the prisoners are discharged, every person of the aggressing party that can be laid hold of will be made prisoner, sir John Harvey having expressly ordered by his sovereign to hold the territory inviolate, &c.; to which end Mr. Street says, a large military force is assembling, part of which has already arrived, &c.

The following passage of the letter we quote verbatim:

"In doing this his excellency is very desirous to avoid any collision between her majesty's troops and any of the citizens of the U. States, that might lead to bloodshed, and if you remove from the territory peaceably and quietly without further opposition, such collision will be avoided—as in that case his excellency will not think it necessary to move the British troops farther; but if you do not, he will in the execution of the commands of the British government find it necessary to take military possession of the territory, in order to defend it from such invasion, and the consequences must be upon your heads, and upon the authority, if any, under which you act."

Next comes the reply of Mr. Jarvis, dated, "Confidence of the St. Croix, township No. 10, state of Maine, Feb. 19." It repudiates the assumption of Mr. Street, that the position occupied by Mr. Jarvis is not in the state of Maine—hopes that the land agent, Mr. McIntyre, will be released—justifies the arrest of the warden—and concludes with the assurance that, being there under orders from the government of his state, he, Mr. Jarvis, should remain there until otherwise directed by the same authority, and should consider the approach of an armed force as an act of hostility.

These papers, it will be seen, give a tolerably complete history of what has been said and done so far. We add such particulars as have any interest.

Messrs. Rogers and McIntyre arrived at Bangor on the 20th. They were received with a shout of gratulation from the assembled multitude, and Mr. Rogers made a little speech, in which he declared his belief that the difficulty would be settled without a resort to blows. Mr. McIntyre upset all the large stories which had been told by sheriff Strickland, about 300 armed men, &c. Said he was arrested by some 15 or 20 fellows from the Tobique

settlement; that if Strickland had pushed on they would have given him up without resistance—and, that if he and Mr. McLaughlin had met before there would have been no trouble. He said he had been treated pretty well, &c. At all which Mr. Sheriff Strickland looked particularly foolish, and the gallant military heroes began to think that after all there would be nothing to fight about. Mr. Rogers and Mr. McIntyre then set off for Augusta.

Meantime, on the 19th, governor Fairfield had ordered out 10,343 of the militia, to be ready for an immediate call into active service.

Messrs. Rogers and McIntyre reached Augusta on the 21st, but their arrival does not seem to have cooled down the military fever of gov. Fairfield, for as late as the 23d, we hear of the militia pushing on by hundreds to the Aroostook. The state of matters is pretty well described in the following letter to the Boston Daily Advertiser:

"Bangor, Feb. 23, 1839.

"Our city has to-day presented the appearance of a sacked town, so little has been doing. The remaining troops left early this morning, and carrying with them as they have a very large number of our citizens, our streets has presented a less active character than upon ordinary business occasions. The excitement of the last few days has subsided, and little has been doing. As for news, we have none. Many rumors have been abroad during the day, but none of them can be relied upon as true. 1,700 of Hall's best rifles have arrived, and a very large supply of blankets, which have been sent up.

It is reported, but with how much truth I am unable to say, that 600 British troops had arrived at the mouth of the Aroostook, about 80 miles from our encampment. I should be rather disposed to doubt the correctness of this rumor, though I have it from good authority.

In my yesterday's letter, I remarked that colonel McLaughlin had been released on his parole. In this I was mistaken—he releases to accept any terms short of an unconditional release, and therefore, refusing to pledge himself, he is still in custody."

Three hundred young men of Bangor, embracing the fire department, have organized into a battalion and demanded arms.

The remainder of the division that so promptly rendezvoused at Bangor, fully equipped, on Thursday, left town Friday for the seat of war.

The breast work thrown up by the Maine forces at the juncture of the St. Croix and Aroostook, is 12 feet thick, and mounted by a brass field piece, to be reinforced by several more pieces.

The Boston Times says—

"The eastern mail arrived last evening at 11 o'clock. The latest papers from Portland and Augusta contain nothing new. A rumor prevailed at Bangor on Friday that a skirmish had taken place on the Aroostook, and that Rines had lost fifty men. The rumor, however, was not in the least credited. Passengers in the stage informed us that about 1,800 troops had already assembled on the Aroostook, and that additions were hourly looked for."

Letter from Maine. The Boston papers of Tuesday furnish but little additional from the disputed territory. The rumor of a collision having taken place is not confirmed. The Augusta correspondent of the Boston Atlas, under date of the 24th February, states that no information east of Bangor had been received since the 19th. The writer adds:

"Gen. Hodson left Bangor on Thursday last with one thousand men detailed from his division. A part of the detachment ordered from this division will leave Augusta on Tuesday next. Most of the companies are ordered to assemble here at 9 o'clock to-morrow morning. The adjutant general has ordered the detachment of cavalry of the third division to form a line express from Bangor to the Aroostook and to Houston. E. L. Hanlin, esq., of Bangor, late land agent, superintends the line. I learn the arrangement will be completed to-morrow—after that time we can therefore expect daily accounts from the frontier. The most intense anxiety is felt to hear from Washington, to learn what course the general government will pursue. It is the general opinion of those who know sir John Harvey, that he will attempt to drive our forces from the disputed territory. This, unless I am very much mistaken in the men sent there, he will find no easy matter."

Three deserters are advertised in the Bangor Whig of Saturday, viz: Samuel F. Jones, of Bangor, from the rifle corps, and William B. Moody, and John Fowler, (a Frenchman,) from the infantry; \$10 reward are offered for each of them.

Latest news. The correspondent of the Boston Atlas, in a letter, dated at Augusta, Feb. 25, says: "The troops are collecting at the capital. They will march to-morrow or next day. Last evening

intelligence reached us that can be relied upon, that our forces under the immediate command of the land agent, pro tem., had advanced from No. 10, about 30 miles towards Fish river. We are in a state of painful anxiety to hear from them again—the moment one drop of blood is shed the people will rush, without waiting for orders, to the scene of action. The public mind is wrought up to a great excitement. The question is, will sir John Harvey back out? Maine cannot and will not. The legislature of Maine has said by their resolves that the honor and interest of our state demand that a sufficient force shall be placed on the Aroostook and St. John, to protect our property and defend our rights. If the general government does not come to the rescue then we must make a strong appeal to the patriotism of old Massachusetts, and that appeal will not be ineffectual on her chivalric sons. Our ship of state has put to sea with a noble cargo; may God bless the voyage.

THE SECRETARY OF THE TREASURY acknowledges the receipt of one hundred and forty dollars, enclosed to him in an anonymous letter, dated the 18th inst. and postmarked at Raleigh, N. C. Feb. 20, 1839, which the writer states the money was improperly detained by him from the treasury, and requests that it may be applied "to the legitimate purposes of the government."

The amount has been deposited to the credit of the treasurer of the United States.

Treasury department, Feb. 22, 1839.

SUPREME COURT OF THE UNITED STATES, Friday, Feb. 22. In pursuance of the rule requiring ten days' previous notice being given of the time of the adjournment, and, also, with a view to enable the bar, at an early period, to have an opportunity of preparing the remaining causes for argument, the court on this day gave notice that the adjournment would take place on Monday, the eleventh day of March; and that arguments would be heard until Saturday, the ninth day of March.

On Wednesday, Feb. 20. *Ex parte*—In the matter of Duncan N. Hennen. On motion for a mandamus to the judge of the District court United States for East Louisiana, requiring said judge to restore the petitioner to the office of the clerk of said court, Mr. justice Thompson delivered the opinion of the court in this case, overruling the motion, and refusing to grant the mandamus prayed for.

POUND STERLING. The time has come when a tolerable respect for ourselves requires us to adopt the practice of stating English exchange in dollars and cents. Our chamber of commerce have recommended the plan, and in consequence of their recommendation, it has been adopted generally in other cities, but here it lags. We trust the negotiations for the Great Western, will settle the question forever, and put an end to the absurd method heretofore in use, of assuming a false par, nine per cent. below par, and then selling bills at nine per cent. premium; just to correct the selling error, when in fact the result of both operations is just to get at par. We print a table to-day, which will enable our friends to make their calculations very easily. We beg, however, that the price may be stated in dollars, cents, and even parts, not in the long fractions which equal a certain per cent; for that, after all, would get us out of the difficulty. The principal drawers will to-day adhere, as we understand, to the new method.

[N. Y. Journal of Commerce.]

Value of the pound sterling in federal money.

RATE.	Above par.	RATE.	Above par.
Par	- - - 4.4444	1-2	- - - 4.7333
1-4	- - - 4.4555	3-4	- - - 4.7444
1-2	- - - 4.4666	7-8	- - - 4.7555
3-4	- - - 4.4777	1-4	- - - 4.7666
1 per cent.	- - - 4.4888	1-2	- - - 4.7777
1-2	- - - 4.5000	3-4	- - - 4.7888
1-4	- - - 4.5111	8 per cent.	- - - 4.8000
3-4	- - - 4.5222	1-4	- - - 4.8111
1 per cent.	- - - 4.5333	1-2	- - - 4.8222
1-4	- - - 4.5444	3-4	- - - 4.8333
1-2	- - - 4.5555	9 per cent.	- - - 4.8444
1-4	- - - 4.5666	1-4	- - - 4.8555
3 per cent.	- - - 4.5777	1-2	- - - 4.8666
1-4	- - - 4.5888	3-4	- - - 4.8777
1-2	- - - 4.6000	10 per cent.	- - - 4.8888
1-4	- - - 4.6111	1-4	- - - 4.9000
1-2	- - - 4.6222	1-2	- - - 4.9111
1-4	- - - 4.6333	3-4	- - - 4.9222
1-2	- - - 4.6444	11 per cent.	- - - 4.9333
3-4	- - - 4.6555	1-4	- - - 4.9444
1-4	- - - 4.6666	1-2	- - - 4.9555
1-2	- - - 4.6777	3-4	- - - 4.9666
1-4	- - - 4.6888	12 per cent.	- - - 4.9777
1-2	- - - 4.7000	1-4	- - - 4.9888
3 per cent.	- - - 4.7111	1-2	- - - 5.0000
1-4	- - - 4.7222	3-4	- - - 5.0111

LATE FROM ENGLAND.

The steam packet ship Liverpool, captain Fayer, arrived at New York from Liverpool at 7 o'clock on Monday morning. Capt. F. left Liverpool at half past 3 o'clock on the afternoon of the 5th, consequently she has made her passage in eight and a half days.

By this arrival, we have received from our friend George Peabody, esq., now in London, copious files of London papers to the 5th of February and Liverpool to the 6th, both inclusive. We make our extracts, however, from the New York Commercial Advertiser.

GREAT BRITAIN.

We hasten to lay before our readers the royal speech at the opening of parliament. As usual it affords little positive indication of the course intended to be pursued, and is in fact remarkable rather for the thing omitted than for the things introduced. We refer to the subject of the corn-laws, some allusion to which was confidently expected. We presume that by the omission we are to understand that lord Melbourne, the head of the cabinet, is opposed to any new legislation on the subject. Lord John Russell, it is said, will introduce a bill, proposing a fixed duty; and so there seems to be a prospect of that difference in the cabinet, of which we stated our anticipation several weeks ago.

The Royal William arrived out at Liverpool on the 3d of February.

From the London Standard of the evening, Feb. 5.

The business of the second session of parliament during the reign of her present majesty, was opened to-day by a speech from the throne.

The doors of the house of lords were opened at 11 o'clock for the admission of peeresses and others who had obtained tickets of admission from the lord great chamberlain to the body of the house and painted gallery; and shortly after that time the equipage of the nobility and gentry began to arrive in rapid succession. No lady was admitted into the body of the house except in full court dress.

The women of the guard, in their splendid uniforms, arrived at the house of lords at 11 o'clock, and took their stations in the lobby leading to the painted chamber.

In St. Margaret's church-yard, Parliament st. and along the line of road through which the royal procession passed, seats and platforms were erected as usual, and considerable interest existed to obtain a view of our youthful sovereign. Her majesty was enthusiastically received by the assembled crowd, throughout the whole progress from Buckingham palace to the house of lords.

Shortly before two o'clock a discharge of cannon announced that her majesty, accompanied by the great officers of state and the household, had left the palace, and was proceeding to the house of lords. The line through which the procession passed was lined with two regiments of the guards.

The queen arrived at the house of lords about two o'clock, which was announced by a discharge of cannon. Shortly afterwards her majesty, attended by the great officers of state, entered the house, and took her seat on the throne. The foreign ambassadors wore the full costumes of the countries they represented.

Her majesty having directed their lordships to be seated,

The lord chancellor directed the usher of the black rod to summon the commons to hear her majesty's speech on the opening of parliament.

In a few minutes the commons appeared at the bar, headed by the speaker. The space below the bar was crowded with members. After silence had been obtained, her majesty in a clear and audible voice read the following most gracious speech:—

The queen's speech.

"My lords and gentlemen."

"I rejoice to meet you again in parliament. I am particularly desirous of recurring to your advice and assistance at a period when many matters of great importance demand your serious and deliberate attention.

"I continue to receive from foreign powers gratifying assurances of their desire to maintain with me the most friendly relations.

"I have concluded with the emperor of Austria a treaty of commerce, which I trust will extend and improve the intercourse between my subjects and those of the emperor.

"I have also concluded a treaty of the same kind with the Sultan, calculated to place the commercial relations between my dominions and the Turkish empire upon a better and more secure footing.

"I have directed copies of these treaties to be laid before you.

"I have been engaged, in concert with Austria, France, Prussia, and Russia, in negotiations, with a view to a final settlement of the differences between Holland and Belgium.

"A definitive treaty of peace, founded upon anterior arrangements which had been acceded to by both parties, has in consequence been proposed to the Dutch and Belgian governments. I have the satisfaction to inform you that the Dutch government has already signified to the conference its acceptance of that treaty, and I trust that a similar announcement from the Belgian government will put an end to that disquietude which the present unsettled state of these affairs has necessarily produced. The unanimity of the five allied powers affords a satisfactory security for the preservation of peace.

"I lament the continuance of the civil war in Spain, which engages my anxious and undiminished attention.

"Differences which have arisen have occasioned the retirement of my minister from the court of Teheran. I indulge, however, the hope of learning that a satisfactory adjustment of these differences will allow of the re-establishment of my relations with Persia upon their former footing of friendship.

"Events connected with the same differences have induced the governor general of India to take measures for protecting British interests in that quarter of the world, and to enter into engagements, the fulfilment of which may render military operations necessary. For this purpose such preparations have been made as may be sufficient to resist aggression from any quarter, and to maintain the integrity of my eastern dominions.

"The reform and amendment of the municipal corporations of Ireland, are essential to the interests of that part of our dominions.

"It is also urgent that you should apply yourselves to the prosecution and completion of those maxims which have been recommended by the ecclesiastical commissioners of England, for the purpose of increasing the efficacy of the established church, and of confining its hold upon the affections of the people.

"The better enforcement of the law and the more speedy and certain administration of justice, are of the first importance to the welfare of this community, and I am assured that you will be anxious to devote yourselves to the examination of the measures which will be submitted to you for the purpose of obtaining these beneficial results.

"Gentlemen of the house of commons: I have directed the annual estimates to be prepared and laid before you.

"Adhering to the principles of economy, which is my desire to enforce in every department of the state, I felt it my duty to recommend that the adequate provision be made for the exigencies of the public service. I fully rely on your loyalty and patriotism to maintain the efficiency of those establishments which are essential to the strength and security of the country.

"My lords and gentlemen:

"It is with great satisfaction that I am enabled to inform you that throughout the whole of my West Indian possessions the period fixed by law for the final and complete emancipation of the negroes, has been anticipated by acts of the colonial legislature, and that the transition from the temporary system of apprenticeship to entire freedom has taken place without any disturbance of public order and tranquility. Any measure which may be necessary in order to give full effect to this great and beneficial change, will, I have no doubt, receive your careful attention.

"I have to acquaint you, with deep concern, that the province of Lower Canada has again been disturbed by insurrection, and that hostile incursions have been made into Upper Canada by certain lawless inhabitants of the United States of North America. These violations of the public peace have been promptly suppressed by the valor of my forces and the loyalty of my Canadian subjects. The United States has called upon the citizens of the union to abstain from proceedings incompatible with the friendly relations which subsist between Great Britain and the U. States.

"I have directed full information upon all these matters to be laid before you; and I recommend the present state of these provinces to your serious consideration. I rely upon you to support my firm determination to maintain the authority of my crown, and I trust that your wisdom will adopt such measures as will secure to those parts of my empire the benefit of internal tranquillity, and the full advantages of their own great national resources.

"I have observed with pain the persevering efforts which have been made in some parts of the country to excite my subjects to disobedience and resistance to the law, and to resuming dangerous and illegal practices. For the contraction of all such designs I depend upon the efficiency of the law, which it will be my duty to enforce, upon the good sense and right disposition of my people, upon their attachment to the principles of justice, and their abhorrence of violence and disorder.

"I confidently commit all these great interests to your wisdom, and I implore Almightly God to assist and prosper your counsels."

The condition of the navy was still discussed with great eagerness in the London papers. A semi-official statement had been published, showing the number of frigates, ships of the line, &c., in commission, or in such a state as to be quickly brought into employment, if necessary; and making out a very favorable case for England, as compared with France and Russia. The particulars of this statement, on the other hand, have been vehemently attacked by the Times and other opposition journals, and by officers of the navy, all contending, that "the wooden-walls of old England" are wretchedly inefficient, and that either Russia or France, with their large and well-appointed marine, might at any moment sweep the coast of England without opposition.

A provincial paper says that sir Robert Peel will support lord John Russell in his advocacy of a modification of the corn-laws.

Letters received in this city state that the Oxford will sail from Liverpool on the 15th March.

The city of Bath was thrown into consternation on the 25th of January, by the tidings, which proved too true, that Mrs. Tugwell, the wife of the senior partner in the Bath bank, had killed herself and two children, in a moment of insanity. She was but 31 years of age, amiable, accomplished, and universally beloved. The details are painfully interesting.

On Thursday she came from her residence, No. 1, Whitcomb-crescent, with her husband and children, into Bath, where, after proceeding to make purchases at various shops, she was seen walking along the bank of the canal, accompanied by her children, as late as three o'clock in the afternoon; she then, it appears, returned home, and desiring the butler to give her a decanter of sherry, took her children into a summer-house in the garden, saying she was going to give them a treat. Having proceeded there, she administered to the whole of the three children, and then took some herself. Fortunately the oldest boy (10 years of age) did not like the taste of the wine, and drank only a small portion, which, as he says, caused him to sleep, and upon awaking he found his mother sitting apparently asleep, with his two brothers, who were twins of 8 years of age, one lying at her feet and the other across her breast.

Finding himself very ill, and having in vain tried to awaken them, he rushed to the door, which he found locked, but at length succeeded in alarming the house, when the servants found their mistress and the children dead. No cause can be assigned for this melancholy act, but the lady must have been for some considerable time meditating upon it, as she had procured several bottles of prussic acid, and taken the precaution to destroy the labels; and in a notation of one of the labels retained, which, from its dirty state, indicated that it had been some time in the house.

The murderer of lord Norbury has not yet been discovered. A number of persons had been arrested on suspicion, but they were all discharged.

A letter from Constantinople in the Times of January 29, states that Mr. McNeill, the British ambassador at the court of Persia, had again found it necessary to break off all communication with the government, and leave the capital for the Turkish frontier. The shah is said to have manifested a spirit of the bitterest hostility to England; and a rupture between the two countries was regarded as inevitable. Many of the British merchants were preparing to leave Persia, in the confident expectation of hostilities. It was reported that the sale of British merchandise had been prohibited.

A memorial has been presented to the queen in connection with the chamber of commerce of St. John's, Newfoundland, praying for the abolition of the house of assembly, on the ground that its members are the nominees of the Catholic clergy.

An iron steamboat, 145 feet long and 25 feet wide, was launched at Dumbarton on the 22d of January. She is intended for South America, and is fitted up for passengers only, of whom she can carry 1,000. When launched, she drew only 18 inches water, and with her machinery and cargo is to draw but three feet.

The duchess-countess of Sutherland died on the 28th of January, in the 74th year of her age. She was countess of Sutherland in her own right, and duchess by marriage.

On the same day died sir William Beechey, the artist, aged 86.

It is stated, in one of the papers that Mr. sergeant Wilde, being applied to by one of the Canadian prisoners for his professional assistance, was prohibited from acting for them by the government.

The publisher of the Times has been sentenced to a fine of £200 for the libel on sir John Conroy. The government has set on foot an investigation

to ascertain whether the late rise in the price of wheat, &c. has or has not actually been caused by a deficiency in the crop.

The case of the Canadian prisoners was not yet decided. Our readers will remember that it was under discussion in two courts, the court of queen's bench and the court of exchequer, writs of habeas corpus having been granted in each.

In the court of queen's bench the case was argued in part on the 25th; but on the 30th Mr. Hill, of counsel for the prisoners, informed the court that proceedings were going on in the exchequer, and, with his consent, the chief justice determined to postpone the former consideration until the decision of that court should be made. The argument in the court of exchequer was deferred until the next term.

Liverpool, Feb. 6.

The North America will be a full ship about noon this day, and will shut out about 15 or 20 tons fine goods. At present she has but one cabin passenger.

Extract from a letter from capt. Rathbone, of the packet ship Oxford, dated

Liverpool, Feb. 6, 1839.

The ship has been thoroughly examined and not a timber in her has been broken. We shall put an entire new keel into her, and also two or three extra thick streaks of a sick, about twenty iron standard knees between decks and cabin, also one or two extra hooks or riders at each end of her, so that she will be, if possible, stronger than she was before.

We shall probably get the Pennsylvania's fore and main mast. All her spars are now in the pier head, except her main-mast, which I think will be taken out this day.

We have estimates of the probable cost of the repairs, outfits, &c., of the ship, which will be from £3,500 to £4,000, of which a large portion will come under general average; I therefore think that about three-fourths of the above named sum will fall on the underwriters.

London, Feb. 5, 12 o'clock. The chief topic of conversation this morning is the queen's speech, to be delivered this afternoon to both houses of parliament.

Consols opened this morning at the quotations they closed at yesterday, 92 3/8, money 92 3/8 1/2 for the account. No speculation of consequence have taken place as yet. Exchequer bills 66 6/8; bank stock 202 1/2.

Half-past one. Consols may be quoted at 92 3/8 for the account, money 92 1/2 3/8. Exchequer bills 66 6/8.

From the London papers of February 5.

STATE OF IRELAND.

From the Dublin Evening Packet.

Effects of the late meeting in Tullamore. On the night of the radical meeting at Tullamore, the 22d ult. captain Belton was attacked by five or six ruffians, at the hill of Ballydull, in the parish of Durrrow; they laid in wait for him in a plantation of lord Norbury's, and brutally assaulted him on the head with bludgeons. Three persons are in custody charged with the offence. On the same night the police were attacked in Frankfort, and assaulted by some of the people, who no doubt, had been engaged at the meeting. Some prisoners the police had taken for rioting were rescued.

[Leinster Express.]

FRANCE.

The ministry had not been re-organized, and in consequence of the crisis the king had prorogued the chambers, and dissolved the chamber of deputies. The new elections were to be held on the 2d of March.

M. Dupin had interviews with the king, previous to the prorogation, on the subject of forming a new ministry, but they appear to have resulted in nothing.

It is now declared that count Mole and his colleagues will remain in office, their resignations not having been accepted by the king.

BELGIUM AND HOLLAND.

No event has yet taken place, resulting from the accession of France to the agreement of the protocol powers. The news was received in Brussels with considerable excitement, and in the chamber there was talk of war, &c., but France was pushing forward large bodies of troops to the frontier, and the general opinion was that the treaty would be fulfilled, without a cessation of peace.

Correspondence of the Commercial Advertiser.

Liverpool, February 5.

The inquiry for cotton continues moderate, and principally from the trade, who, from the depressed state of trade at Manchester, have no inducement to purchase beyond their immediate wants; and holders being firm, and unwilling to submit to any decline, the market is quiet at former prices.

Corn markets. Liverpool, Tuesday, Feb. 5. We have again to notice a fair importation of foreign wheat, together with a good supply of Irish flour, but of other articles of the trade the imports since this day se'night have been light. Throughout the week the trade generally has continued dull, but there has latterly been less disposition to press sales, and except as regards the lower qualities of foreign and Irish wheat, which were on Friday offering at rather lower terms, the prices of Tuesday have been sustained. Odessa soft wheat has sold at 9s; Marjanopol, at 9s 6d to 10s; French red at 10s and white at 10s 6d. Baltic red at 10s 6d to 10s 9d; Danzig, 11s to 11s 6d; English, from 11s to 12s; and Irish, from 8s to 9s 6d, per 70 lbs.

CASE OF COMMODORE ELLIOTT.

The following are the minority reports from the special committee of the house of representatives, to whom were referred the official papers in the case of commodore Elliott:

REPORT OF MESSRS. NAYLOR AND CHAMBERS.

The undersigned, two of the minority of the special committee to whom was referred the report of the secretary of the navy, containing the charges of passed midshipman Barton against captain Jesse D. Elliott, of the United States navy, and who were appointed, under the resolution of the house of the 14th instant, to inquire into the official conduct of the said Elliott while in command of the squadron in the Mediterranean, and particularly in to the allegations of tyranny and oppression towards the officers of his command, submit the following report:

The undersigned, differing with the majority of the committee as to the propriety of not commencing the investigation at this late stage of the session, and as the report of the majority will be preserved among the records of the house, they feel it due to themselves to place by its side evidence of an equally pertinent character, that, in their opinion, the time allowed by the house for the prosecution of the inquiry was sufficient for the purpose, and that it was the imperative duty of the committee at once to have proceeded with it.

The complaints against captain Jesse D. Elliott are strong and numerous; and the committee all agree that they require investigation. They have been made and circulated in various forms through the country, and so far as they have reached the ears of the undersigned, through letters, personal communications with individuals who, from their situation, are likely to be acquainted with the facts, and from the public prints, may be put down as follows:

He is charged with the most cruel, inhuman and brutal conduct towards passed midshipman Barton, when sick and wounded; causing him to be dragged from his cot, and removed from his vessel, at the most imminent peril of his life, at a time when he was racked with agonizing pain; and that, too, against the earnest remonstrance of his surgeon and the most affecting appeal from the sufferer.

He is charged with ungentlemanly and unofficerlike conduct towards his officers, with oppressing, disgracing, and confining them, without cause and without accusation, and, when so confined and disgraced, with denying to them a trial, and refusing to communicate to them the cause of his displeasure.

He is charged with endeavoring to bolster up his reputation, and to enrich and sustain himself against the charges of his officers, by procuring to be wrung from the hard earned pittance of his crew costly presents of plate.

He is charged with importing in his frigate large numbers of asses, horses, and other animals, as merchandise, with a view to promote his own private gains; and for the sustenance and accommodation of such animals he has deprived his officers and crew of their rightful and necessary quarters, and sacrificed their health, comfort, and safety, besides exposing his ship to the dangers of conflagration, and endangering her, for the time, utterly unfitted for action.

He is charged with taking such course in his command as tended to induce mutiny among the crew, and, when the mutiny broke out, with omitting to take such manly and officerlike measures as were necessary for its suppression.

He is charged with oppressing his officers with vexatious and causeless courts-martial; with violating the constitution of the United States, by receiving presents from foreign powers; and with daily acts of petty tyranny, unofficerlike and ungentlemanly conduct.

He is charged with gathering together *ex parte* affidavits, letters and papers, to crush such of his officers as complain of his injuries, and lodging them in the navy department against them, thereby deceiving the department and the people, doing

gross injustice to the complainants, as well as to his own honor; instead of meeting his accusers, with the front of conscious innocence, before a competent tribunal, and wiping from his name, if possible, the stain which such charges attach to it.

These charges have, some of them, been made to the navy department, and present, as all the committee agree, a case requiring investigation.

The undersigned are of opinion that investigation into alleged abuses and oppressions such as these, is among the highest duties of the representatives of the people. They cannot think, with the majority of the committee, that the early termination of the session should have formed the excuse for the non-performance of this most important duty; but, on the contrary, that the investigation should have been made at all sacrifices of time and ease; justice should have been done as well to the accused as to the accusers; the truth or falsity of these charges ought to have been made manifest, if all the remaining days and nights of the session should have been consumed in the labor. There were no duties paramount to it—the vindication of violated rights is of the very first importance.

In the opinion of the undersigned, the committee might have completed the investigation, and had, also, time for the performance, in the fullest manner, of all their congressional duties. By sitting early in the mornings and late in the evenings, they might have appropriated six or seven hours a day to the purposes of their inquiry, and have been ever present during the sittings of the house—a time which, if the investigation had been proceeded in when the committee first organized, would have been ample for a thorough evisceration of the whole case.

Having thus briefly stated their views of what they conceived to be the duties of the committee, and protesting against being held to a responsibility for the non-performance of that which they believed to be a solemn obligation, due to the navy and the country, and imposed upon the committee by an almost unanimous vote of the house of representatives, they have done all that they proposed to themselves in making this report.

CHARLES NAYLOR,
JOHN CHAMBERS.

Washington, February 19, 1839.

REPORT OF MR. LYON.

The undersigned, a member of the committee appointed under the resolution of the house of the 14th of February, "to inquire into the official conduct of captain Jesse D. Elliott, of the United States navy, while in command of the squadron in the Mediterranean in the years 1837 and 1838, and particularly into the allegations of tyranny and oppression towards the officers under his command," dissented from the majority of the committee, in declining, for the reasons stated in their report and resolutions, to proceed with the investigation, and in asking to be discharged from the further consideration of the subject. The committee having made no progress in the investigation, the undersigned has had no opportunity of ascertaining the precise nature of the complaints made against the conduct of capt. Elliott, and, of course, has no opinion to express thereon, either favorable or unfavorable.

The house of representatives having, by the resolution under which the committee was organized, made it their duty to make the investigation, the undersigned was willing, so far as he was concerned, to proceed in the execution of the order of the house, and to prosecute the same to as early a termination as the importance of the subject, the character of the navy, and the rights of the officer implicated, would authorize.

He considered it due to the house, to the country, and to the officer whose conduct is involved in the inquiry, that complaints such as have been made in debate, and such as seem to be implied by the resolution, should undergo a full and thorough investigation, and, if found to be true, the proper corrective should be applied. If found untrue, it is important that the officer complained of should be relieved from censure.

F. S. LYON.

COMMODORES PORTER AND ELLIOTT.

From the Baltimore Sun of the 27th ult.

We publish below two letters from those distinguished individuals. In a former publication of commodore Porter, it was stated that he and commodore Elliott never were on terms of intimacy or friendship, and these letters, a portion of a former correspondence, are designed to exhibit the parties in the light of free correspondents. Thus much for an explanation. Without expressing an opinion, we give them on the ground of a willingness to do "equal justice." It may be necessary to say

they were furnished by a friend of commodore Elliott; the originals are in our possession.

[Copy.]

U. S. ship *Constitution*, off Tunis,
Oct. 20th, 1836.

MY DEAR COMMODORE: I was in hopes to find you here on my arrival, and cannot but express my disappointment, notwithstanding I should have to perform a serious quarantine. I take pleasure in informing you that three of your sons are aboard of the squadron, one of which, little Henry, I will leave here for you, as I am without advices from the government, respecting him, and presuming that will meet your wishes. I find he is a very smart, intelligent boy, but will require something of a taut rein upon him to make a man of him. The others I will order to the vessel that comes to carry you to Constantinople in the spring, so that you may see them, as I suppose they would like to remain out on this station. While at Jerusalem, the missionaries there requested me to speak to Mehmet Ali about enclosing a piece of ground for a cemetery, a copy of their statements I herewith enclose you, which I did during an interview with him, and he assented to it at once, but stated, to avoid difficulty from the other sects, that it would be well to obtain a firman from the sultan, though his assent was the main thing, and I wrote them to apply directly to you on this subject. While passing along the coast of Syria, I could not but notice the necessity of our commercial affairs being on a footing with those of England, France, and Russia, and as I found H. H. so very favorably disposed towards our country, I put the question to him direct. He most willingly granted it, and said that he would want a firman from the sultan, though it was a mere form, as he granted the substance himself. He drew my attention particularly to Mr. Chapeaud, our consul at Beyroot, who, he says establishes agencies and vice-consuls at places where we have no need of one, and thereby deprives him of the right over his own subjects, who are protected by the agencies. H. H. is very anxious to have a consul general at Alexandria, through whom what agencies are necessary on the coast of Syria, be established, so that all the correspondence, &c. that may arise can be conducted with him. I mention these things not with a view to interfere in the least with whatever appertains to your official matters, but merely to inform you how matters stand there just now, and of the state of feeling of H. H. towards our country, and its representatives. He paid me a visit while at Alexandria, and I received and treated him in such a manner that will not soon be forgotten. I have this summer made a very active cruise. After leaving Mahon the last of May, I touched at Toulon, Genoa, Leghorn, Civita Vecchia, Naples, Palermo, Messina, Corin, Milo Napoli, Catania, along the coast of Syria, Tripoli, Beyroot, Sidon, Jaffa, Alexandria, & Tripoli, and now here. I intend from this to go to Mahon, but not for winter quarters, only to prepare my squadron for a cruise, as my intention is to keep actively employed while in command in the Mediterranean. Your letters will find me by addressing them to Gibraltar for the next three months; after that at Marsailles. Wishing you a speedy restoration to good health, I remain

Sincerely and very respectfully,

Your most obedient serv't.

(Signed) J. D. ELLIOTT, Com'g, &c. &c.
To com. Porter.

Charge d'affaires, Constantinople, (now at Tunis.)

P. S. I should like to show the North Carolina at Constantinople and Odessa in the spring. Write me what you think, and if it can be done.

Tunis, Nov. 17th, 1836.

MY DEAR SIR: You will herewith receive my official reply to those parts of your letter which call for it, and now allow me to express to you my sincere thanks for your considerate kindness in leaving my little boy at Tunis, and intentions with regard to my other sons, whom I shall be rejoiced to see.

I endeavored to get to Tunis to meet you or about the time you were expected to return from the Levant, but in consequence of delays, caused by want of conveyance from Leghorn and Marsailles, this could not take place, nor could I see my son William on account of the sailing of the vessel that brought me here about half an hour before the time appointed for meeting him at the health office, at the latter place.

I hope your cruise in the East has been as pleasant as it must have been interesting, and improving to the officers, who, doubtless, particularly the younger ones, will derive more advantage from active employment at sea than in spending their time uselessly at Mahon.

I find the state of my health greatly improved since my departure from Malta, and have strong

hopes that it will be perfectly restored after passing the winter here.

Accept my best wishes for your health and happiness, and believe me to be
Your obedient, humble servant,

DAVID PORTER.

Com. Jesse D. Elliott,

Commanding U. S. squadron, Mediterranean.

CORRESPONDENCE—PUBLIC LANDS.

At a meeting of the *Democratic Whig Association* of the 10th ward, held at Columbian hall, on the evening of the 15th February, inst. the following correspondence was read and directed to be published.

New York, January 22, 1839.

SIR: We have the honor of enclosing, by order of the *Democratic Whig Association* of the tenth ward of the city of New York, a copy of certain resolutions adopted by that body on the 14th instant.

The association considered it not inappropriate at this time, when so strong an effort is making to divert the splendid patrimony of the public lands from its legitimate objects, to awaken general attention to the subject, and to encourage, with a favorable voice, (which it is hoped will be responded to from other popular bodies,) those advocates of equal justice who have steadily resisted the proposed scheme of spoliation. Among those who, on the floor of congress, have fought that good fight, no one has been more persevering or distinguished than yourself. You have surveyed all the various bearings of the question, not with the narrow views of a mere politician calculating local and temporary results, or sacrificing the national interest to those of particular individuals or states, but with the enlightened judgment of a patriotic statesman, providing for the good of the whole, and equally for the present and the future.

It is a subject of lasting regret, in which impartial men of all parties will at no distant day participate, that the bill upon this subject, which you introduced at a former session and which passed through both houses of congress, framed as it was upon principles of enlarged policy and justice to all the states, and carrying with it the commendation and support of persons of politics so very opposite, should have been arrested by the personal prejudices against yourself of the then executive.

Although thus prevented from appearing as a law on our national statute-book, yet the impartial historian will treasure it up, amongst those magnificent and profound conceptions which entitle you, more than any one of our living statesmen, to be considered, emphatically, the originator and father of useful and patriotic measures of legislation. It will be regarded by posterity as another addition to those brilliant acts of your political life, which, ascending always by a happy gradation, show how conscientiously in your case, have been united the gifts (so rarely seen together) of an unsurpassed eloquence, with clearness and profundity of views in legislation and practical action.

Permit us to accompany this act of official duty with the expression of feelings of personal respect.

We are your very obedient servants,

WM. TURNER,

J. TURNER DODGE,

Secretary *Democratic Whig Association*,

Tenth Ward, New York.

Hon. Henry Clay.

Washington, 9th February, 1839.

Gentlemen—I have duly received your letter, transmitting certain resolutions adopted by the *Democratic Whig Association* of the tenth ward, in the city of New York, in relation to the public domain; and request you to make the association my profound acknowledgments for the notice with which it has honored my name. I rejoice that the people, in their primary assemblies, and in their proper communities, are directing their attention to this great interest. It was high time that it should receive their earnest consideration. Faithfully administered, the public lands may be made powerfully instrumental in the advancement of the prosperity of the present generation, and of their prosperity for a long succession of ages. But they have been in danger of being swept away by pre-emptions, Indian reservations, graduation bills, and finally cessions of the common property of all the states to the particular states in which it is situated. And most of these projects, urged under the plausible pretext of benefiting the poor settler, have stimulated speculation, and tended to aggrandize the speculator to the prejudice both of the honest emigrant and the people of the United States. I have felt it to be my duty to oppose these projects; and it is a deplorable evidence of the loose morality which prevails in respect to the public property, that I have been denounced and calumniated for

my endeavors to protect and preserve it for the benefit of all the states and people of the union.

I share with you, gentlemen, in regret, on account of the failure of the bill to distribute the net proceeds of the public lands, which passed both houses of congress. It was defeated by a high-handed and daring violation of the constitution. If it had gone into operation, there would have been no extraordinary surplus in the treasury, no disturbance of the financial and business concerns of the country by a bungling removal of the deposits, no temptation to those alarming and annual appropriations which have been recently made by the federal government, and I believe no suspension of specie payments by the banks. Now that the public attention is awakened to this great national resource, I trust that the projects to which I have adverted will be checked, and that it will be cherished and preserved for the common benefit of all the people of the United States and their posterity.

I request, gentlemen, your acceptance of my thanks, for the flattering and friendly manner in which you have communicated the resolutions of the *Democratic Association* of the tenth ward, and of the high consideration with which,

I am, your friend and obedient servant,

H. CLAY.

Messrs. Wm. Turner, and J. Turner Dodge, &c.

NORTH-EASTERN BOUNDARY.

The following message from the governor of Maine, was sent to the house by the secretary of state:

To the senate and house of representatives:

Since my last communication to you upon the subject of the trespassers upon the public lands, there has been forwarded to me a proclamation of the governor of the province of New Brunswick, which I deem it my duty to communicate to you, with a statement of my proceedings consequent thereon. By this proclamation, it seems that, while the lieutenant governor disavows any authority from his government for the seizure of the land agent, he yet speaks of the attempt of the civil authorities of this state to drive a band of armed trespassers from our public lands as "an outrage" and an invasion of the territory of the province of New Brunswick, and avows the fact of having ordered "a sufficient military force" to repair to the place where the land agent's party are endeavoring to execute your resolve of the 24th of January, and to repel what he thus regards as an invasion of the province of New Brunswick. Immediately upon the receipt of this extraordinary document, I took measures to hasten the departure of the reinforcement of the land agent's party, understood to have been assembled at Bangor, waiting orders, and numbering between four and five hundred; and also issued an order to major general Isaac Hodgdon, of the 3d division, to detach one thousand men, by draught or otherwise, properly officered and equipped, who were to rendezvous at Bangor, and then proceed, at the earliest possible moment, to the place occupied by the land agent's party, on or near the Aroostook river, there to render such aid as would enable the land agent to carry into effect the resolve of the 24th of January.

I also dispatched a special messenger with a communication to major Kirby, of the United States artillery, commanding at Hancock's barracks, Houlton, informing him of the facts, and asking his co-operation, with the troops under his command, with the forces of this state, in repelling an invasion of our territory, and sustaining our citizens in the lawful and authorized protection they are endeavoring to extend over a portion of the property of the state.

If these proceedings on my part meet the approbation of the legislature, and an appropriation be made for the purpose, I shall feel it to be my duty to proceed forthwith to order a draft from the militia, of at least ten thousand men, who will hold themselves in instant readiness to march to the frontier should circumstances require it.

I have not yet called upon the president of the United States for aid in repelling the invasion of our territory by foreign troops, deeming it proper to postpone that step until the return of colonel Rogers from his special mission to Frederickton, or, at least, until some information shall be received from him, which will probably be as early as the 20th or 21st instant. If, however, you should think otherwise, and that no delay should be allowed for this purpose, an intimation to that effect will be promptly obeyed.

If I have not entirely misconceived the circumstances of the case presented for your consideration, it is one calculated to excite the deepest feelings in the breasts of our citizens, and calls for the most prompt and determined action on the part of this government. What is that case? You were in-

formed that a large number of armed and desperate men from a neighboring province forced themselves into the territory of this state with a fixed purpose of cutting a vast amount of timber, and of resisting, even unto blood, any attempt to arrest them in the prosecution of their unlawful object. Deeming it your duty to make an effort to protect the interests of those who had confided them to your care, you instructed the land agent to proceed to the scene of devastation and plunder with a sufficient force to arrest those who were engaged in it, and to break up their daring and wicked enterprise. While in the act of executing this order, the land agent was seized, transported beyond the bounds of the state, and finally carried upon a sled, like a felon, and under the guard of provincial troops, to the capital of New Brunswick, for trial. Could a greater indignity be offered to any people having a particle of sensibility to its rights and its honor, or to the sacredness of the personal liberty of its citizens? It is true that the lieutenant governor denies that the original seizure was by authority. But at Woodstock the magistrates took cognizance of the affair, sanctioned the proceedings by issuing a warrant, (acting, undoubtedly, under the authority of the proclamation,) and sending the citizens under an ignominious escort, to Fredericton. Really, if there be any citizens, justification for this treatment of our territory, it is not to be found in any code of international honor or comity with which I have been acquainted. Not only this, but it seems that a military force is sent into a part of the territory of this state to expel from it a civil force sent there by this government for the protection of its property. How long are we thus to be trampled upon—our rights and claims denied; our power contemned, and the state degraded! If there ever was a time when the spirit of independence and self-respect should arouse itself, that time is the present. We cannot tamely submit to be driven from our territory while engaged in the civil employment of looking after and protecting our property, without incurring a large measure of ignominy and disgrace.

No palliating circumstances that place where it can be found in even a pretence that the place where it was committed is within the concurrent jurisdiction of the two governments, much less that the British government have had exclusive jurisdiction. Lands even higher up and beyond this, were surveyed and granted by the state of Massachusetts more than thirty years ago. And Massachusetts and Maine have long been in the habit of granting permits to cut timber upon the Aroostook lands without being, to my knowledge, molested from any quarter, to say nothing of the sales and actual occupation of the land itself.

It must be gratifying to all who have a true sense of the honor and interest of the state, to perceive that upon this subject, the din of party warfare is hushed, and that a unanimity has prevailed alike honorable and patriotic. No intemperance to this commendable spirit, I trust, will be suffered. Union and good feeling, no less than prudence and energy, are absolutely necessary in this extraordinary emergency.

JOHN FAIRFIELD.

Council chamber, February 15, 1839.

Since writing the foregoing, I have received a communication from the lieutenant governor of the province of New Brunswick, in which he sets up an alleged agreement that the British government should have exclusive jurisdiction and possession of the disputed territory until the question be settled; and informs us that he is instructed not to suffer any interference with that possession and jurisdiction. He entreats us to withdraw the land agent's party, and adds that he has directed a strong force of "her majesty's troops to be in readiness to support her majesty's authority, and protect her majesty's subjects in the disputed territory, in the event of this request not being immediately complied with."

In regard to all this, I have only to say that there is no reason to doubt the entire correctness of the course we have thus far pursued, and that with the blessings of God, I trust we shall persevere. No such agreement as that alluded to by the lieutenant governor can be recognized by us; and it is an entire misapprehension, to say the least of it, that such an agreement has ever been made. The letter having been written before Mr. McIntire reached Fredericton, no official communication is made as to the course intended to be pursued in regard to him and those arrested with him. I learn, however, indirectly, that they are to be retained.

I am informed that the land agent's party have stationed themselves, for the present, at the termination of the Aroostook road. While there, Mr.

McLaughlin, the provincial land agent, presented himself, and, in the name of her majesty, warned our party to disperse. Mr. McLaughlin and his two assistants were therefore taken into custody, and the agent, with one assistant, immediately sent to Bangor, where they are now detained. Copies of the proclamation and letter of the lieutenant governor of New Brunswick are herewith communicated.

JOHN FAIRFIELD.

After the message had been read, Mr. Allen, of Bangor, offered the following resolve:

STATE OF MAINE.

"Resolve for the protection of the public lands.

"Resolved, That the honor and interest of this state demand that a sufficient military force be forthwith stationed on the Aroostook river, west of the boundary line of the state, as established by the treaty of 1793; and on the river St. John, if found practicable, at such points as may be best adapted to the object, to prevent further depredations on the public lands, and to protect and preserve the timber and other lumber already cut there, by trespassers, and to prevent its removal without the limits of the state."

Mr. Deslender moved to amend by adding the following resolve, which was adopted:

"Resolved, That the sum of eight hundred thousand dollars be, and hereby is, appropriated for the purpose of enabling the executive to carry out the purposes of the foregoing resolve, and the resolve passed January 24, 1839; that the governor be, and hereby is, authorized, with the advice of council, to draw his warrant for the same, from time to time, as it may be needed for that purpose.

The question (on the passage of the resolution to be engrossed) was taken by yeas and nays, and decided *unanimously* in the affirmative: yeas 150, nays none.

On motion of Mr. Vose, of Augusta, *Ordered*, That the governor be requested to communicate forthwith to the executive of Massachusetts any information in his possession in relation to trespasses committed on the disputed territory, and to request the co-operation of that state in the measures taken by this state.

This order was *unanimously* adopted.

Mr. Sheldon, of Gardiner, introduced the following resolve:

"Additional resolve respecting trespasses on the public

lands. Resolved, That the governor be requested forthwith to communicate to the president of the United States the measures recently adopted by the state of Maine in relation to trespasses on the public lands of the state, and also copies of the correspondence between the governor of New Brunswick and the executive of Maine in relation to these measures, together with a statement in his possession relative to the subject; and to request the aid of the general government in support of the rights of the state of Maine."

The passage of this resolve to be engrossed was taken by yeas and nays, and decided *unanimously* in the affirmative; yeas 148, nays none.

John D. McCrate, esq., of Wiscasset, has been sent to Washington as bearer of despatches to the president. He left here this afternoon. The governor has issued orders to the commanding officers of the several divisions to order one thousand men to be drafted in each, to hold themselves in readiness to march at a moment's warning to our north-eastern frontier.

The following is the communication referred to by governor Fairfield.

GOV. HARVEY TO GOV. FAIRFIELD.

Government house,

Fredericton, New Brunswick, Feb. 13, 1839.

SIR: I have just heard, with the utmost surprise and regret, that, without the courtesy of any intimation whatever to this government, an armed force from the state of Maine has entered the territory, the claim to which is in dispute between Great Britain and the United States, and which it has been agreed between the two general governments shall remain in the exclusive possession and jurisdiction of England until that claim be determined.

It has been my duty, on more than one occasion to apprise the executive government of Maine that my instructions do not permit me to suffer any interference with that possession and jurisdiction, until the question of right shall have been finally decided, in discussion between the two general governments.

With the knowledge of these instructions thus explicitly made known, I cannot but repeat the expression of the deep regret which I feel, that, instead of seeking their recall or modification through the presidential government, the state of Maine should thus have forced upon a subordinate officer the alternative of either failing in his duty by abstaining from the fulfilment of the command of his sovereign, or by acting up to them, placing the two countries in a state of border collision, if not the two nations in inveterate and active hostility.

Such, nevertheless, is the position in which I find myself placed by this overt act on the part of the state of Maine—one from which I do not hesitate in entreating your excellency to relieve me, by ordering the immediate recall of a force whose presence within the precincts of the territory as claimed by England it is contrary to my instructions to permit; and it is proper that I should acquaint your excellency that I have directed a strong force of her majesty's troops to be in readiness to support her majesty's authority and to protect her majesty's subjects in the disputed territory, in the event of this request not being immediately complied with.

With regard to any plea for these proceedings on the part of the state of Maine, connected with timber spoliations in that territory, I have to inform your excellency that I have given directions for a boom to be placed across the mouth of the Aroostook, where the seizing officer, protected by a sufficient guard, will be able to prevent the passage of any timber into the St. John in the spring, or to seize it and expose it to public sale for the benefit of the "disputed territory fund."

Similar precautions will be adopted in regard to any timber cut upon the Upper St. John, or the tributary streams falling into it.

Anxiously awaiting your excellency's reply to this communication,

I have the honor to be your excellency's most obedient, humble servant,

J. HARVEY.

GOVERNOR EVERETT'S MESSAGE TO THE LEGISLATURE OF MASSACHUSETTS.

Massachusetts legislature, Wednesday, Feb. 20.

The following message was received from the governor:

To the senate and house of representatives:

I transmit to the two houses copies of the several documents received from his excellency the governor of Maine, on the 18th and 19th instant. They relate to the trespasses committed on the public lands, the property of Maine and Massachusetts, by bands of plunderers associated in large bodies, for the purpose of carrying on their operations without interruption. The measures taken by Maine to enable her land agent to put a stop to these depredations, and the purpose of resisting these measures by military force, announced by the lieutenant governor of the province of New Brunswick, will appear from the papers communicated. The course adopted and sanctioned by the local authorities of New Brunswick, has led the legislature of the state of Maine to the adoption of vigorous measures for the protection of the public property, and the defence of the agents employed in removing the depredators.

Among the papers transmitted by governor Fairfield, is a copy of a resolve of the house of representatives of Maine of the 18th instant, requesting the aid of Massachusetts in the measures adopted by Maine, relative to the trespassers on the public lands. The opinions and feelings of Massachusetts on the great questions connected with the north-eastern boundary, have been so often set forth in the public acts of her legislature and executive, that they do not need to be repeated. The land agent of the commonwealth has at all times efficiently cooperated with the land agent of Maine, in all measures for the protection of public property which fall within the scope of the ordinary duties of those officers.

I had the honor in my address to the legislature at the beginning of the session, as on more than one former occasion of the same kind, to call the attention of the two houses to the ruinous extent of the depredations committed on the public lands in that region—the rightful sovereignty and government of the territory belong exclusively to Maine. Massachusetts has no jurisdiction over it, and possesses only an interest in the moiety of the soil. For this reason, no further steps on our part have been taken within the competence of Massachusetts, to maintain her right in the territory which forms the subject of controversy so long protracted, between the governments of the United States and Great Britain. Should a state of things unhappily arise in which the government of the United States shall call upon Massachusetts for her assistance in asserting the rights so long and so injuriously withheld, I am persuaded that the call will receive a prompt response from the legislature and the people.

EDWARD EVERETT.

Council chamber, Feb. 20, 1839.

[We have before us a large number of other interesting documents in relation to this subject, which we are compelled to omit for the want of room. Our readers will, however, find on the first and second pages the latest news of interest in relation to this perplexing question.]

COLLECTION AND DISBURSEMENT OF THE REVENUE.

In the house of representatives, February 6, 1839.

Mr. R. M. T. Hunter, from the select committee to which the subject was referred, made the following report:

The select committee to whom were referred, on the 5th of January, certain resolutions in relation to the mode of collecting and disbursing the public revenue, have had the same under consideration, and submit the following report:

It seems to have been the object of the resolutions referred to this committee, first, to leave the public money in the hands of the public debtor until actually wanted by the government; thus utilizing this portion of the capital of the country to the uses of trade, at the same time that interest is secured to the public as the consideration of its use.

Secondly, to set off periodically the liabilities to and from the government, by fixing certain days, at intervals of three months, for receipts and disbursements, so as to concentrate as many demands to and from the United States as may be practicable at the same time and place.

Thirdly, to diminish the risk of speculation and default on the part of public officers; first, by this exchange of credit, which, so far as it can be effected, accomplishes at the same period the collection and disbursement of the revenue, without affording a temptation to them; and, next, by prohibiting for such transactions, that the money which passes through the hands of the public officers shall be limited in quantity to the actual demands to be made upon them within a period so short as twenty days.

And, fourthly, to introduce greater order and facility in the administration of the treasury department, by fixing these stated periods for receipt and disbursement, so as to enable the secretary to obtain adequate notice, not only of the sum due from the government, and of the time and place of demand, but also of the sums due to the government, and of the time and place of receipt.

These being the objects of the resolutions, the first inquiry suggested to the committee was as to the means, if any, of attaining them.

There can be no difficulty in arranging the receipts so as to cause the sums for customs to flow into the public treasury at fixed quarterly periods. It is supposed that the first section of the bill heretofore reported accomplishes that object without changing the compromise act, or in any manner affecting the great interests concerned in it. The main questions are not only as to the ultimate solvency of the debts thus incurred by the merchants, but as to their punctuality in meeting their engagements in time for the emergencies of the system proposed by these resolutions. That the bonds thus given would be ultimately paid with a very inconsiderable loss to the public, your committee entertain no doubt. The nature of the penalties imposed by existing laws and by the 2d section of this bill, the experience of the government, and the high character of the American merchant, all justify this confidence in his fidelity to his engagements. The act of the 2d of March, 1790, already provides that the obligors who fail to pay their bonds given for duties when due, shall no longer be entitled to credit at the custom house. Superadded to this summary process given against them by the 2d section of this bill, in the event of their failure to pay at the day; and it is hardly to be supposed that the merchant would enter into any engagements under such penalties, which he might not surely expect to meet at the proper time; and more especially when, upon so short a time, as is here supposed, he would so soon be exposed to the entire loss of credit, and perhaps of property. It would rarely happen that a merchant who was able to import the goods would be unable to pay the duties in three months from the time when he certifies that he would not likely hazard his credit and property by exposing himself to the chance of a default, made so notorious and so speedily prosecuted as would be the case under the existing laws and that now proposed. The high value which every merchant places upon his credit forbids such a supposition. Indeed, the experience of our government affords almost demonstrative evidence of the justice of this conclusion. In 1824, William H. Crawford, then secretary of the treasury, made a report exhibiting the entire amount of losses sustained upon the bonds given for customs, from 1789 up to the 31st of December, 1823. From this it appears that, out of \$527,450,239 secured by bonds for customs during this entire period, the loss had not exceeded \$1,576,626; whilst \$758,191 only were considered doubtful; thus demonstrating the sums lost and doubtful not to have been more than forty hundredths of one per cent. upon the amount collected. From 1823 to 1833 the proportion of

loss seems to have been greater, as appears from a report made by the secretary of the treasury in the last year; but even with the addition of this period to the former estimate, the loss will be found less than one per cent. If additional evidence of the fidelity of the American merchants to their engagements were to be required, it might be found in the wonderful efforts which they make amid the difficulties of the late crisis to sustain their credit. Of the protested bills returned to them from abroad, which were said to have amounted to £2,000,000 sterling, nearly the whole amount has been paid. A London paper has stated the loss at less than one-fiftieth of one per cent. Looking to these facts, we feel assured that the proposed mode of securing the public funds approximates so nearly to perfect safety, that we should find no difficulty in recommending an entire exchange of credit for cash in collecting the duties, if there were any considerations of convenience or political expediency which peculiarly recommended the former mode. But, in point of fact, the plan now proposed incurs fewer of the objections urged against the credit system of duties than that in present operation. It is true that a small portion of the duties are collected in cash under the present system, but they bear a proportion to the whole amount of not more than 1 to 4, whilst the balance is given to the treasury for six months. Under the plan proposed, the credit will not extend beyond three months and twenty days, (and rarely so long,) before a partial payment at least will be required, together with a re-examination of the security. No case can well arise in which the credit will exceed six months, and then only for the surplus not required at once for the purposes of the government. This periodical supervision of the securities for public money, at short intervals of time, it is believed, will render those securities not only safer than under the present system, but sufficiently so for all practical purposes.

To recommend the proposed system, however, it may be said that a punctual payment of these debts, when due, will be necessary, and that the operation of this machinery contemplates a greater degree of exactness, in this respect, than is usually found in the operations of trade. A close examination of the evidence by which we are given to the probability of this, will go far to remove this suspicion. The repeated evidences ought by our merchants of their fidelity to their engagements, through a long series of years, have been referred to already. These, together with the penalties imposed by this bill for a want of promptitude in redeeming their obligations, seem to justify the expectation of a sufficient degree of punctuality for the purposes of the proposed system.

The successful operation of this system will not require entire punctuality in the merchants, or even a greater degree of it than has been usual in their past dealings with the government. In the report of Mr. Crawford, before referred to, a period of thirty-three years is embraced, during which the greatest loss ever sustained upon the bonds given for duties was incurred in 1819, and was less than 1 1/2 per cent. and here it is to be observed, that the proportion of loss to the income secured by bonds in 1819 and 1823 was more than four times as great as the average proportion during the residue of the thirty-three years embraced by this report. A deficiency so small as this would probably be provided for, in all cases, by the estimate made at the treasury department for the sums to be drawn from the bonds when they are due; but if sometimes the loss should not be covered in this way, the funds arising from the land sales, which, for the present, are not included in the proposed arrangement, would be available to correct these irregularities. But even if the lands were included within the system, there would always be a resource in the surplus ample enough to supply any deficiencies from defaulting debtors. It will be perceived that the true process is a mode of keeping a surplus with entire convenience and without loss either to the government or the community; the debtor retaining the use of the money, and the government drawing the interest. A small surplus has been considered always as necessary for the safe and convenient administration of the treasury department, which occasionally is forced to meet emergencies not easily foreseen. This surplus has scarcely ever been less than two millions, which in a revenue of customs of twenty millions, would leave 10 per cent. of that amount in the shape of a bonded surplus. Now, there is no period in the history of our finances which shows a deficiency of any thing like 10 per cent. in the payments of the merchants upon their bonds. The greatest loss ever sustained in this way, during the period embraced by Mr. Crawford's report, was less than 1 1/2 per cent. and which even in this moderate surplus would cover many times over. The extension of the merchants' bonds,

in the late general suspension of specie payments, has not been considered as affording any exception to this rule. It may be doubted whether that measure did not proceed as much from liberality as necessity; and if it was compelled by necessity, that originated not so much from the inability of the merchants to pay their debts, as from their inability to meet a sudden demand for a large amount of specie, in which alone the debts to government could be paid by the existing laws. Under the proposed system they never could be at a loss for the medium in which to pay their dues to government. The drafts drawn in favor of public creditors would be always available for this purpose. The first and second sections of this bill would, therefore, provide (as is believed) for the payment of public dues for customs at quarterly periods, and with sufficient punctuality for the wants of the system.

The next end contemplated by these resolutions is, to produce an offset of the liabilities to and from the government at quarterly periods. To attain this object, sections have been introduced into this bill, which provide that the disbursements of the United States shall be made, as far as practicable, on four quarterly days, occurring at not more than twenty days after those fixed for receipts; that for the purpose, the drafts may be drawn upon the collectors at the next receipt day, which bear an interest within certain limits, and that the payee or assignee of these drafts shall present them at the specified time and place, or else forfeit the interest and the guaranty of the government for the ultimate payment of funds placed in the hands of its agents to discharge the debt due to him. Recourse is given, however, to the creditor upon the official bonds of these agents.

The first inquiry suggested by these provisions is, how far is it practicable to arrange the disbursements at quarterly periods? The expenses for the foreign service, and some of those in the Indian department, could not, perhaps, be drawn within this arrangement; but it might easily be made to comprehend most of the disbursements upon the army, the navy, the civil list, and so much of the public works as is expended by contract. These consist of a great mass of public expenditures; and so far as they could be made by drafts to the public creditor, the collection and disbursement of the revenue would be accomplished by the mere exchange of credits. These drafts would satisfy the public faith to its creditors, because, within the specified limits, the secretary would always impose such an interest as would render them immediately exchangeable for specie; and in any event they would be paid in specie, if held by the creditor, within a period of not more than ninety days, and with an interest to compensate him for the delay. But in point of fact, they would enter into the exchanges of the country. With the provisions that the bonds are to be paid in specie, if not discharged in these drafts, together with the penalties upon a failure to present them speedily, as required, it would become the interest of the banks, the merchants, and the public creditor, to facilitate them out to the intended destination. Drawn, as they must be, at not less than seventy nor more than ten days, there would be ample time to transmit them between the most distant extremities of the union, whilst the provisions before referred to would effectually exclude them as currency, and confine their uses to the simple purposes of offset or exchange. It may, perhaps, be doubted whether, at first, the public creditor, from a want of knowledge of the system, might not fail to present the draft with promptness enough for these purposes of exchange, and might not incur the penalties for this failure as much from ignorance as neglect. Some mistakes of this kind might be made at first, but there would be too many interests concerned in teaching him the true mode of disposing of his drafts to suppose that he would long remain ignorant upon the subject. All errors of this sort might be removed, however, by a short specification on the face of the draft of the penalties imposed upon a neglect to present it as required by law.

This system of exchanges, together with the provision for leaving the surplus in the hands of the public debtors, will leave a very small portion of these bonds to be collected in actual money. The payment of such a sum in specie as required by this bill, cannot produce a sensible effect upon the banks, or give inconvenience to the merchants, by causing periodical ebbs and flows in their demands for capital. During the period between disbursements and receipts, the easy and insensible operations of exchange will furnish them with the means of paying far the greater portion of their bonds by a mere offset of credits to the mutual convenience of themselves and the government.

There remains to be noticed one other difficulty in the practical operation of this exchange of credit,

The drafts disbursed to public creditors, and drawn in anticipation of the revenue, might exceed, in some ports, the proportion of the debts to be paid at those places. But, in such cases, it would always happen, where the disbursements did not exceed the receipts, that there would be a corresponding deficiency in the drafts drawn upon other places of receipt. To adapt this state of things to the equal proportions of the surplus to be left in the different sections, a provision is introduced, which enables the collector to direct any excess of these drafts to a disbursing officer, to be designated by the secretary of the treasury. This officer may always be supplied with the funds to meet these drafts from the offices upon which too little had been drawn at the previous day of disbursement. The department, in all cases, having at least seventy days' notice of the drafts which are outstanding, together with a knowledge of the bonds falling due upon the day when they are to be paid, will probably find no difficulty in preserving both the faith of the government and the policy of this bill.

Another object contemplated by these resolutions is, to remove, as far as possible, the danger of speculation on the part of the public officers. This will certainly be accomplished to a very great extent under the system now proposed. If proper regulations were made, so as to inform the secretary of the treasury as to the bonds which passed into the collector's hands, they could scarcely become the subjects of theft; and to the extent that the disbursements were made in drafts, there would be absolute safety as to the disbursing officers. Nor would there be much danger as to the sum collected in money. This amount would, of necessity, be sent, and passing immediately from the collecting to the disbursing officer, would not remain in the hands of the latter more than twenty days before every cent would be demanded by the public creditor. Defaults in either of these officers would be so quickly detected, that the restraint upon them would be almost perfect. The great temptation to default, arising, generally, out of large sums lying idle for a long time with those who keep them, would, of course, be removed by a system which left no idle money in their hands.

Lastly, it seems to have been designed by these resolutions to promote a more systematic administration of the treasury department, under a new mode of collecting and disbursing the revenue.

It is impossible to estimate beforehand the precise advantages of any increase of system in the conduct of human affairs. But the general advantages of order and discipline in the fiscal administration cannot well be highly appreciated. Perhaps, however, a clearer view of the subject will be given, by a reference to some of the inconveniences under which the treasury department now suffers, and which will be removed by the system now proposed.

At present, the money flows into the collector's hands daily, and without regularity as to amount. The secretary, not always having notice of the time and amount of receipts until they are in hand, has, for the most part, to make his arrangements for removing these funds not before, but after they are received. The consequence is, that large sums often lie idle to all the purposes of trade and government, and serve only, during this time, to offer temptations for speculation to the public officers. According to the best information which your committee can obtain, the average amount thus lying in the hands of the receiving officers and other custodiers of the public moneys, independently of the amount in the custody of the disbursing officers, has been about \$1,000,000 at the end of each quarter, for the four years preceding the 1st of January, 1838. So much for the receipts. The evils arising from the want of adequate notice, and a systematic arrangement of the disbursements, are still more striking. The treasury is subject to constant demands, of which it has no notice as to time or amount. The consequence is, that money must be placed with the disbursing officers long enough beforehand, and in amounts sufficiently large to cover all probable demands. The average sum thus left idle in the hands of disbursing officers, has been about \$1,000,000 at the end of each quarter. And this, because there are no adequate provisions to arrange these demands, so as to give sufficient notice of them to the head of the department, and to compel their production by the public creditor, at the proper time. Nor is this the only inconvenience arising out of the present state of things. The disbursements are made as the demands for them arise. The receipts come in daily as the bonds fall due, and vary not only from day to day, but from month to month. When the receipts and expenses are nearly equal, there is constant danger, as we are informed by the secretary of the treasury, that enough may not be received in some months of the

year to meet the demands upon the government. For, although the aggregate of receipts and disbursements during the year may correspond, yet this is by no means the case from month to month. At present, there are but two modes of meeting the evil; the one, to leave a large surplus on hand to meet these contingencies; and the other, to give the secretary the power to issue treasury notes at his discretion. The system now proposed avoids all of these inconveniences. No balances need remain in the hands of the receiving or disbursing officers. The secretary having notice of the amount and time of receipts, as well as of the amount and time of disbursements, can always make his arrangements beforehand, to remove the public money from the collector as soon as received, and to disburse it either in the very act of receipt, or at not more than twenty days from that time. Speedy accountability will thus be required from the public officers, and an almost instant detection will await them in case of default or fraud. Nor will the inconvenience as to inequality in the receipts and disbursements ever arise to any thing like its present extent. By throwing together the receipts and disbursements for three months in the quarterly settlements, there can scarcely be a serious inequality between the two, when their yearly amounts correspond. Should any such difficulty ever arise, it will readily be corrected by the small surplus left with the public debtor, for which this bill provides, without loss either to trade or to the government. Short settlements, promptness in all concerned in the fiscal administration, and the means of speedy detection in cases of default, may all be secured, as it seems, under the proposed system, with proper treasury regulations. The whole administration of the finances will be brought more under the view and control of the head of the department, and less will be left to the discretion of subordinate officers. The disbursing officer will pass the debts to the treasury books not less than twenty days before they are due; the collector will transmit weekly the entries on the credit side of the account, and the quarterly balance-sheet of the department will exhibit to a very great extent, the entire process of collection and disbursement in a mere exchange of credit. Should these anticipations be realized, it is evident that there would be more of unity, efficiency, and responsibility, in the administration of the treasury department, than we have had under any other system. It is true that this system, like every other, would depend very much for its success upon its proper execution; and inconveniences would certainly arise at its commencement, which further experience would probably rectify.

It will doubtless be remarked, that the resolutions referred to this committee do not comprehend the public lands within the system which they propose. Perhaps it is as well, for several reasons, that they should not include these lands in the first place. Difficulties might arise in the commencement of a system so novel, which would be easily overcome by the available cash funds afforded from the public lands. This would, at least, be highly useful until the system became familiar in practice. Again: the public mind is just now so unsettled in relation to the mode of disposing of these lands, that changes might occur, in relation to them, which would take them without the operation of the system, if it were now adapted to them. Should the present mode of disposing of these lands from the general government to the individual purchaser be retained, it would not only be practicable, but expedient, hereafter to include them within the proposed system. The only practical difficulty in the case would be as to the means of enforcing punctual payment of the bonds given for them when they were due. It is believed that this might be accomplished by making the receipts semi-annual instead of quarterly, and by the provisions hereafter suggested for enforcing the punctual payment of these bonds when due, whether given by the highest bidder at the auctions, or by the purchaser on private entry. This might be secured by providing, first, that so much money should be paid at the execution of the bond as would secure the probable fulfilment of the contract; secondly, that the obligees who failed to pay these bonds when due, should be refused credit thereafter at the land offices; thirdly, that neither patent nor possession should be given until the payment of the money at the receipt day, when it was due; and, fourthly, upon such failure the proper day, that any other person might take the patent for the lands upon paying down immediately the sum due upon the bond.

As it is not proposed to include the public lands just now within the operation of the system, it will be needless to enlarge upon the provisions just sketched in relation to them.

Having reviewed the practical operation of this

system, it may be well to examine, for a moment, its political and incidental effects: one of which undoubtedly will be an entire separation of the banks and the general government. The separation must be complete, inasmuch as the government will no longer have the means of rewarding or punishing the banks through the use of its funds and credit, whilst the banks will lose the power of impeding the fiscal operations of the government when these are conducted without their agency. The general government will then be entirely responsible for the success of its fiscal administration, and the banks will be subject to no power but that of the states which created them. So long as these are dependent upon each other in interest, they must either sympathize in action, or a fierce war between the two will be inevitable; and in this the people must be the sufferers. The banks, on the one hand, would be armed with the power of expanding and contracting the currency, and the general government, on the other, would either attack the credit with the people, upon which its existence depends, or array one set of banks against the other, through the use of its funds, that it might conquer by their divisions; the consequence would be, either that the government would acquire the power of the banks, or the banks would obtain that of the government; and the people would be the sufferers in this contest for powers, which ought not to be united in either.

To arm the general government with the power of the banks would be to destroy the balances of the constitution, whilst the reverse of this operation would not be tolerated after it was understood. The only possible mode of preventing the union of these powers is to separate them in action and interest—an event so much to be desired that it ought to be effected even at a pecuniary loss to the people, if that were necessary. But, in point of fact, this is not the case; and the separation now proposed is believed from the objections, whether founded or unfounded, which were raised against it, to be the other modes heretofore suggested for accomplishing this purpose.

In the first place, this system does not horde up large amounts of capital in specie, to lie idle in the hands of the government; on the contrary, it leaves the public funds which are not wanted for immediate disbursement in the hands of the debtors; the government, and not the banks, deriving the interest upon their use.

Secondly, it does not afford the public officers the means of using these funds for private purposes; inasmuch as very little money passes through their hands, and then only for immediate disbursement.

Thirdly, it does not produce an inconvenient run upon the banks for specie, in the payment of public dues. For so large a portion of the collections and disbursements will be accomplished by a mere exchange of credit, that the residue to be received in specie will be too small to be felt by the merchants or banks.

And, fourthly, it does not permit the use of treasury drafts as currency, as the existing laws have been supposed to justify; because it places such conditions upon these drafts as effectually prevent the conversion of government credit into currency, and limits its uses to the purposes of exchange. It merely introduces machinery to facilitate the exercise of the undoubted right of an individual to set off his claim upon the government against a claim of the government upon him; the right of the treasury to draw upon its funds being more limited under the system proposed, than at present with the existing laws. As it is this feature which abstracts the government as a disturber of the currency, and enables it to administer the same without injuring the banks, and is effected by their conduct, it may be well to examine its operation a little more closely.

The pecuniary transactions of society are settled either in currency, or by an exchange of credit. Those upon short notice and of small amount are usually settled in the former mode; whilst heavy transactions, distant either in point of time or space, are most commonly set against each other. To the extent to which this exchange of credit is effected, the demand for currency diminishes in a given amount of business. Indeed, the extent of this species of exchange may almost be considered as a measure of the improvement in commercial communities. It is a general truth, to which, of course, there are exceptions, that the individuals of a society sell as much as they buy. Whenever there is a debt due from an individual, it may safely be assumed that another of equal amount is somewhere due to him. To collect and array these against each other is a most important branch of trade. The facility for doing this will increase as the channels of trade wear deeper from use, and the course of its current can be calculated with

more certainly. It is manifest that the limits are wide between which this process may fluctuate; and that the more it is extended the better for trade, inasmuch as it will then require less currency, which is expensive, and in that very circumstance diminish the dangers of a change in the standard of value. If these things be true, it is clear that the same amount of trade in different states or conditions may require different proportions of currency. A community dealing in money only, (if that could be,) would require much more currency for its trade than would be necessary for the same trade in another which dealt in exchanges as well as in currency.

If the government, therefore, were to deal only in money, the currency would ebb and flow with the tide of revenue; whilst, if it were practicable that it dealt only by an offset of its liabilities, the variations of currency and revenue would be independent of each other. The effect of the former system would be, that the government, through its revenue, would affect the currency by one law, whilst the operations of trade would influence it by another; and thus fluctuations in the revenue might often afford a serious disturbance to currency and commerce. There can be no doubt but that the amount of currency in any country ought to be regulated by its trade; and this can never be entirely effected unless the demands of government for currency either sympathize exactly with those of trade, or else cease altogether: the first it is impossible to effect; but the latter may be accomplished, to a very great extent, by an exchange of credit. The very circumstances which increase its disturbing effects, when dealing in currency, fit it for the latter operation. Its credit is good; its transactions are heavy, and may be arranged on time, from the distance between the places of receipt and disbursement. These are the favoring circumstances which have induced the belief that the provisions of the bill now reported will accomplish the end proposed. If this be so, it may be asked if the banks themselves are not interested in the adoption of such a measure. The loss of a valuable customer in the government is undoubtedly something; but with the entire field of American trade before them, they have ample room for adventure; and the loss of the government as a customer is not an evil to be compared with the dangers to which they would be subjected in the rude conflicts of party, so long as they maintained a political connexion. Nor is this the only advantage which they would derive. Their operations would be safer, when their policy was arranged to oblige and to deal with the government excluditures. They have themselves attributed some of their disasters to this cause, and doubtless there have been periods when this connexion was mutually embarrassing to both parties.

Having suggested the considerations which may commend the system now proposed to the attention of congress, this report ought here, perhaps, to be closed. But there are other circumstances which impress it upon our attention, to which we beg leave for a moment to refer. It is not necessary, to comment this plan to the consideration of congress, that it should be the best in the abstract; it is enough to show that it is better than that now in operation, provided it contains nothing positively ill in itself. To say that it would be better than the present system, (if system it can be called,) would be to use no extravagant pretension in its favor. The fragments of laws which now operate upon the subject can scarcely be said to afford a uniform rule, or to impose any limits upon the discretion of the secretary. It is so difficult to reduce the remains of the various systems which have been wrecked, or partially repealed, into any thing like order or uniformity, that it would be almost impracticable to hold the secretary responsible, if he were to adopt his discretion as the only guide. There are various constructions of the laws now in force, by skillful combinations of which he might introduce any system he pleased, with at least some plausibility of pretext. If it be true, as some have supposed, that the joint resolution of 1816, as modified by subsequent legislation, leaves it in the discretion of the secretary of the treasury to receive nothing but specie, or nothing but convertible paper, as he may please: and that the act of 23d June, 1836, is virtually repealed, from the disqualification of the banks which suspended specie payment to accept the conditions of the act, then he may introduce the independent treasury at his own pleasure, and that, too, without any of the restrictions which the friends even of that measure wished to impose upon him. On the other hand, if the deposit act is to be considered as *functus officio*, whilst that of 1789 is still in force, he may adopt the state bank agency without any of those checks by which the friends of that system would

limit his authority, before they would intrust him with the power of using it. And lastly, supposing the act of 23d June, 1836, to be still in force, so soon as banks arise which are not disqualified from acting under it by its provisions, then it is manifest that, during the progress of their creation, we have a system mixed of bank and individual agency, without any sensible limitation upon the discretion of the secretary who administers it. Nor is this all: the law of 23d June, 1836, will then operate as a premium to the erection of new banks, which alone can enjoy its benefits under such a construction of its provisions. The effect of this bounty would probably be to call new banks into existence; and when enough of these had arisen to fulfil the provisions of the law, we should have the very system which has already failed upon our hands. In giving these various constructions of the acts regulating the treasury department, we express no opinion of our own in relation to them. It is not necessary to do so. We state the various opinions upon this subject, to indicate the dangerous latitude of the discretion now left in the secretary of the treasury. And yet, notwithstanding this immense discretion reposed in the secretary of the treasury, it is still almost impossible for him to administer the department with convenience to himself and safety to the government. So much is left to the discretion of his subordinates, that it is very difficult to enforce a strict and speedy responsibility for the public funds.

It would seem to be clear, then, that neither of the parties which divide the country upon the currency question can approve of the present state of the laws which regulate the treasury department. If, therefore, the plan now proposed be not the very best in the opinion of either of these divisions, it is respectfully submitted whether it may not be fairly entitled to the assent of all who think it better than the existing state of things. In consideration, therefore, of the reasons which we have presented, we respectfully submit a bill.

TWENTY-FIFTH CONGRESS.

THIRD SESSION—SENATE.

February 20. The Chair announced a communication from the secretary of war, transmitting a report from the chief of the topographical bureau, with accompanying documents, made in answer to the resolution of the senate of the 11th instant, on the subject of the operations for increasing the depth of water at the mouth of the Mississippi.

The Chair presented a communication from the people of Florida, for the purpose of forming a constitution and state government.

Mr. Allen presented a memorial from citizens of Geauga county, Ohio, in relation to the neutrality law, complaining of its provisions, and the manner in which they are executed, and expressing strongly the opinion that the affair of the Caroline was an outrage on the dignity of the American flag.

Mr. Wright, from the committee on finance, reported the bill making appropriation for the naval service for 1839; and gave notice that he would call it up at an early hour to-morrow.

The resolution to print 10,000 copies of the salt document was taken up, and agreed to.

A number of private bills from the house were favorably reported on.

The senate proceeded to consider the bill providing in part for the construction of a common jail in the city of Washington.

The sum proposed for this object was \$30,000, in which Mr. Niles contended was too much. Mr. Calhoun was unwilling to make the appropriation till competent men had reported whether a new jail was necessary, and correct estimates for it. Mr. Wright, and Mr. Norvell insisted that the county ought to construct its own jail, as the counties in the states did. Mr. Bayard argued that the administration of justice in the District was in the hands of the United States government, and it was their duty, therefore to provide for all the means of that administration, and for a common jail as well as for the rest. Mr. Sevier contended that, as the general government had bought, or appropriated land for building a common jail, it would be unreasonable to refuse the same to this District. Messrs. Walker and King advocated the bill, but the latter afterwards opposed it on the ground of want of limitation of expense.

The bill was then, by consent, laid on the table for the present.

The bill to prevent the interference of certain federal officers with elections, was taken up; and

Mr. Calhoun addressed the senate at some length, in opposition to the bill; after which it was passed over informally. Mr. Calhoun giving notice of his intention to address the senate on the subject.

The senate then took up the bill for the relief of

Mrs. Mira Alexander, on its third reading, and, after a debate, in which it was supported by Messrs. Crittenden, Walker, White, and Linn, and opposed by Messrs. Calhoun, Niles, Pierce, Hubbard, and King, the question was taken, and the bill was decided to be rejected—years 18, may 19, as follows:

YEAS—Messrs. Bayard, Clay, of Kentucky, Clayton, Crittenden, Fulton, Linn, Merrick, Norvell, Rives, Roane, Robinson, Ruggles, Sevier, Smith, of Indiana, Walker, Webster, White and Young—18.

NAYS—Messrs. Allen, Brown, Calhoun, Clay, of Alabama, Hubbard, King, Lyon, Morris, Mouton, Nicholas, Niles, Pierce, Preuss, Smith, of Connecticut, Strane, Swift, Wall, Williams, of Maine, and Wright—19.

The vote having been announced, Mr. Tallmadge rose and said that he had voted in the majority, but his name not appearing on the journals as having voted at all, he desired to have the journal corrected.

Mr. Wright and several other senators declared that they had distinctly heard the senator from New York answer to his name, voting in the affirmative.

A discussion then ensued, in which the propriety of making this correction was invoked by Messrs. Calhoun and Hubbard contending that the vote having been announced, the subject was passed from the senate, while Messrs. Walker, Tallmadge, Webster, and others, contended that it was the duty of the chair to correct the error the instant that it was discovered.

Mr. King suggested that the correction could be made by the unanimous consent of the senate, and hoped that this course would be taken.

The debate was further continued by Messrs. Walker, King, Wright, Clay, of Alabama, Tallmadge, Smith, of Indiana, Davis, and Smith, of Connecticut.

The debate then ended unanimously by the senate, that the vote should be corrected.

The name of Mr. Tallmadge was again called, who answered "ay."

The President then announced the vote as standing 19 in the affirmative and 19 in the negative; and, after a feeling and interesting eulogy on the services and character of George Madison, gave his casting vote in favor of the bill.

The bill the more effectually to preserve the public money in the hands of agents and officers of the government, and to punish defaulters, was read a third time, when, on the question of its passage,

Mr. Webster rose and moved an adjournment, which prevailed.

February 21. Mr. Pierce presented the memorial of George Gates and others, legal voters of the town of Antrim, New Hampshire, praying for the abolition of slavery in this District.

Mr. P. said that the memorial came to him, accompanied by a letter from a highly respectable clergyman, residing in his native county. The letter says, "though we are aware of your views may not correspond with those of the petitioners, they have no doubt of your readiness to present a respectful petition, coming from any portion of the citizens of New Hampshire."

It is certainly no task to present the memorial, and yet I cannot, in justice to my own convictions of duty, comply with the request, without expressing my deep regret, that these petitioners, many of whom I am sure are actuated by pure motives, should so far mistake their own moral responsibilities, and the power and duty of congress in relation to this subject.

I do earnestly hope that every honest man who has sincerely at heart the best interests of the slave and his master, may no longer be governed by a blind zeal and impulse, but be led to examine this subject, so full of delicacy and danger in all its bearings; and that, when called upon to lend their names and influence to the cause of agitation, they may remember that we live under a written constitution which is the paucity and protection of the south, as well as the north; that it covers the entire union, and is equally a guaranty for the unobstructed enjoyment of the domestic institutions of all its parts; and, I trust, further, that they will no longer close their eyes to the fact that, so far as those in whose welfare they express so much feeling are concerned, this foreign interference has been and must inevitably continue to be, evil, and only evil. Having, on a former occasion, expressed my views somewhat at length, I will not detain you further than to notice an erroneous statement which has been made, and a thousand times repeated, with regard to my own course, and that of the representatives of New Hampshire in that house of congress. We have been charged with having denied the right of petition; and although the charge is wholly without foundation, I have no doubt that, from its frequent repetition, it may have had an influence upon the minds of many honest and patriotic men. So far from having denied, we have uniform-

ly asserted and maintained this right. But after declamation and argument had been exhausted on both sides of the question—after the memorials had been referred to a select committee during the twenty-fourth congress, and an elaborate report sent forth to the American people—we thought it our duty to take such a course with petitions of this character as would enable congress to proceed with the consideration of subjects of necessary and legitimate legislation. The whole question since that period has been one with regard to the disposition of memorials when received; and no denunciation or false representations will drive us from a course demanded alike by a regard for the proper and necessary legislation of congress, the rights of the south, and the interests of the whole country. After the declarations which have come from high sources during the present session, in both ends of the capitol, I am encouraged to hope that the agitation of this question in New England for political purposes will cease; that there will be no more attempts to deceive and excite the people by incalculating the impression that their right to petition has been invaded.

On motion of Mr. Williams of Mississippi, the question of reception was laid on the table.

Mr. Nicholas presented the memorial of upwards of one thousand citizens of the state of Louisiana, praying for the repeal or modification of the naturalization laws; referred to the committee on foreign relations.

Mr. Wright, from the same committee, reported without amendment the bill making appropriations for the erection of public buildings in Florida, and the bill to revive and extend the act authorizing the issuing of treasury notes.

Mr. King said, he rose to present a resolution in consequence of the melancholy death this morning of one of the officers of the senate, [Mr. Edward Weir.] But yesterday, (said Mr. K.) he was among us discharging his duties apparently in good health and spirits—to-day, he had passed that bourne whence no traveller returns. He would not dwell on the faithful services of this officer, while he was among us; they were well known to the members of this body. He rose simply to present a resolution that the senate would attend the funeral of their deceased officer, at half past 3 o'clock to-morrow, and that the expense of his funeral be paid out of the contingent fund of the senate.

The resolution was unanimously agreed to.

Mr. Benton submitted the following resolution, which was considered and agreed to:

Resolved, That the secretary of the treasury and the postmaster general be directed to report to the senate what drafts on banks having public funds on deposit have been protested since the first day of January, 1837; the amount of public money in deposit in each bank at the time of each protest; and whether, in any case, such protests have been made in violation of special arrangements, and, if so, what those arrangements were.

The following bills were ordered to be engrossed. The bill entitled a bill in amendment of the acts respecting the judicial system of the United States; and

The bill to authorize the selection of lands for the benefit of the university of Michigan, instead of other lands heretofore selected;

The bill to repeal certain acts respecting navy pensions, and making further provisions in relation to navy pensions; and

The bill to authorize the Washington county and St. Genevieve railroad company, in the state of Missouri, to construct a road through the public lands.

The bill more effectually to preserve the public money in the hands of officers and agents of the government, &c. came up on its third reading; when

Mr. Ifebsler addressed the senate for a few minutes, to show that the laws and regulations of the treasury were abundantly sufficient, and that there was needed no further legislation.

Mr. Hubbard replied at some length; when a motion was made by Mr. Clay to recommit, with instructions to so amend it as to designate that the public funds of the government should be deposited to the credit of the treasurer of the United States, and not to the private credit of the officer; which motion was lost by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Brown, Buchanan, Clay, of Ala., Culbert, Fulton, Hubbard, Linn, Lyon, Morris, Nicholas, Niles, Norvell, Pierce, Roane, Rogers, Prentiss, Rivers, Robb, N. Kuggles, Smith, of Indiana, Spence, Swift, Tallmadge, Webster, White—15.

NAYS—Messrs. Allen, Benton, Brown, Buchanan, Clay, of Ala., Culbert, Fulton, Hubbard, Linn, Lyon, Morris, Nicholas, Niles, Norvell, Pierce, Roane, Rogers, Prentiss, Rivers, Robb, N. Kuggles, Smith, of Indiana, Spence, Swift, Tallmadge, Webster, White—15.

The question was then taken on the passage of the bill, and carried in the affirmative, as follows:

YEAS—Messrs. Allen, Benton, Brown, Buchanan, Clay, of Alabama, Culbert, Fulton, Hubbard, King, Linn, Lyon, Morris, Mouton, Nicholas, Niles, Norvell,

Pierce, Roane, Robinson, S. Sevier, Smith, of Connecticut, Strange, Walker, Wall, Williams, of Maine, Williams, of Miss., Wright, Young—28.

NAYS—Messrs. Bayard, Clay, of Kentucky, Crittenden, Davis, Foster, Knight, McKean, Morick, Prentiss, Robbins, Rogers, Smith, of Indiana, Swift, Tallmadge, White—15.

The senate adjourned.

February 22. Mr. Robinson, of Illinois, presented resolutions from that state, reorganizing against the sub-treasury system as unsuited to the policy of the government. Mr. R. took occasion to say that he differed with the legislature in their views—he thought the sub treasury system the best and wisest policy that could be adopted, and he thought that such also was the decided opinion of a larger portion of the people of Illinois. His political creed was such however, as fortide di-obedience to instruction. Mr. R. from the same source presented a resolution asking a change of the constitution, by which, after 1845, the presidency be restricted to one term.

Mr. Tallmadge, from the committee on naval affairs, made a report on the memorial of Henry Hall Sherwood, of New York, in relation to the invaluable discovery made by that gentleman, of the magnet in ascertaining the latitude and longitude of places; five thousand copies of the report and memorial were ordered to be printed.

The bill from the house for erecting a new jail in the District was passed.

The bill to prevent the interference of office-holders in elections, came up as the special order, when Mr. Calhoun delivered his views at length against the general principles of the bill. Mr. Calhoun declared that he had never made any move which did not tend directly to the diminution of executive patronage. But opposed as he was to it, he could not give his support to this bill. He held it to be clearly unconstitutional. He maintained that the power to decide who shall exercise the elective right belongs exclusively to the states—that to the states also belonged power to regulate this right.

The further discussion was then postponed on motion of Mr. Crittenden.

Mr. Benton, from the committee on military affairs, reported a bill making appropriations for the erection of certain national works in Maine, agreeably with the recommendation of General Wool and the secretary of war.

The bill to provide for the protection of citizens of the United States residing in Oregon territory, or trading on the Columbia river or its tributaries, was taken up, and after being explained and advocated by Mr. Linn and opposed by Mr. Niles, was postponed until to-morrow.

On motion of Mr. Davis, the secretary of the treasury was directed to report to the senate such information as he may possess as to the following particulars:

1. The amount of coin made at the mint, and the amount at each of its branches, for one year preceding the first day of February last.

2. The amount of bullion deposited at, or obtained for, each establishment in carrying on.

3. The expense incurred in carrying on, and in sustaining each establishment during the same time.

The bill for the protection of citizens of the U. States residing in Oregon and trading on the Columbia river and its tributaries, was taken up, and after being explained by Mr. Linn at some length, and some further discussion between Messrs. Sevier, Niles and Wright, it was passed over informally.

When the senate adjourned.

February 23. The bill to amend the act of 3d March, 1837, entitled an act supplementary to the act entitled an act to amend the judicial system of the United States and for other purposes, after being amended, on motions by Messrs. Linn, Clay, of Alabama, Norvell and Sevier, was ordered to be engrossed.

The bill to grant to the state of Indiana the right of pre-emption to a quantity of land, to aid in the construction of a railroad from New Albany, Indiana, to Mount Carmel, in Illinois, was read the third time and passed.

The bill to explain and amend the fifth section of the act for the better organization of the United States marine corps was read the second time, as in committee of the whole, and ordered to be engrossed for a third reading.

The bill to amend the act of 3d March, 1834, supplementary to the act entitled an act to amend the judicial system of the United States, was read a third time and passed.

The bill to provide for the appointment of a board of commissioners to hear and examine claims against the United States, was taken up and considered as in committee of the whole, and after some remarks from Messrs. Bayard, W. Sevier, Hubbard, Prentiss, Benton, Calhoun and Smith of Conn. was ordered to be engrossed for a third reading.

The Vice President said, that according to usage he did not intend to resume his seat in the senate this session. He had a great deal of correspondence and some business at the public offices to attend to, which the senate knew that he could not do while performing his duties in the chair, and therefore his absence from the senate became indispensably necessary. He would take this occasion to express his obligations to the members of the senate, for the kindness and courtesy with which he had been treated during the years he had presided over their deliberations, and he concluded by wishing them all safe and happy return to their families and their homes.

The senate then adjourned.

February 25. At eleven o'clock, in the absence of the vice president, the senate was called to order by the secretary, and then proceeded to ballot for a president pro tempore.

On the first ballot thirty votes were given, of which Mr. King of Alabama received twenty-eight, and was accordingly declared to be duly elected.

Mr. K. was then conducted to the chair by Messrs. Benton and Knight, and, in a neat and pertinent address, returned thanks for the honor conferred on him.

A number of memorials and petitions were presented and referred.

Mr. Norvell presented a joint resolution of the legislature of the state of Michigan, instructing her senators and requesting her representatives "to use their efforts for the adoption of such measures as will insure the recognition, by foreign powers with whom we have national intercourse, of the absolute citizenship of all foreigners naturalized by the existing laws of the United States." Also a memorial from a large body of respectable naturalized citizens having the same object in view; both of which were, after a few remarks from Mr. N., referred to the committee on foreign relations, and ordered to be printed.

Mr. Hubbard submitted a resolution that the senate should hereafter take a recess from 3 to 5 o'clock; and, after some remarks from Mr. H. on the amount of business on the calendar, and the necessity of the adoption of the proposed resolution, it was decided in the negative—yeas 14, nays 17.

Mr. Davis then submitted a resolution, that hereafter the senate meet daily at 10 o'clock; which was agreed to—yeas 15, nays 14.

Mr. Norvell, in pursuance of notice given, moved that the senate go into an election of an assistant doorkeeper; which, after some debate, was laid on table—yeas 23, nays 17.

Mr. Niles submitted the following motion, which was considered and agreed to:

Resolved, That the secretary of war be directed to report to the senate whether the sum of \$25,000, appropriated in 1836 for removing the sand bar at the mouth of the Connecticut river, has been expended for that object, or any part thereof; and if not, the reasons why the said appropriation has not been expended agreeably to the act appropriating the same.

The bill to provide for the security and protection of the emigrant and other Indians west of the states of Missouri and Arkansas, was taken up on its third reading, and after some remarks from Mr. Calhoun, in opposition to the bill, the question on its passage was decided in the affirmative—yeas 31, nays 10, as follows:

YEAS—Messrs. Bayard, Clay, of Alabama, Clay, of Kentucky, Clayton, Crittenden, Cuthbert, Davis, Foster, Fulton, Hubbard, King, Knight, Linn, Merrick, Morris, Mouton, Nicholas, Pierce, Prentiss, Robbins, Robinson, Sevier, Smith, of Indiana, Strange, Swift, Tallmadge, Walker, Wall, White, Wright, and Young—31.

NAYS—Messrs. Allen, Benton, Calhoun, Niles, Norvell, Roane, Smith, of Connecticut, Williams, of Maine, and Williams, of Mississippi—10.

So the bill was passed.

The bill to provide for the appointment of a board of commissioners to hear and examine claims against the United States, was considered on the question of its passage, and decided in the affirmative—yeas 30, nays 12, as follows:

YEAS—Messrs. Bayard, Clayton, Crittenden, Cuthbert, Davis, Foster, Hubbard, King, Knight, Linn, Lyon, Merrick, Morris, Mouton, Nicholas, Niles, Norvell, Pierce, Prentiss, Preston, Roane, Robbins, Robinson, Smith, of Connecticut, Swift, Tallmadge, Walker, Wall, Williams, of Maine, and Young—30.

NAYS—Messrs. Allen, Benton, Brown, Calhoun, Clay, of Alabama, Fulton, Rogers, Sevier, Smith, of Indiana, Strange, Williams, of Miss., and Wright—12.

So the bill was passed.

The bill to explain and amend the fifth section of the act for the better organization of the United States marine corps, was read a third time and passed.

The bill providing for the disposition and management of the funds bequeathed to the United States, in trust, by James S. Thomson, of London, deceased, for the establishment of an institution for the in-

crease and diffusion of knowledge among men, was taken up, and, after an animated discussion, in which Messrs. Robbins, Niles, Calhoun, Walker, Crittenden, Brown, Benton, and Hubbard participated, it was on motion of Mr. H. laid on the table—ayes 20, noes 15, as follows :

YEAS—Messrs. Allen, Bayard, Benton, Brown, Calhoun, Clay, of Alabama, Hubbard, King, Lyon, Mouton, Niles, Norvell, Roane, Robinson, Smith, of Connecticut, Strange, Williams, of Maine, Williams, of Mississippi, and Wright—20.

NOES—Messrs. Davis, of Kentucky, Davis, Fulton, Knight, Linn, Merriek, Prentiss, Preston, Rives, Robbins, Ruggles, Sevier, Smith, of Indiana, Walker, and Young—15.

Mr. Williams, of Maine, having asked and obtained leave of the senate to make some remarks not in order under the rules, proceeded to state that he had noticed in one of the morning papers some comments on the late incidents in Maine, to the effect that Maine had waged war against a foreign country, which was not the case. Mr. W. said he was surprised to see this notice, and that he was not notified. What their object could be when there was a prospect of a contest with a foreign country, thus to go in advance and put our own people in the wrong, Mr. W. could not understand. There could be no question whatever as to the right of Maine to the territory in dispute.

That question was largely and deliberately discussed at the last session of congress, and a resolution was passed by both houses with great unanimity, which Mr. W. trusted had put that question at rest. In order that the senate might understand more fully what the state of Maine had done, Mr. W. asked their attention while he made a brief statement of the circumstances which led to the controversy now going on.

This Mr. W. proceeded to do minutely. [But before he concluded, Mr. Preston objected that the same ground must be gone over again in a day or two, when the question would be regularly presented to the senate, and that no time was, at this late stage of the session, to be lost needlessly; but Mr. P. withdrew his objection at the intercession of Mr. Davis and others, and Mr. W. was allowed to proceed to a conclusion.]

A sketch of his statement follows :

A territory south of the St. John's was never considered debatable ground until after the treaty of Ghent, and when the commissioners under that treaty disagreed as to the line of boundary as described in the treaty of 1783.

A portion of it, contiguous to the line actually run by the main and present claim, between the Arkansas river and the line of Massachusetts, more than 30 years ago, and has been held by the grantees and those claiming under them to this time. Other parts have been surveyed into townships, under the joint authority of Massachusetts and Maine, and have been divided between those states.

Some years since, the American agents at Aroostook commenced within the last fifteen years, and were made by citizens of the states, and some persons from the provinces of Nova Scotia and New Brunswick, who went upon it as American territory, and to avoid their provincial creditors.

Soon after Maine was separated from Massachusetts, and many of the present claimants, by land agents, from year to year, went upon this territory to prevent depositions, and to obtain satisfaction for trespasses committed thereon, and in many instances effected their purpose.

Pending the arbitration and since, various arrangements have been proposed to preserve the timber upon this territory, and to prevent collisions between the authorities of the contending parties, providing that neither party should do acts to increase their claims or prejudice the rights of the other.

Under this arrangement, Maine has not pressed her jurisdiction beyond the St. John's, but has constantly exercised a supervision of the territory south of the St. John's, granting permits to enter, and to obtain satisfaction for timber cut by trespassers, opened and made roads, put on settlers, &c.

The recent claim by the authorities of New Brunswick to maintain exclusive jurisdiction has been constantly resisted, as well by the United States as by Maine and Massachusetts.

The governor of Maine, being informed that very extensive depredations were being committed upon the timber in that territory, and by persons avowing their determination to resist by force any attempts which the authorities of Maine might make to remove them, thereupon the land agent of Maine, with the sheriff of Penobscot county, with a posse of about 200 armed men, was sent to the Aroostook to arrest the trespassers, and to prevent further depredations.

While in the discharge of this duty, the land agent was arrested upon our territory by armed men, taken to a stockade, there examined by magistrates, ordered to Fredericktown, and put upon a horse sled, under military guard and the huzzas of the multitude; and what his present situation is, is not known.

Upon this the lieutenant governor of New Brunswick issues his proclamation. Governor Fairfield communicates it to the legislature, and their action upon it.

Lieutenant governor Harvey writes to the governor

of Maine that he claims exclusive jurisdiction: asks that the force be withdrawn, and says, if not done, he shall expel them.

Governor Fairfield replies, denies exclusive jurisdiction, and says he shall not withdraw the force so long as he can maintain it.

Mr. Walker said that he was not at all surprised at the course of the paper alluded to on this subject. It had but followed its instincts in this matter. In the difficulties with the Indians it had advocated their pretensions, in opposition to the government; in our difficulties with France, it was the French organ; in our dispute with Mexico, it was the Mexican organ; and in the present difficulty it was very natural it should be the British organ. Whenever we have had difficulties with a foreign power, this paper was sure to be found advocating foreign interests.

The Chair interposed, and said, there being no proposition before the senate, the remarks of the senator were out of order.

Mr. Davis said he was about to ask the senator from Maine what journal it was to which he alluded.

Mr. Williams said it was the National Intelligencer of this morning. He had seen no other.

Mr. Davis said he regretted that the senator from Maine had considered it a matter of sufficient importance to make a formal reply in the senate to the editorial remarks of a newspaper. An importance would be given them, whether designed or not, by bringing them before this body, to which they might not be entitled; and Mr. D. therefore regretted that the senator had considered them of so much importance as to present them gravely for the consideration of the senate in the present attitude of affairs.

In regard to this controversy, Mr. D. had, on former occasions, fully expressed his opinion that there was not a shadow of doubt as to our title to the disputed territory; and that any gentleman who would calmly and fairly examine the evidence could not doubt that the title of Maine was perfectly clear and conclusive. Mr. D. still thought there was and could be no doubt as to this question of right; and if the question should arise, whether that right should be maintained by the government, Mr. D. would promptly go for the right of Maine to this territory, according to the treaty of 1783; and, in Mr. D.'s opinion, Maine now claimed nothing but what that treaty gave. But it seemed that we had now come suddenly and unexpectedly to the very verge of war with one of the most powerful nations of the world. Mr. D. would say this was unexpected, because no one could have anticipated the events which had recently occurred. Under these circumstances, so very important as well as critical, it behooved all to act with prudence and considerate calmness, and to obtain a thorough knowledge of the circumstances, before attempting to make any impression on the public mind. The considerations connected with this subject were of a most momentous character. Our ships and property were abroad every where, in every sea and ocean, and the country was in no condition to meet such a crisis as might be now impending. The utmost calmness and deliberation were therefore demanded on every account, and, for one, Mr. D. was willing to wait and hear what Maine would have to say, with no disposition to impugn her course, and with the hope that she had done nothing prematurely or inconsistent with her own honor.

The journal to which the senator from Maine had alluded, he presented to the late proceedings in Maine on this subject as a matter of party strife, to see which party would go the furthest; and Mr. D. had himself sometimes thought that, under the deep and unanimous sense of wrong to which the people of Maine had been goaded, there had been a struggle to see who would be foremost. But senators were not to be influenced by that in their proceedings, but by the consideration of what the interest and honor of the country required. Mr. D. had hoped that this subject would not come up in any form till the senate had received a communication respecting it from the president of the United States; for rumor at least indicated that statements would probably be presented by him to congress, which, doubtless, could be relied on for their accuracy; and the subject would then be more clearly understood and better comprehended. Till then, Mr. D. hoped gentlemen would remain tranquil; and if it should then or afterward appear that it was necessary to maintain our rights by a resort to arms, Mr. D. was not one of those who would be for flustering on that question. Mr. D. had hoped, from the results of the last session, when this body were nearly unanimous in favor of further negotiation for a reserve, that it would have resulted in an amicable adjustment of this whole matter. He feared nothing important had grown out of it; but he desired better information as to the purposes of Great Britain on this head. Till all these matters and the relations in this respect are

thoroughly understood, it behooved the senate to look upon this subject with the calm firmness which the crisis demanded, and to preserve the peace of the country, if consistent with its integrity and honor.

The senate having taken up the bill providing for the protection of the citizens of the United States residing in the Oregon territory, or trading on the Columbia river, Mr. Linn referred to the recent movements upon the Maine frontier, as evidence of the grasping disposition of the British government, and commended the spirit with which the aggressors had been met, &c. But thinking that the passage of the bill at this period might be misconstrued, he would not press its passage at this session. [Mr. Linn's remarks shall be inserted hereafter.] On motion of Mr. Wright, the bill was then recommended to the committee on foreign relations, and the senate adjourned.

February 26. After the presentation of a number of petitions, numerous reports were made by the committees on private cases, and the bills before ordered to be engrossed were severally read a third time, and passed.

A joint resolution was introduced by Mr. Davis to establish the legal value of the pound (\$4) of the provinces of Nova Scotia and New Brunswick, British provinces in North America.

The following bills amongst others, were severally considered in committee of the whole, and ordered to be engrossed :

To authorize the location of the pre-emption certificates given by the register of the land office at Batesville, in Arkansas, under the act of the 26th of May, 1824, on any of the public lands for sale in the state of Arkansas.

To authorize the inhabitants of township eight north range thirty-two west, in the state of Arkansas, to enter a section of land, in lieu of the sixteenth section in said township, upon condition that the same is surrendered to the United States for military purposes.

To revive the act entitled "an act to enable the claimants to land within the limits of Missouri and the territory of Arkansas to institute proceedings to try the validity of their claims," approved the 26th of May, 1824, and the act amending the same.

To provide for additional clerks in the post office department and the auditor's office connected therewith, and for other purposes.

The senate took up, on its third reading, the following bill, reported by Mr. Wall, from the committee on the judiciary :

To explain and limit the powers of the circuit court of the District of Columbia.

Be it enacted, &c. That it shall not be lawful for the circuit court of the District of Columbia to issue a writ or writs of mandamus to an officer or officers of the United States, except in cases in which the power to issue such writ or writs is or may be conferred by law on the circuit courts of the United States.

Mr. Prentiss, who had made some explanatory remarks, moved to recommend the subject to the committee on the judiciary, with instructions to amend the bill by striking out all after the enacting clause, and inserting the following words :

"That the several circuit courts of the United States shall have power to issue writs of mandamus within their respective jurisdictions according to the usage of law."

Mr. Prentiss warmly advocated his motion, and contended that the writ of mandamus was the most beneficial remedy next to the *habeas corpus*, known to the common law. It existed, he believed, in the jurisprudence of every state in this union, and he could not consent that the judicial system of the United States should be destitute of this ancient and highly valuable common law remedy.

Mr. Preston observed that, from the lateness of the session, there was little or no prospect of the bill passing in the other house, if it should now pass the senate in any form. He therefore moved the indefinite postponement of the bill.

This motion was negatived, by yeas and nays, as follows :

YEAS—Messrs. Bayard, Clay, of Kentucky, Crittenden, Davis, Foster, Merriek, Prentiss, Preston, Rives, Ruggles, Smith of Indiana, Swift, Tallmadge—14.

NAYES—Messrs. Allen, Benton, Brown, Buchanan, Clay of Alabama, Culbert, Fulton, Hubbard, King, Linn, Lyon, Mouton, Nicholas, Niles, Norvell, Perce, Roane, Robinson, Sevier, Smith of Conn., Strange, Williams, of Maine, Williams of Mississippi, Wright, Young—14.

Mr. Preston now argued, with great earnestness, and at considerable length, in opposition to the original bill, and in favor of a power residing in the United States courts, of issuing a writ of mandamus, as in the case of *Stockton & Stokes versus the postmaster general*.

Mr. Prentiss's substitute, as above, was now rejected, by yeas and nays, as follows :

YEAS—Messrs. Bayard, Clay of Kentucky, Clayton, Crittenden, Davis, Foster, Knight, Merrick, Prentiss, Preston, Rives, Ruggles, Smith of Indiana, Swift, Tallmadge—15.

NAYS—Messrs. Allen, Benton, Brown, Buchanan, Clay of Alabama, Culbert, Fulton, Hubbard, King, Lyon, M'arris, Montou, Nicholas, Niles, Norvell, Pierce, Kinnell, Rouse, Robinson, Sevier, Smith of Georgia, Wall, Williams of Maine, Williams of Mississippi, Wright, Young—27.

The bill was then passed, by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Brown, Buchanan, Clay of Alabama, Culbert, Fulton, Hubbard, King, Lyon, Lyon, Morris, Montou, Nicholas, Niles, Norvell, Pierce, Rouse, Robinson, Sevier, Smith of Georgia, S. Range, Wall, Williams of Maine, Williams of Mississippi, Wright, Young—27.

NAYS—Messrs. Bayard, Clay of Kentucky, Clayton, Crittenden, Davis, Foster, Knight, Merrick, Prentiss, Preston, Rives, Ruggles, Smith of Indiana, Swift, Tallmadge—15.

Some time was occupied in considering the bill from the other house making appropriations for the naval service for the year 1839, which was amended and ordered to a third reading.

A message was received from the president of the United States, together with documents, on the subject of the recent and existing difficulties between the people and authorities of Maine and New Brunswick. [See proceedings of house, page 14.] After the message and documents had been read, an animated debate (to be given in our next) ensued, at the termination of which they were referred to the committee on foreign affairs, and five thousand extra copies of both ordered to be printed.

February 27. This morning, the joint resolution introduced yesterday by Mr. Davis, to establish the legal value of the pound (currency) of Nova Scotia and New Brunswick, was read a third time, and passed.

In pursuance of the resolution adopted to that effect, the senate went into the election of a printer, for the next congress, and the first ballot resulted as follows:

Blair and Rives received 25; Gales and Seaton, 11; Ogden Niles, 4; Thomas Allen, 2; Blank, 1.

So that Blair and Rives were duly elected.

The bill to prevent the interference of public officers in elections coming up as the special order, Mr. Crittenden addressed the senate at some length, and was followed by Messrs. Wall and Niles.

The bill to establish light-houses and to place buoys, was considered in committee of the whole, and ordered to be engrossed. [See last page.]

HOUSE OF REPRESENTATIVES.

Thursday, February 21. The journal having been read, Mr. Prentiss of Mississippi, rose, he said, for the purpose of presenting to the house a question of privilege. And he then offered the following resolution:

Resolved, That this house proceed forthwith to inquire—

1. Whether Alex. Duncan, a member of this house from the state of Ohio, be the author of a certain publication or publications under his name in relation to the proceedings of this house, and certain members thereof, published in the Globe newspaper of the 19th instant.

2. Whether, by said publication or publications, the said Alex. Duncan has not been guilty of a violation of the privileges of this house, of an offence against its peace, dignity, and good order, and of such grossly indecent, ungentlemanly, disgraceful, and dishonourable conduct, as renders him unworthy of his seat in this house, and justly liable to expulsion from the same.

The Speaker said that this, being a question of privilege, would take precedence over all other business.

Mr. Prentiss said that, as the question was an important one, he would, before proceeding in his remarks, move a call of the house; which was ordered.

The roll having been called, 123 members answered to their names. The names of the absentees were then called, and there appeared 149 members present. Mr. F. moved a suspension of further proceedings, but withdrew the motion. Several members who had received the hall call *ad interim* appeared, and announced their presence to the chair.

The doors of the hall were then closed; also, those convenient apertures, commonly called windows. And excesses were received. After which, on motion of Mr. Halstead, all further proceedings in the call were dispensed with.

Mr. Prentiss then called for the reading of the publication to which the resolution had reference, which having been read, Mr. P. rose and addressed the house at great length on the subjects of his resolution.

Mr. P. was followed by Messrs. Jenifer, Duncanson, and a number of other members; and the debate and proceedings continued until nearly 7 o'clock.

In the course of the day's proceedings, two motions were made to lay the motion of Mr. Prentiss on the table; the one by Mr. Gray of New York, which was negatived by 91 yeas to 83 yeas; the other by Mr. Parry of Maine, which was negatived by 101 yeas to 91 yeas.

In the course of the debate, Mr. Thompson of South Carolina, moved to amend the motion of Mr. Prentiss, by striking out and substituting for it the following:

"Resolved, That Alexander Duncan, a member of this house, having avowed himself the author of an article published in the Globe of the 19th instant, grossly libellous of honorable members of this body; that the said Alexander Duncan be reprimanded by the speaker in the presence of the house."

Before the question was taken on this proposed amendment, the house adjourned; and the subject comes up first, as the unfinished business, to-morrow.

[We will give the details of this day's proceedings, with the publication alluded to, and letters from Messrs. Slade and Stanly in relation thereto, in the next REGISTER.]

Friday, Feb. 22. The house resumed the further consideration of the question of privilege under consideration at its adjournment yesterday, the pending question being on the adoption of the following resolution offered last evening by Mr. F. Thompson, as a substitute for the original proposition of Mr. Prentiss:

"Resolved, That Alexander Duncan, a member of this house, having avowed himself the author of an article published in the Globe of the 19th instant, grossly libellous of honorable members of this body; that the said Alexander Duncan be reprimanded by the speaker, in the presence of the house."

After some remarks from Mr. Petrikin, that gentleman moved to lay the whole subject on the table. Mr. Tillinghast moved a call of the house.

When, on the request of Mr. Elmore, and on his pledge to renew the motion, Mr. Petrikin withdrew the motion to lay the subject on the table.

Some desultory conversation ensued on a point of order, when Mr. Elmore yielded the floor to Mr. F. Thompson for the especial purpose of enabling him to modify his proposition.

Mr. T. then modified his proposition to read as follows:

Whereas Alexander Duncan, a member of this house from the state of Ohio, has, in his place, acknowledged himself to have written and caused to be published in the Globe newspaper of the 19th instant the following resolution, to wit: [Here insert it.]

Therefore, resolved, That the said Alexander Duncan has, in the premises, subjected himself to the just censure of this house, and that he be reprimanded therefor by the speaker in the presence of the house.

Mr. T. said that this proposition would be accepted by the gentleman from Mississippi (Mr. Prentiss) as a modification of his own.

Mr. Prentiss said he accepted it, although contrary to his own opinion.

The debate was continued by Mr. Elmore in opposition to any action on the subject, and Mr. Menefee and Mr. Prentiss in occasional explanation.

After which, Mr. E., in compliance with his pledge, renewed the motion to lay the subject on the table.

Mr. Dringole suggested to Mr. Petrikin to change his motion to a demand for the previous question, but Mr. P. did not accept the suggestion.

Messrs. Prentiss, Mercer, Adams, and Lezare urged a withdrawal of the motion to lay the subject on the table; but Mr. Petrikin persisted.

Mr. Tillinghast renewed his motion for a call of the house, which being ordered, 206 members answered to their names. And, the names of the absentees being called, there appeared 216 members present.

When, on motion, further proceedings on the call were dispensed with, and the question recurring on the motion to lay the subject on the table, Mr. Reed demanded the yeas and nays, which were ordered.

Mr. Slade asked Mr. Petrikin to withdraw his motion, to enable him to make an explanation personal to himself. Mr. P. declined.

At the request of Mr. Sherrod Williams, and on his pledge to renew it, Mr. Petrikin withdrew his motion for the purpose of enabling Mr. W. to state his reasons for voting in favor of the motion to lay the resolution on the table.

Mr. W. having concluded, and having renewed the motion according to pledge, several gentlemen attempted ineffectually to induce Mr. Petrikin to withdraw it.

The question was then taken and decided in the affirmative, as follows:

YEAS—Messrs. Adams, Anderson, Andrews, Atherton, Banks, Beatty, Beers, Beine, Bicknell, Birdsall, Broadhead, Bronson, Buchanan, Bynum, Cambreleng, John Campbell, Casey, Chaney, Chapman, Clowrey, Coles, Connor, Crab, Craig, Cray, Crockett, Cush-

man, Dyer, DeGraff, Dringole, Elmore, Farrington, Isaac Fletcher, Foster, Fry, Gallup, Glascock, Grant, Gray, Griffin, Haley, Hammond, Hamer, Harrison, Hawkins, Haynes, Holsey, Holt, Howard, William H. Hunter, Robert M. T. Hunter, Ingham, Thomas B. Jackson, Joseph Johnson, Nataniel Jones, Keim, Kemble, Kingsmill, Leadbetter, Logan, Leomin, Lyon, James M. Mason, Merritt, Maury, McKay, Robert C. Meade, McClain, McClellan, McClure, Miller, Montgomery, Moore, Morgan, Samuel W. Morris, Murray, Noble, Owens, Palmer, Parker, Parmenter, Parry, Paymer, Pennypacker, Petrikin, Phelps, Picky, Richardson, Rives, Robertson, Sawyer, Sheffer, Shepard, Snyder, Spencer, Swearingen, Taylor, Thomas, Thomas, Towner, Tully, Van Hook, Van Hook, Wagener, Webster, Weeks, Whittier, Sherrod Williams, Jared W. Williams, Joseph L. Williams, Worthington, Yell—117.

NAYS—Messrs. Alexander, Heman Allen, Ayer, Bell, Biddle, Bond, Borden, Boutin, Briggs, William B. Calhoun, J. Calhoun, William B. Campbell, Carter, Chesnut, Cushing, Dawson, Duff, Deberry, Dennis, Dunn, Evans, Everett, Ewing, Richard Fletcher, Fillmore, Eric Garland, Giddings, Goode, James Graham, William Graham, Grennell, Hall, Halsted, Harper, Hastings, Hawes, Henry, Herod, Hoffman, Jabez Jackson, Jenifer, Henry Johnson, Win. Cost Johnson, Kennedy, Lezare, Lincoln, Chas. Clark, Corwin, McKenna, Menck, Mercer, Milligan, Mitchell, Naylor, Noyes, Ogd, Pearce, Peck, Poe, Potts, S. S. Prentiss, Putnam, Kariden, Randolph, Reed, Ridgway, Robinson, Ramsey, Russell, Saltonstall, Sergeant, Augustine H. Shepherd, Shields, Sibley, Slade, Stuart, Augustus T. Tallcott, Thompson, Tillinghast, Thomas, Towner, Tully, Van Hook, Van Hook, L. Williams, C. H. Williams, Wise, Word, Yorke—94.

So the subject was laid on the table.

On leave given, Mr. Everett, from the committee on Indian affairs, reported with amendments senate bill to appoint commissioners to adjust claims under the Cioctaw treaty.

On leave given, Mr. Naylor, from the select committee, appointed to inquire into the conduct of commodore Elliott, made a report, accompanied by the following resolutions:

Resolved, That an interference, by the house of representatives, with the disputes that exist between subordinate officers of the navy and their superiors, commanding squadrons, is a power which ought at all times to be exercised with great caution, and is calculated to produce insubordination in that important arm of the national defence. But, in the opinion of this committee, it is competent for the representatives of the people to investigate any abuses alleged to be committed by officers in command of squadrons, and to provide, by law, for the recurrence of such abuses; and, moreover, to investigate and ascertain whether the head of the navy department may have used such means as are placed in his hands by law to punish and prevent any such illegal proceedings.

Resolved, That the most appropriate remedy for such subordinate officers is an appeal to the secretary of the navy for a court of inquiry to investigate the charges exhibited against their superiors; and from his decision the party aggrieved may appeal to the president, who, by the constitution, is commander-in-chief of the navy; he, as well as the secretary, being liable to impeachment for a wilful and corrupt violation or neglect of duty.

Resolved, That the time allowed this committee is insufficient to enable them to make a full and thorough examination of the subject committed to them; that even a limited and partial examination would require more time, contrary to the duty they owe to their immediate constituents and the country at large, to be absent daily during the sittings of the house, at this important period of the session.

Resolved, therefore, That it is inexpedient to commence the investigation at this time, and that the chairman report these resolutions, with the journal of our proceedings, to the house, together with the committee of this committee, that the subject matter referred to them by the resolution of the house of the 14th instant require investigation, and that he ask that the committee be discharged from the further consideration of the subject.

The report and resolutions having been read, Mr. Naylor moved that they be laid on the table and printed. Mr. N. then explained that this was the report of the majority, and asked leave to present two other reports on the same subject—the one of the minority of the committee, and the other of an individual member thereof. Mr. Prentiss, of Miss., inquired if it was in order to move to recommit the report with instructions. The Speaker said it was not in order whilst a motion to lay on the table and print was pending. Mr. Naylor then withdrew his motion. Mr. Howard called for the reading of the views of the majority.

Mr. Prentiss claimed the floor, and moved to recommit the report and resolutions of the majority to the committee, with instructions to strike out so much thereof as gave advice to this house, or reflected on its course in going into the investigation.

Mr. P. proceeded to address the house, but yielded the floor, on the suggestion of Mr. Chambers, in order that the other reports might be read. The Speaker said that the minority could not, as a matter of right, report; but that, by unanimous consent, their views might be laid before the house. And leave having been granted, the two other reports were read. [See page 11.]

Mr. Prentiss then addressed the house at length on the subject of his motion. After which, on motion of Mr. Cambreleng, all the reports were laid on the table, and ordered to be printed.

A message was received from the president of the United States, through A. Van Buren, his private secretary.

On leave, Mr. Howard introduced the following resolution; which was considered and adopted:

Resolved, That the president of the United States be requested to inform this house whether any and what change has occurred, since his annual message, in the posture of the relations between the United States and Mexico, and to communicate to the house such correspondence relating thereto as may not be incompatible with the public interest.

Mr. Cambreleng having made an urgent appeal to the house on the subject of the appropriation bills.

The house, on his motion, again resolved itself into committee of the whole on the state of the union, (Mr. Banks, of Virginia, in the chair), on the general appropriation bill; the pending question being on the motion of Mr. Bronson, declaring that no part of the contingent fund of the supreme court of the United States should be paid to the clerk for printed copies of papers which had been printed and already paid for by the United States.

Mr. C. H. Williams addressed the committee at great length in a review of political topics generally. Mr. James Gardiner obtained the floor, but gave way to Mr. Stude, who spoke for some time, when he gave way for a motion for the committee to rise, on which the vote was yeas 44, noes 51—no quorum.

Mr. S. resumed and concluded, when the committee rose and the house adjourned.

Saturday, February 23. By general consent, a number of bills on the speaker's table were put on their first and second reading, and were appropriately referred.

The senate bill to provide for the armed occupation of Florida, coming up on the question of a resolution, Mr. Robertson called for the reading of the bill; which having been read, Mr. Downing moved its reference to the committee on military affairs, Mr. Robertson being about to address the house, Mr. Yell appealed to Mr. R. not to discuss the bill at this time. On the request of several gentlemen that the bills on the speaker's table might be referred, he (Mr. Y.) had yielded his right to the floor on the report of the committee on public lands. He hoped he would not be deprived, on that account, of the opportunity to close his remarks. Mr. Robertson persisting in his desire to say a few words, Mr. Yell moved that the further consideration of the bill be postponed until Monday. Mr. Robertson moved its indefinite postponement.

The Speaker said the latter motion would bring up the merits of the bill. Mr. Yell again appealed to the gentleman from Virginia (Mr. Robertson) not to deprive him (Mr. Y.) of the opportunity to close his remarks. That gentleman should be the last to do so, inasmuch as he had himself addressed the house on the subject of the public lands for the morning hour for three or four days. Mr. Downing wished the bill to be committed to the military committee, but said that, if it was to be indefinitely postponed, he hoped the question would be decided now. The Speaker said the question first in order would be on the motion to postpone until Monday. Mr. Yell withdrew that motion. The question then recurred on the motion to commit to the committee on military affairs. Mr. Robertson proceeded to oppose the commitment, on the ground that the bill contemplated the commencement of an entirely new policy, and that it was a bill to add 10,000 men to the standing army of the United States. He was opposed to the commitment, but, if committed at all, it should be committed either to a select committee or to the committee on public lands. Mr. R. was interrupted several times by Messrs. Yell and Petrikin for entering, as they alleged, into the merits of the bill, to discuss which the speaker decided to be out of order on a motion to commit. Mr. Robertson then changed his motion for indefinite postponement to a motion that the bill be laid on the table. Mr. Stansly moved a call of the house. Mr. L. Williams demanded the yeas and noes on that motion; which were ordered, and being taken were: yeas 89, noes 60. So the call was ordered; and the clerk having called the roll, 170 members answered to their names. The names of the absentees having been called, there appeared 185 members present. On motion of Mr. Cambreleng, all further proceedings on the call were dispensed with.

And the question recurring on the motion to lay the bill on the table, Mr. Grennell asked for the yeas and noes, which were ordered, and being taken were: yeas 91, noes 94; so the motion to lay the bill on the table was rejected. The question recurring on the motion to commit to the committee on public lands, Mr. Robertson moved that as much of the said bill as related to surveys be referred to the committee on public lands, and so much as related to grain to the committee on agriculture. The Speaker decided the motion not to be in order. Mr. Cambreleng moved that the house proceed to the orders of the day.

By general consent, the house took up the senate bill on the speaker's table, entitled "an act to amend the act for regulating the judiciary system of the United States." The bill having been read twice by its title, Mr. Thomas moved it be engrossed for a third reading. Some conversation followed between Messrs. Sergeant and Fillmore, when Mr. Adams called for the reading of the fifth section, (which abolishes the punishment of whipping and the pillory.) Mr. Adams said that the question which occurred to his mind was, that the bill abolished certain punishments without providing a substitute. Mr. Sergeant was understood to explain that this constituted a part of the punishment for certain offences, and that, this being taken away, the other punishment remained. Mr. Adams said he would not raise any serious objection to the bill, although he would have preferred to have had further time to consider one or two points in it which occurred to him as objectionable. One of the objections was this—here were two ignominious punishments abolished, punishments implying much more of ignominy than of pain, and nothing was substituted in their stead. The additional imprisonment which the judges were empowered to impose was not, as it seemed to him, an adequate substitute for the pillory; and the bill was further objectionable, because it did enable the court, at their discretion, if not at their pleasure, to add to the punishment of imprisonment what they might think a proper equivalent. There were many cases in which great injustice might thus be done to offenders. He was reluctant to give up the punishment by pillory, believing, as he did, that it exercised a salutary influence on the mind, the conscience, and the moral feelings of the man. He would not, however, at this late period in the session, throw himself in the way of the passage of the bill. And the bill was then ordered to a third reading on Monday.

The Speaker laid before the house several executive communications.

On motion of Mr. Cambreleng, the house again resolved itself into a committee of the whole on the state of the union, (Mr. Banks, of Virginia, in the chair), and again took up the general appropriation bill, and reported its attention until near 12 o'clock, P. M., when the committee rose and reported its progress.

When the committee rose, an appeal was pending which had been made by Mr. Ingham, from a decision of the chairman, (Mr. Banks,) in relation to his motion for a reappropriation of \$100,000, formerly appropriated for a dry dock in New York harbor. On the motion to adjourn the yeas and noes were called, when there were 34 for the adjournment, and 25 against it. A motion for a call of the house was negatived. After frequent attempts to get the bill out of committee, a little before twelve o'clock, P. M., the house adjourned.

Monday, Feb. 25. The regular business of the day being the call for resolutions, Mr. Cambreleng moved a suspension of the rule for the purpose of calling the committees for reports, and proceeding with the public business.

Mr. Adams asked leave to present the following resolutions, which were referred for information:

Resolved, by the senate and house of representatives in congress assembled, two-thirds of both houses concurring therein, That the following amendments to the constitution of the United States be proposed to the several states of the union, which, when ratified by three-fourths of the legislatures of said states, shall become and be a part of the constitution of the United States: That after the first day of July, 1842, there shall be throughout the United States, no hereditary slavery; but on and after that day every child born within the United States, their territories or jurisdiction, shall be born free.

2d. With the exception of the territory of Florida, there shall hereafter never be admitted into this union any state, the constitution of which shall tolerate within the same the existence of slavery.

3d. From and after the 4th of July, 1815, there shall be neither slavery nor slave trade at the seat of government of the United States.

Objection having been made, Mr. A. proceeded to state that he had in his possession a petition which he desired to present, and on which these resolutions were founded. It was a petition from John Jay and 43 most respectable citizens of the city of

New York. [Mr. A. was here interrupted by cries to order.] And the Speaker having decided that the motion to suspend the rule must first be disposed of, Mr. A. did not press the motion further at this time. And the question having been taken on the motion of Mr. Cambreleng, the rules were suspended.

Reports of committees were then called for, when the following, among others, were made to the house:

Mr. Cushman, from the committee on commerce, reported a bill explanatory of an act entitled an act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys for the year 1838, passed 7th July, 1838.

Mr. Casey, from the committee on public lands, reported, without amendment, senate bills authorizing the relinquishment of the sixteenth sections granted for the use of schools, and the entry of other lands in lieu thereof; and authorizing certain certificates of deposit to be cancelled and reissued; which last mentioned bill was read the third time, and passed.

Mr. Chapman, from the same committee, reported, with amendments, senate bill for the relief of certain settlers on the public lands who were deprived of the benefits of the act granting pre-emption rights, which was approved on the 19th of 1839.

Some debate followed, (directed in the question of engrossment or commitment,) in which Messrs. Lincoln, Chapman, L. Williams, and Crab, participated; when, on motion of Mr. Lewis Williams, the bill (yeas 82, noes 54) was laid on the table. Mr. Loomis, from the same committee, reported, with amendment, senate bill to authorize John E. Metcalf and others to locate certain pre-emption claims to land in Indiana.

Also, made a report upon the subject of securing to actual settlers on public lands the right of pre-emption to their own improvements, when offered for sale, in preference to others, accompanied by a bill for that purpose.

Also, reported a bill authorizing the issuing of land scrip to satisfy military bounty land warrants.

Mr. Bouldin, from the committee for the District of Columbia, reported, without amendment, senate bill supplemental to the act granting certain city lots to the corporation of the Columbian college, for the purposes therein mentioned, approved 14th July, 1832. This bill was read a third time, and passed.

Mr. Tucey, from the committee on the judiciary, reported, without amendment, senate bill to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party; which bill was read the third time and passed.

Mr. Tucey, from the same committee, reported an amendatory bill to authorize the circuit courts of the United States to appoint their own clerks and to regulate the fees of clerks in the states of Louisiana and Alabama.

Also, senate bill to abolish imprisonment for debt in certain cases, without amendment; which bill was read the third time and passed.

Mr. McKay, from the committee on military affairs, reported a bill for the erection of certain military works on the northeastern frontier of the United States.

Mr. Howard, from the committee on foreign affairs, reported at length, relative to the commercial intercourse between the United States and the British provinces of Nova Scotia and New Brunswick.

Mr. Mercer, from the committee on roads and canals, made a report upon the subject of an appropriation for improving the navigation of the Ohio river, and reported an amendment to the joint resolution now before the house, authorizing certain military surveys.

Mr. Pratt, from the committee on public buildings and grounds, made a report upon the subject of having the public buildings, hereafter to be erected, built either of marble or granite, instead of sandstone.

Mr. Ward, on leave, presented certain joint resolutions from the legislature of Mississippi on the subject of post routes. Referred.

Mr. May presented certain joint resolutions from the legislature of Illinois, on the subject of the currency, which were read, laid on the table, and ordered to be printed.

Mr. Sherrod Williams moved to reconsider the vote by which the bill abolishing imprisonment for debt in certain cases had been passed. The motion was entered.

Mr. Lincoln, from the committee on public buildings and grounds, laid before the house certain communications in relation to the material for the construction of public buildings. Laid on the table, and ordered to be printed.

Mr. Jenifer, chairman of the select committee to which had been referred so much of the president's message as relates to the tobacco-trade with foreign

nations, made a report; which was laid on the table and ordered to be printed.

Mr. Howard said that as this was a very important report, he would move the printing of 5,000 extra copies. And the rule having been suspended, the motion to print (having been urged briefly by Messrs. Howard and W. C. Johnson) was agreed to.

On motion of Mr. Toucey, the rules were suspended for the purpose of considering the motion heretofore made to reconsider the vote abolishing imprisonment for debt. Mr. Petricin demanded the previous question. The bill having, on motion of Mr. Robertson, been read, the previous question was seconded, and the main question (being on the reconsideration) was ordered and taken, and the motion to reconsider was rejected.

On motion of Mr. Sergeant, the act amending the act in relation to the judicial system of the United States, was taken up on the question of final passage.

Mr. Everett moved to recommit the bill to the committee of the whole on the state of the union, for the purpose of striking out the second section. Some debate followed, in which Messrs. Everett and Thomas participated. Mr. Cambreleng moved the previous question.

Mr. Everett moved to lay the bill on the table; which motion was rejected. The previous question was then seconded, and the main question ordered, and the bill was passed.

The house again resolved itself into a committee of the whole on the state of the union, (Mr. Banks in the chair,) on the general appropriation bill, which was debated until near one o'clock A. M.

When the committee rose, on motion of Mr. Toucey, and the committee having risen, the Chairman reported the fact of the absence of a quorum. Mr. Toucey moved that the house adjourn; on which motion the yeas and nays were asked and refused.

And then, at 10 o'clock A. M. the house adjourned.

Tuesday, Feb. 26. The unfinished business of the morning hour was the report of the select committee on the public lands; the question being on the amendment of Mr. Robeson.

Mr. Yell said that there were but a few days of the session left for the transaction of business indispensable to the support of the government; that it was now apparent that no action could be had during this session, and he would not trespass another morning upon the business of the nation, &c. He stated the positions which induced him to oppose the resolution, in addition to those advanced on a former day: First, that the public lands, under the deeds of session, were set apart for the payment of the national debt, which amounted, at the close of the war, to about \$80,000,000. That debt has been paid, and, if you please, by the proceeds of the public lands; or rather, the whole amount of the sales amounts to about \$106,000,000, out of which amount about \$30,000,000 has been expended in surveying and paying all necessary expenses and salaries. But it must be recollected that this funded debt was paid as well out of the common treasure as the proceeds of the public lands. Secondly, that, from the estimate of the commissioner of the general land office, there has been about \$60,000,000 paid for the purchase under the treaties with Florida and Spain and the extinguishment of Indian titles. That must be paid before the proceeds can be diverted from their original purpose. The money was taken out of the public treasury to acquire these titles, and it therefore became a part of the revenue, and could no more be applied in distribution than money raised from customs upon imports.

Mr. Y. took a brief survey of the grounds assigned, and finally closed with his objections to the passage of the resolution, because the state of the treasury would not justify it, and because the effect would be to raise the tariff, or a resort to direct taxation to make up the deficiency, which he estimated to be \$10,000,000, or more, and which, moreover, would fall heavily upon the western states, as they were the consumers, and paid the duties in the end. Mr. Stierck Williams moved to lay the whole subject on the table. Mr. Hayes asked Mr. W. to withdraw the motion, which Mr. W. refused to do.

Mr. Lewis Williams demanded the yeas and nays on the motion to lay on the table; which were refused; and the question being taken, the whole subject was laid on the table. Some conversation took place as to the order of business; when Mr. Cambreleng moved a suspension of the rule, for the purpose of going into committee of the whole on the state of the union, to resume the consideration of the general appropriation bill.

Mr. Sherrod Williams moved a reconsideration of the vote by which a bill in relation to certain pre-emption rights in the state of Alabama had been laid on the table yesterday; which motion was entered on the journal.

The house then again resolved itself into a committee of the whole on the state of the union, (Mr.

Banks in the chair,) and resumed the consideration of the general appropriation bill, which was debated by several gen.lemen.

Mr. W. Thompson having concluded his remarks, Mr. Howard stated that he understood that an executive message was ready to be delivered; and, to afford an opportunity for its presentation, he moved that the committee rise. The motion prevailed, and the committee rose and reported progress.

The following message was then received from the president of the United States on the subject of the difficulties in Maine, and on motion of Mr. Howard, was immediately read at the clerk's table; also, a letter from Mr. Fox to Mr. Forsyth; Mr. Forsyth's reply; Mr. Fox's rejoinder; Mr. Forsyth's letter to governor Fairfield; governor Fairfield's letter to Sir John Harvey. [The documents accompanying the message shall be published hereafter.]

To the house of representatives of the United States:

I lay before congress several despatches from his excellency the governor of Maine, with enclosures, communicating certain proceedings of the legislature of that state, and a copy of the reply of the secretary of state, made by my direction, together with a note from H. S. Fox, esq. envoy extraordinary and minister plenipotentiary of Great Britain, with the answer of the secretary of state to the same.

It will appear from those documents that a numerous band of lawless and desperate men, chiefly from the adjoining British provinces, but without the authority or sanction of the provincial government, had trespassed upon that portion of the territory in dispute between the United States and Great Britain which is watered by the river Aroostook, and claiming to belong to the state of Maine; and that they had committed extensive depredations, there by cutting and destroying a very large quantity of timber. It will further appear that the governor of Maine, having been officially apprised of the circumstance, had communicated it to the legislature, with a recommendation of such provisions, in addition to those already existing by law, as would enable him to arrest the course of said depredations, disperse the trespassers, and secure the timber which they were about carrying away; that in compliance with a resolve of the legislature, passed in pursuance of his recommendation, his excellency had despatched the land agent of the state, with a force deemed adequate to that purpose, to the scene of the alleged depredations, who, after accomplishing a part of his duty, was seized by a band of the trespassers, at a house situated to be within the jurisdiction of Maine, whether he had prepared for the purpose of meeting and consulting with the land agent of the province of New Brunswick, and conveyed as a prisoner to Fredericton, in that province, together with two other citizens of the state, who were assisting him in the discharge of his duty.

It will also appear that the governor and legislature of Maine, satisfied that the trespassers had acted in defiance of the laws of both countries, learning that they were in possession of arms, and anticipating (correctly, as the result has proved) that persons of their reckless and desperate character would set at naught the authority of the magistrates, without the aid of a strong force, had authorized the sheriff, and the officer appointed in the place of the land agent, to employ, at the expense of the state, an armed posse, which had proceeded to the scene of these depredations, with a view to the entire dispersion or arrest of the trespassers and the protection of the public property.

In the correspondence between the governor of Maine and Sir John Harvey, lieutenant governor of the province of New Brunswick, which has grown out of these occurrences, and is likewise herewith communicated, the former is requested to recall the armed party advanced into the disputed territory for the arrest of trespassers, and is informed that a strong body of British troops is to be held in readiness to support and protect the authority and subjects of Great Britain in said territory. In answer to a request of the provincial governor is informed of the determination of the state of Maine to support the land agent and his party, in the performance of their duty, and the same determination, for the execution of which provision is made by a resolution of the state legislature, is communicated by the governor to the general government.

The lieutenant governor of New Brunswick, in calling upon the governor of Maine for the recall of the land agent and his party from the disputed territory, and the British minister in making a similar demand upon the government of the United States, proceed upon the assumption that an agreement exists between the two nations conceding to Great Britain, until the final settlement of the boundary question, exclusive possession of, and jurisdiction over, the territory in dispute. The impor-

tant bearing which such an agreement, if it existed, would have upon the condition and interests of the parties, and the inducement it might have upon the adjustment of the dispute, are too obvious to allow the error upon which this assumption seems to rest to pass for a moment without correction. The answer of the secretary of state to Mr. Fox's note, will show the ground taken by the government of the United States upon this point. It is believed that all the correspondence which has passed between the two governments upon this subject has already been communicated to congress, and is now on their files. An abstract of it, however, hastily prepared, accompanies this communication. It is possible that in thus abridging a voluminous correspondence, commencing in 1825 and continuing to a very recent period, a portion may have been accidentally overlooked; but it is believed that nothing has been taken of which would materially change the aspect of the question as therein presented. Instead of sustaining the assumption of the British functionaries that correspondence disproves the existence of any such agreement. It shows that the two governments have differed not only in regard to the main question of title to the territory in dispute, but with reference also to the right of jurisdiction, and the fact of the actual exercise of it in different portions thereof. Always aiming at an amicable adjustment of the dispute, both parties have entertained and repeatedly urged upon each other a desire, that each should exercise its rights, whatever it considered them to be, in such a manner as to avoid collision, and ally, to the greatest practicable extent, the excitement likely to grow out of the controversy. It was in pursuance of such an understanding that Maine and Massachusetts, upon the remonstrance of Great Britain, desisted from making sales of lands, and the general government from the construction of a projected military road in a portion of the territory of which they claimed to have enjoyed the exclusive possession, and that Great Britain, on her part, in deference to a similar remonstrance from the United States, suspended the issue of licenses to cut timber in the territory in controversy, and also the survey and location of a railroad through a section of country over which she also claimed to have exercised exclusive jurisdiction.

The state of Maine had a right to arrest the depredations complained of; it belonged to her to judge of the exigency of the occasion calling for her interference, and it is presumed that the lieutenant governor of New Brunswick was correctly advised of the nature of the proceedings of the state of Maine, he would not have regarded the transaction as requiring, on his part, any resort to force. Each party claiming a right to the territory, and hence to the exclusive jurisdiction over it, it is manifest that, to prevent the destruction of the timber by trespassers, acting against the authority of both, and at the same time avoid forcible collision between the contiguous governments during the pendency of negotiations concerning the title, resort must be had to the mutual exercise of jurisdiction in such extreme cases, or to an amicable and temporary arrangement as to the limits within which it should be exercised by each party. The understanding supposed to exist between the United States and Great Britain has been found heretofore sufficient for that purpose, and I believe will prove so hereafter, if the parties on the frontier, directly interested in the question, are respectively governed by a just spirit of conciliation and forbearance. If it shall be found, as there is now reason to apprehend, that there is, in the mode of construing that understanding by the two governments, a difference not to be reconciled, I shall not hesitate to propose to her Britannic majesty's government a distinct arrangement for the temporary and mutual exercise of jurisdiction, by means of which similar difficulties may in future be prevented.

But between an effort on the part of Maine to preserve the property in dispute from destruction by intruders, and a military occupation by that power of the territory, with a view to hold it by force, while the controversy is the subject of negotiation between the two governments, there is an essential difference, as well in respect to the position of the state, as to the duties of the general government. In a letter addressed by the secretary of state to the governor of Maine, on the 1st of March last, giving a detailed statement of the steps which had been taken by the federal government to bring the controversy to a termination, and designed to apprise the governor of that state of the views of the federal executive, in respect to the future, it was stated, that while the obligations of the federal government to do all in its power to effect the settlement of the boundary question were fully recognized, it had, in the event of being unable to do so specifically, by mutual consent, no other means to accomplish that object amicably, than by ano-

their arbitration, or by a commission with an umpire in the nature of an arbitration; and that in the event of all other measures failing, the president would feel it his duty to submit another proposition to the government of Great Britain, to refer the decision of the question to a third power. These are still my views upon the subject, and until this step shall have been taken, I cannot think it proper to invoke the attention of congress to other than amicable means for the settlement of the controversy, or to cause the military power of the federal government to be brought in aid of the state of Maine, in any attempt to effect that object by a resort to force.

On the other hand, if the authorities of New Brunswick should attempt to enforce the claim of exclusive jurisdiction set up by them, by means of a military occupation on their part of the disputed territory, I shall feel myself bound to consider the contingency provided by the constitution as having occurred, on the happening of which a state has the right to call for the aid of the federal government to repel invasion.

I have expressed to the British minister near this government a confident expectation that the agents of the state of Maine, who have been appointed under the obvious misapprehension of the object of their mission, will be promptly released; and to the governor of Maine that a similar course will be pursued in regard to the agents of the province of New Brunswick. I have also recommended that any militia that may have been brought together by the state of Maine, from an apprehension of a collision with the government or people of the British province, will be voluntarily and peaceably disbanded.

I cannot allow myself to doubt that the results anticipated from these representations will be seasonably realized. The parties more immediately interested cannot but perceive that an appeal to arms, under existing circumstances, will not only prove fatal to their present interests, but would postpone, if not defeat, the attainment of the main objects which they have in view. The very incidents which have recently occurred will necessarily awaken the governments to the importance of promptly adjusting a dispute, by which it is now made manifest that the peace of the two nations is daily and imminently endangered. This expectation is further warranted by the general forbearance which has hitherto characterized the conduct of the government and people on both sides of the line. In the uniform patriotism of Maine, her attachment to the union, her respect for the wishes of the people of her sister states, of whose interest in her welfare she cannot be unconscious, and, in the solicitude felt by the country at large for the preservation of peace with our neighbors, we have a strong guarantee that she will not disregard the request that has been made of her.

As the session of congress is about to terminate, and the agency of the executive may become necessary during the recess, it is important that the attention of the legislature should be drawn to the consideration of such measures as may be calculated to obviate the necessity of a call for an extra session. With that view, I have thought it my duty to lay the whole matter before you, and to invite such action thereon as you may think the occasion requires.

M. VAN BUREN.

Washington, 26th February, 1859.

Mr. Howard moved that the message and accompanying documents be referred to the committee on foreign affairs, and be printed; and that the committee have liberty to sit during the sittings of the house.

Mr. Waddy Thompson moved the printing of 20,000 extra copies, and supported the motion by a speech in which he highly commended the message. Mr. Pearce, of Maryland, briefly replied to some remarks of Mr. Thompson's speech which he considered as reflecting, in an offensive manner, upon the house. Mr. Thompson explained. Mr. Evans, of Maine, followed in a long and very animated speech, in which he gave a full history of the present difficulty in that state from its origin; stated minutely its present condition; commented with some severity on the neglect which had been shown by the general government to the oft repeated representations of that state, in which the present crisis had been represented as inevitable; and insisted that it was evident from the whole tone of the message that the urgency of the case was not appreciated. Mr. Howard remonstrated against this crimination of the government as necessarily leading to a defensive reply, and thus tending to withdraw the attention of the house to a collateral subject, and diverting it from the deeply interesting subject of the message. Mr. Evans proceeded some time longer, and when he sat down, Mr. Pe-

trikin moved the previous question. [Loud cries of "no," "no"—"withdraw it," "withdraw it," from all the house.] Mr. Petrikin withdrew his motion. Mr. Adams then addressed the house, encouraging fully the speech of Mr. Evans, but suggesting a constitutional difficulty in relation to the advice of the president to the governor of Maine, to enter into an explanation and accommodation with the governor of New Brunswick, &c. as a thing which a governor of a state was not authorized to do, and expressed his hope that an agent of the government would be appointed to manage such an arrangement, should it take place, &c. Mr. Cray moved the previous question. Mr. Lincoln requested him to withdraw the motion, but he refused to comply. The question being taken by tellers, on seconding the motion, it was rejected: ayes 48, noes 89.

Mr. Lincoln then addressed the house, and after warm commendations of the message, went at large into the general subject.

He was succeeded by Mr. Cushing, who strenuously denied the existence of any agreement between the two governments, that pending the controversy, Great Britain was to hold exclusive jurisdiction over the disputed territory, and advised to the aggressive claims of that government, her course toward the Indians, and on the northwestern coast, &c.

Messrs. Pickens, Sergeant, and Everett also addressed the house. When the last named gentleman had concluded his remarks, Mr. Whittlesey demanded the previous question, which was seconded. The main question was ordered; and, being taken, the message and accompanying documents were referred to the committee on foreign relations, and ordered to be printed. On motion of Mr. Howard, the said committee were leave to sit during the sessions of the house. On motion of Mr. Evans, so much of the report of the land agent of Maine as referred to the subject of the message was also ordered to be printed. Mr. Bronson moved to print 10,000 extra copies of the message and documents, but waived the motion for the present. [The debate on the message will be given at length hereafter.] Mr. Cambreleng asked the house again to go into committee on the general appropriation bill. Mr. Harlan, from the select committee appointed on the 17th of January to inquire into recent defalcations, asked leave to make a report. Mr. Cambreleng objected. The general appropriation bill had already kept the committee up two nights, and he hoped it would be disposed of. It was most important that it should be. Mr. Harlan said if he had to set from now until daylight, he would put his motion. He moved to suspend the rule. Mr. Wise demanded the yeas and nays on that motion, which were ordered; and, being taken, were yeas 83, nays 59; (not two-thirds.) So the rule was not suspended.

The house again went into committee and resumed the consideration of the general appropriation bill, which was further amended and reported to the house—when Mr. Chambers offered an amendment, the effect of which would be to prohibit any collector from retaining in his hands moneys paid under protest, and requiring him to deposit the same in bank to the credit of the treasurer of the United States. The amendment was adopted. The house then concurred in the amendments reported from the committee, save a few which were reserved for discussion, which were ordered to be printed. Mr. Bell moved an adjournment, but withdrew the motion at the request of Mr. Evans, who, by leave, laid on the table a communication from governor Fairbald to the legislature of Maine, which he observed, presented a very critical state of things there. The reading was dispensed with, and the document ordered to be printed for the information of the members. Mr. Jenifer, on leave, offered a resolution calling for certain information in relation to the tobacco trade.

A bill in explanation of a bill for the reorganization of the United States marine corps, was read twice and committed.

Mr. Ewing, on leave, presented certain joint resolutions of the legislature of Indiana, condemnatory of all interference on the part of free states, and the citizens of free states, with the domestic institutions or legal regulations of the slave states, which were laid upon the table, under the rule applicable thereto.

Mr. Dawson, from a select committee, made a report on certain claims of the state of Georgia; which were read and referred. Mr. Beatty moved an adjournment, (about half past 10.) Mr. Harlan requested him to withdraw it, that he might present a report from the investigating committee on the Swatwout defalcations. Mr. Beatty refusing, Mr. Harlan demanded the yeas and nays; which being ordered, were taken, and resulted in the negative: yeas 43, nays 52. So the house refused to adjourn. A call of the house was moved by Mr. Hopkins. Mr.

Beime demanded the yeas and nays. Mr. Wise remonstrated. All the committee desired was to get the report out of their hands into those of the printer. Mr. Mercer hoped the report would be received and ordered to be printed. Mr. Hopkins withdrew his motion for a call.

Mr. Owens stated that the report of the minority would be ready in the morning; and it being understood that both reports should be presented simultaneously to-morrow morning.

The house, a little before 11 o'clock, adjourned.

Wednesday, Feb. 27. Mr. Harlan, from the select committee appointed on the 17th of January last, to inquire and report as to defalcations of public officers, made a report; when

Mr. Owens, of the same committee, on behalf of the minority, by leave, submitted a report containing the views of the minority upon the subject matters committed to the committee. Mr. Harlan, on behalf of the committee, moved the reading of the conclusions of the committee; and that 5,000 copies of the reports with the journal, and 20,000 copies of the reports without the journal, be printed. Mr. Petrikin said he was not opposed to printing, but he objected to the reading, unless all the reports were read. And he on that point, accordingly. Some conversation followed in different parts of the house, of which little could be heard, owing to the extreme confusion. The *Choir* decided that it was a parliamentary right to call for the reading; and, after some further conversation on points of order, the clerk proceeded to read the report of the majority. The reading was frequently interrupted by attempts to suspend it. And, after it had proceeded some way, on motion of Mr. Owens, all the reports (by general consent) were laid on the table; and 5,000 copies thereof, with the journal, and 20,000 copies of both documents, without the journal, were ordered to be printed.

Mr. Hall, from the select committee, appointed on the 24th of January, to inquire into the character and amount of proof which is required by existing laws and regulations to establish claims on the United States for military services in the Virginia continental and state lines; and whether any and what further legislative provisions be necessary in regard to the mode of adjusting and allowing claims for such services, made a report thereon, adverse to further appropriations for the satisfaction of said warrants, and moved that it be laid on the table, and that the report and documents be printed. Mr. Talzferro asked a division of the question. Mr. Wise urged that the question should not be taken now, as a colleague of his, and a member of the committee, (not now in his seat,) was preparing his protest against this report, by which great injustice, he contended, was done, and he wished to have that protest printed together with the report. A report was laid on the table.

The question recurring on the motion to print, some remarks followed from Messrs. Talzferro, Craig, Hall, and Wise. When, with a view to save the time of the house, now so precious, Mr. Stanly moved to lay the motion to print on the table. Mr. Briggs, as a member of the committee, appealed to Mr. Stanly to withdraw the motion. Mr. Stanly not consenting, Mr. Granel asked the yeas and nays on the motion to lay the motion to print on the table, which were ordered; and, being taken, were—yeas 43, nays 127. So the motion to lay the motion to print on the table was rejected; and the question recurring on the motion to print, before further action was taken, the speaker announced the expiration of the morning hour.

On leave, Mr. Cambreleng offered a resolution fixing the hour of meeting at 10 o'clock, and providing that the house take a recess from 3 to half past 5. Some amendments being offered, Mr. Cambreleng moved the previous question, which was seconded, the main question was ordered; and the resolution was adopted, (and takes effect as to the recess this day.) On leave, Mr. Adams presented certain joint resolutions from the legislature of Massachusetts on the subject of the salt duty. Laid on the table, and ordered to be printed. The speaker laid before the house a letter from the secretary of war, transmitting reports of the commissary general of the army, and the commissioner of Indian affairs, together with document No. 75 of the house of representatives, 2d sess. 25th congress, containing the information called for by a resolution of the house of representatives of the 28th ut.

A letter from the secretary of war, in answer to a resolution of the house of representatives of the 21st of January last, calling for information as to the number of Cherokee Indians now residing in North Carolina, &c.

A letter from the secretary of war, transmitting the information required by a resolution of the house of representatives of the 14th ult. in relation to the improvement of Little Egg Harbor.

The house resumed the consideration of the general appropriation bill, which had been reported from the committee of the whole on the state of the union, the question being on concurring in certain amendments made thereto in committee, and which had been reserved for special question.

The amendments occupied the attention of the house until the hour of recess.

EVENING SESSION.

The house met after recess, when the general appropriation bill was again considered and further amended. Mr. Cambreleng moved the previous question. Mr. Garland, of Louisiana, asked him to withdraw the motion, reminding him of a pledge given by him on a former day that he would not make this motion till Mr. G. should have had an opportunity of presenting in the house certain amendments moved by him in committee. Mr. Cambreleng denied that he was under any such pledge. Mr. Garland replied with great warmth, and in somewhat intemperate terms, which, however, were indignantly heard by the reporter amidst the cries of "order!" "order!"; and the general confusion of the house. Mr. Williams, of N. C., moved a call of the house; which motion prevailing, the house was called. 129 members having answered to their names, the absentees were called, when 157 members were found to be present. The call was then suspended. The previous question was seconded by yeas and nays: yeas 113, nays 47. It was then put, and carried.

Mr. Connor demanded the yeas and nays; but the house refused to order thereon; when the bill was read a third time, its title, and passed.

Mr. Garland apologized to the house for the intemperate expressions he had used towards Mr. Cambreleng, stating that the latter had come to his seat, and stated that he had forgotten having given the pledge, though afterwards convinced it had been given, as Mr. G. had stated.

[Cries of "well done!" "handsome!"]

The following message, and memorandum, were received from the president of the United States:

Washington, Feb. 27, 1839.

To the house of representatives of the United States:

I transmit to congress copies of various other documents received from the governor of Maine, relating to the dispute between that state and the province of New Brunswick, which formed the subject of my message of the 26th instant, and also a copy of a memorandum signed by the secretary of state of the United States and her Britannic majesty's envoy extraordinary and minister plenipotentiary near the United States, of the terms upon which it is believed all collision can be avoided on the frontier, consistently with, and respecting the claims on either side. As the British minister acts without specific authority from his government, it will be observed that this memorandum has but the force of recommendation on the provincial authorities and on the government of the state.

M. VAN BUREN.

MEMORANDUM.

Her majesty's authorities consider it to have been understood and agreed upon by the two governments that the territory in dispute between Great Britain and the United States, on the northeastern frontier, should remain exclusively under British jurisdiction until the final settlement of the boundary question.

The United States government have not understood the above agreement in the same sense, but consider, on the contrary, that there has been no agreement whatever for the exercise, by Great Britain, of exclusive jurisdiction over the disputed territory, or any portion thereof, but a mutual understanding that, pending the negotiation, the jurisdiction then exercised by either party, over small portions of the territory in dispute, should not be enlarged, but be continued merely for the preservation of local tranquility and the public property, both forbearing as far as practicable to exert any authority, and, when any should be exercised by either, placing upon the conduct of each other the most favorable construction.

A complete understanding upon the question, thus placed at issue, of present jurisdiction, can only be arrived at by friendly discussion between the governments of the United States and Great Britain; and, as it is confidently hoped that there will be an early settlement of the question, this subordinate point of difference can be of but little moment.

In the mean time the governor of the province of New Brunswick and the government of the state of Maine will act as follows: Her majesty's officers will not seek to expel by military force the armed party which has been sent by Maine into the district bordering on the Aroostook river; but the government of Maine will voluntarily, and without needless delay, withdraw beyond the bounds of the

disputed territory any armed force now within them; and, if future necessity should arise for dispersing notorious trespassers, or protecting public property from depredation by armed force, the operation shall be conducted by concert, jointly or separately, according to agreements between the governments of Maine and New Brunswick.

The civil officers in the service, respectively, of New Brunswick and Maine, who have been taken into custody by the opposite parties, shall be released.

Nothing in this memorandum shall be construed to fortify or to weaken in any respect whatever, the claim of either party to the ultimate possession of the disputed territory.

The minister plenipotentiary of her Britannic majesty having no specific authority to make any arrangement on the subject, the undersigned can only recommend, as they now earnestly do, to the governments of New Brunswick and Maine, to regulate their future proceedings according to the terms hereinbefore set forth, until the final settlement of the territorial dispute, or until the governments of the United States and Great Britain shall come to some definite conclusion on the subordinate point upon which they are now at issue.

JOHN FORSYTH, secretary of state of the United States of North America.
H. S. FOX, U. S. M. envoy extraordinary and minister plenipotentiary.
Washington, February 27, 1839.

The message and memorandum having been read, Mr. Evans addressed the house at length.

The motion of Mr. Ingham all having come back from the senate without amendments.

Mr. Cambreleng moved his reference to the committee of the whole on the state of the union, which was agreed to.

On his motion the house then went into committee of the whole, (Mr. Ingham in the chair,) and took up the bill to prevent and suppress Indian hostilities, which was amended, and laid aside. In the course of the debate, Mr. W. C. Johnson, on urging the propriety of laying aside the above bill, that some of the many other bills before the house might be taken up, alluded to the great loss of time in debate, and to the excellent practice in the British house of commons of coughing members down on certain occasions; a rule which he thought might be most properly applied here.

On motion of Mr. Lincoln, the committee took up the bill providing for the erection of a fire-proof building for the use of the general post office department, which was amended; but a count having been made upon a motion of Mr. Rencher providing that not more than one architect be employed, the committee was found to be without a quorum.

After various motions the committee rose and reported that fact to the house.

A call of the house was moved, and negatived by yeas 33, nays 80; when a quorum being present, Mr. Ingham resumed the chair of the committee of the whole.

And the amendment of Mr. Rencher was adopted. On motion of Mr. Evans, the committee took up a bill for the erection of military works on our northeastern frontier: (it appropriates to that object \$300,000.)

Mr. W. C. Johnson inquired what was meant by the phrase "military works," in the bill.

Mr. McKay, chairman of the committee on military affairs, explained the grounds of the bill.

Mr. Johnson then went at length into a speech in favor of the erection of a United States army for the founding of cannon, in which he quoted the report of the ordnance bureau, from which it appeared that 1,178 guns were needed to man new forts already erected, 2,578 for works in a process of construction, 752 for forts now rebuilding, 3,606 for other works projected, but not yet commenced; making, in all, 13,320 pieces of ordnance, exclusive of what were needed for the navy.

He then stated the guns now on hand, which were 1,000 heavy cannon and mortars, not much more than half of which were fit for use; 935 in forts, 1,219 in depot, 150 under contract to be cast; making in all 2,303; thus leaving a deficit of 11,017 pieces, aside from the navy and field trains.

He stated the condition of the guns now mounted in our forts; the want of new mortars similar to those used by the French in the late siege and demolition of the castle of St. Juan de Ulton, in Mexico; and the introduction of similar mortars into the British service. He then quoted the recommendations of an armory by various presidents, and urged the measure with much zeal.

Mr. Cambreleng moved for the rising of the committee; which motion prevailing, the committee thereupon rose, and reported the bills which had been acted upon to the house; which, at about half past 11, thereupon adjourned.

Thursday, Feb. 28. After the consideration of some business which shall be noticed in the next "REGISTER," Mr. Howard, on leave, from the committee on foreign relations, reported the following bill, accompanied by a report, [to be given in our next.]

A BILL giving to the president of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be, and he is, authorized to resist any attempt on the part of Great Britain, or of any other power, to obtain to exclusive jurisdiction over that part of the state of Maine which is in dispute between the United States and Great Britain; and, for that purpose, to employ the naval and military forces of the United States and such portions of the militia as he may deem it advisable to call into service.

Sec. 2. And be it further enacted, That, in the event of British troops being encamped, or of the United States by any foreign power, or of imminent danger of such invasion discovered, in his opinion, to exist, before congress can be convened to act upon the subject, the president of the United States be, and he hereby is, authorized, in addition to the present military establishment of the United States, to raise a provisional force, not to exceed 50,000 men, or 5000 cavalry, or an equal number of hostilities with any foreign power, not exceeding one regiment of dragoons, one regiment of artillery, two regiments of riflemen, and sixteen regiments of infantry, to be organized, in all respects, like the corresponding regiments now in service; and, also, to appoint not exceeding one major general, four brigadiers general, and one lieutenant general, or an equal number of assistant generals for each new regiment; the regiments, general, and medical officers to be subject to the same laws and rules, and to be entitled to the same benefits, of every kind, with the like corps and officers now in service; and it shall be the duty of the president to discharge the troops which may be raised by virtue of this act whenever there shall be occasion for them, as defined by this act, shall cease to exist.

Sec. 3. And be it further enacted, That, in the event of either of the contingencies provided in the first section of this act, the president of the United States shall be authorized to complete the public armed vessels now authorized by law, and to equip, man, and employ, in actual service, all the naval force of the United States.

Sec. 4. And be it further enacted, That the sum of ————— millions of dollars is hereby appropriated and placed at his disposal for the purpose of executing the provisions of this act, to provide for which the secretary of the treasury is authorized to borrow money on the credit of the United States, and to cause to be issued certificates of stock, signed by the register of the treasury, for the sum to be borrowed, or any part thereof; and the same to be sold upon the best terms that may be offered after public notice for proposals for the same. And no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed after the expiration of five years from the first of January next; and that the rate of interest shall not exceed five per cent., payable semi-annually.

Sec. 5. And be it further enacted, That the sum of eighteen thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the salary and salary of a special messenger, to be appointed by the president of the United States shall deem it expedient to appoint the same.

The bill, as well as the report, having been read, Mr. H moved that they be referred to the committee of the whole on the state of the union, he made the special order of the day for to-morrow at 11 o'clock, and that they be printed. A debate now ensued in which Messrs. Howard, Adams, Evans, and Legare, participated. Finally, as an easy mode of making any alterations that might be advisable, Mr. Evans suggested that the report should be printed under the superintendance of the committee. Mr. Howard accepted the suggestion, and modified his motion accordingly; and, thereupon, the bill and report were referred to the committee of the whole on the state of the union, where he made the special order of the day for to-morrow, (Friday,) at 11 o'clock, to take precedence over all other business, and were ordered to be printed under the superintendance of the committee on foreign affairs. Mr. W. C. Johnson moved the printing of 20,000 extra copies of the bill and report, documents, &c. but, on the suggestion of Mr. Loomis, modified the motion to 10,000; and, after some few remarks, the motion was considered and agreed to. The house then again went into committee; and, on motion of Mr. R. Garland, the committee took up the bill pending, for the taking of the next census. The bill having been read, Mr. R. Garland moved two additional sections, which were agreed to. Some amendments were offered, and some progress had been made in the bill, when the hour of 3 having arrived, the house took a recess.

NILES' NATIONAL REGISTER.

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WASHINGTON CITY, MARCH 9, 1839.

[VOL. LVI.—WHOLE No. 1,432.]

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

✪ An awkward error occurred on publishing Mr. Price's letter in our last. The "Intelligencer" was authorized to say that it was addressed to his son—but our compositor made us say that they were authorized to say it was not addressed to that individual.

✪ The bill which finally passed both houses of congress empowering the president to protect the Maine border, is inserted in the next page. We will, hereafter, bring up the journal of congressional proceedings, and publish the debates on the question at length.

✪ The annual general appropriation bill contains besides its ordinary items, the following enactment for the further security of the revenue derived from imposts:

Sec. 2. And be it further enacted, That, from and after the passage of this act, every paid to any collector of the customs, or to any person acting as such, for unspecified duties, or for duties paid under protest against the rate or amount of duties charged, shall be placed to the credit of the treasurer of the United States, kept and disposed of, as all other money paid for duties is required by law, or by regulation of the treasury department, to be placed to the credit of the said treasurer, kept and disposed of, and shall not be held by the said collector, or person acting as such, to await any ascertainment of duties, or the result of any litigation in relation to the rate or amount of duty legally chargeable and collectible in any case where money is so paid. But, whenever it shall be shown to the satisfaction of the treasury that, in any case of the said ascertained duty or duties paid under protest, more money has been paid to the collector or person acting as such, than the law requires should have been paid, it shall be his duty to draw his warrant upon the treasurer in favor of the person or persons entitled to the over payment, directing the said treasurer to refund the same out of any money in the treasury not otherwise appropriated.

✪ The twenty-fifth congress terminated on Monday morning last; the house having adjourned at about one o'clock, and the senate at about three o'clock. Never, perhaps, since the formation of the constitution, has a session terminated which has been so little productive of benefits to the country, or so rife with bad passions, miserrand artifices, and all that is offensive in party tactics. During the entire session, excepting a few days before its close, there seemed to be a total disregard of the interests of the people and the government; and day by day has been wasted in stupid debates to win popularity at home, or wicked and foolish attempts to gain party ascendancy. As a consequence of this profligate waste of time, there has been a frightful wreck of the public business, and a vast amount of suffering entailed upon individuals whose rightful claims have been deterred another year.

In speaking thus, we do not intend to reflect upon either of the two parties in congress, for we consider the whole body liable to censure; but upon that spirit which regards legislation more in its effects upon party interests than the public welfare; for on no question that has been discussed, have that which involved the national honor, have that which involved the rights of the people, which bore a broad and national view of the consequences of measures.

To give our readers some idea of this waste of time, we state, that more than one hundred bills which had passed the senate, were not acted on by the house; and that of the vast number which had been prepared by the committees of the latter body, with great labor, hardly a fourth part were finally acted on. Indeed, in the whole list of public acts passed, there are but few, if we except the appropriation bill, the bill to take the next census, and the bill in relation to the north-eastern boundary, which were immediately called for by the public interest, and might not have been postponed until the next session.

The "Intelligencer" has the following notice of one of the bills which failed:

"The session was closed long after midnight of Sunday the 3d instant, the house adjourning at a quarter past two o'clock, the senate not until after three o'clock, A. M. of Monday.

Among the acts which failed, may be reckoned as first among those which have attracted the public attention, the bill known as the sub-treasury bill; which, af-

ter passing the senate, was suffered to lie on the table of the other house till the close of the session, without its friends venturing so far as even to make a motion for its consideration.

In the list of acts passed during the late session, the reader will find none making appropriations for fortifications, or for the support of the military academy. The appropriations for these objects were incorporated in the bill making appropriations for the support of the army for 1832. An appropriation is also contained in that bill for the defence of the Niagara, Oswego, and Plattsburg frontier; and an appropriation of \$80,000 for the defence of the western frontier is included in the Indian appropriation bill.

The appropriations for the support of the post office department are included in the civil appropriation act. No post-road act was passed at this session.

No act for building or completing light houses was passed. The bill for that purpose which passed the senate was never even read in the house.

Neither was any act for the improvement of harbors passed this session.

The bill making appropriations for the continuation of the Cumberland road, after passing the senate, failed in the house of representatives, notwithstanding the strenuous exertions of its friends to procure for it a hearing at least. On Sunday night, Mr. Rariden got a motion before the house to go into committee of the whole on that bill, but his motion was negatived."

DELAWARE. The legislature of this state had adjourned without electing a senator in the place of Mr. Bayard. We will give all the proceedings in relation to this omission hereafter.

DUTIES ON IMPORTS. The following "circular to collectors, naval officers, and surveyors," has been issued by direction of the secretary of the treasury:

Treasury department,
Comptroller's office, March 4, 1839.

The recent session of congress having terminated without the passage of an act proposed by this department, explanatory of the various conflicting provisions of existing laws in regard to the classification of several descriptions of merchandise imported into the United States; and the supreme court of the United States having lately pronounced an opinion in respect to one of the principal species of goods, heretofore the subject of great controversy, it has been deemed expedient and proper by this office to avail itself of the occasion so far to modify existing instructions as to make them conform to the judicial decision in reference not only to the article of merchandise specially the subject of the recent suit, but to all those articles also which clearly come within the spirit of the law as expounded by the court.

The supreme court has declared that silk hosiery is free from duty, under the act of 2d March, 1823.

By the application of the principle established by the court, it follows as a necessary consequence that hats, gloves, bindings, millinery, ready-made clothing, and all other manufactures of silk, or of which silk is the component material of great value, coming from this side of the Cape of Good Hope, except sewing silk, are also exempt from duty.

The opinion of the court being maintained, in part upon the position, that the second clause of the second section of the duty act of 1823, except only as it respects ready-made clothing, has exclusive reference to articles of wool, or of which wool is a component part, it follows, in accordance with this opinion, that hats, gloves, and bindings, when composed wholly or in part of wool, are chargeable with the duty of 25 per centum, as specified in that section; when of other material, (except silk) according to the material of which they are composed, as leather 30 per cent., cotton 25 per cent. Ready-made clothing, being separated from the general operation of the principle here applied, stands as an independent specification, subject to a duty of 50 per cent., whatever may be the fabric, and exempted from duty only when of silk, by the operation of the act of March, 1823.

Your practice in future will be regulated by these opinions. All instructions from this department not consistent therewith being necessarily superseded, and in cases in which you have received duties, paid under protest, on any of the articles now declared exempt from the payment of duty, you will refund the said duties to the owners of the goods.

I am, very respectfully, your obedient servant,
J. N. BARKER, comptroller.

NORTHEASTERN FRONTIER. The news in our last from the frontier, was from Augusta, under date of the 25th ult. We have since gathered the following items of intelligence:

A letter to the editor of the Boston Atlas, dated Augusta, Me., Feb. 28, says—

"The last of the troops drafted from this division who have been called into active service, left here this morning. They are to proceed forthwith to the disputed territory.

A letter was received in this town last evening dated at Houlton, the 26th instant, which says, that five companies of British troops had gone up the St. Johns. A part of the militia of the province had been called into the service of her majesty. Some of them were stationed at Woodstock. A gentleman who left Houlton on Monday last, represents that the proceeding in our legislature and the letter of gov. Fairfield to sir John Harvey, had created great excitement in the province. A part of gen. Hodson's detachment reached Houlton on Tuesday.

Orders were issued yesterday calling about a thousand more of our militia into the service of the state.

On the 1st instant letters from Houlton were received at Bangor, a distance of 120 miles, in 10 hours and 25 minutes, by the line of videttes established between the two places. One of them is from colonel John L. Hodson, and communicates the important intelligence that a regiment of 800 Fusiliers had arrived at Halifax from Cork, and were ordered to be at Frederickton on Wednesday last, and to proceed forthwith to the disputed territory.

It also states that it would be necessary to cut a road from seven to twenty-five miles for the Maine troops to join Mr. Jarvis's force, which road must at one point approach within a few rods of the undisputed boundary, at which point it was anticipated there must be a brush with the British. It was also supposed that a reinforcement of American troops would be ordered very soon.

Another letter from Houlton states that col. Webster, one of the persons taken with Mr. McIntire, had arrived there from No. 10, with the information that Jarvis' force had thrown up a fort near Fitzherbert's. The letter also says, that col. Webster reports the arrival of 500 British troops from Quebec, at Madawaska village—having been ordered to New Brunswick before the difficulties commenced.

The detachment sent by Mr. Jarvis to the Fish river, had broken up a camp of lumbering trespassers, making 5 men, 4 horses and 5 oxen prisoners. Another account says 11 men and all their teams.

Most of the troops under general Hodson had arrived at Houlton; another 1,000 under general Bachelard were on their way thither, and another 1,000 had received orders to march; making in all about 3,700 concentrated, or soon to be in the disputed territory.

Sir John Harvey had sent an express to sir John Colborne. Three companies of regulars were quartered at Woodstock. The Maine papers say the British troops were strongly disposed to desert, and that a strong guard of provincial militia was stationed between Woodstock and Houlton, to prevent the regulars from slipping over the line.

The Boston Mercantile of Monday evening states that it seems to be the general opinion in Maine, that the government of that state will not relinquish her claim to the jurisdiction over the disputed territory—but will retain possession with a military force—in spite of the protocol. The Portland Advertiser says "we say this, and we do but speak the language of the whole state of Maine, that we will not yield up the possession of the Aroostock to any earthly power."

By an extra of the Bangor Mechanic and Farmer, dated 2d March, (Saturday,) we learn that a gentleman from Woodstock reports that the militia are gathering on the frontier. Only 140 regulars were at Woodstock, with 7 pieces of artillery.

A correspondent of the Boston Courier, under date of Houlton, Feb. 27th, says there was then raging a violent snow storm, which it was thought would impede the progress of the six or eight hundred militia of Bangor on their march to Houlton.

The Portland Courier of Friday evening says— "Gov. Fairfield's answer to sir John Harvey's letter, in which sir John Harvey claims exclusive jurisdiction over the disputed territory, created something of a stir at Frederickton; in less than an hour after it was received, a special message was

on its way to Washington with despatches to the British minister."

A letter in the Boston Atlas of Monday, dated in the senate chamber of Maine, at Augusta, March 20, (probably from a Maine senator) says:

"I speak *advisedly*, when I say that if the contemplated visit of general Scott to Maine is only to persuade a withdrawal of our troops from the disputed territory, or a relinquishment of our present position, he might as well *slidy away*. I repeat that I speak *advisedly* when I say this. It may appear as strong language, but I say from my heart that I had rather see our state *deluged in blood*, and every field bleached by the bones of our citizens, than that we should yield our footsteps and submit to British arrogance. Yes, the "glorious stars and stripes" must wave on the line, and we must speak, if necessary, with the cannon's mouth to the British minions, "thus far shalt thou come and no farther."

The Boston Atlas of Tuesday contains the following letter from its correspondent, dated

Bangor, Saturday, March 2, 1839.

We are again in the midst of excitement. The information from the frontier which I forwarded to you last night, and the intelligence by this morning's mail of the state of feeling in the cabinet, in congress and among the people of Washington, have aroused to greater intensity the interest of our citizens in the all absorbing subject, and given impulse to curiosity, inquiry, discussion and speculation. Bulletins and extras are issued and hawked about the street and posted up in public places. At no time before have we felt the probability of a general war to be so great. The people of this state will be rejoiced if the general government, as there is now reason to believe, will approve and aid and make common cause with them in the struggle they have commenced. Yet would they much more rejoice, enthusiastic and excited as they are, if the difficulty could be terminated honorably without bloodshed.

No express has arrived to day, and there is no news of importance from the east. A draft from the 7th division is on its way to Calais—it amounts to 800 men, and 220 light infantry and riflemen from the 5th division are ordered to meet at Portland on Monday and proceed at once to Augusta, and a new draft from the 5th, 6th and 8th divisions of 1,000 is ordered, of which a part are to assemble at Augusta on Wednesday next. It is reported that the four men captured on Fish river by Mr. Jarvis's detachment as trespassers, have produced permits from the provincial authorities. This I believe is from good authority. If correct, it shows the self constituted guardians of our territory in no very favorable light, and proves that Maine has come of age and assumed the manly toga none too early.

P. S. 5 o'clock, P. M. Since writing the above, Mr. English, who brought sir John Harvey's first letter to you, Fairfield, has passed through town with a communication from sir John to the governor. Report says it contains some proposition in regard to a conventional line. Nous verrons.

The schooner Eleanor Jane arrived at Boston, on Saturday, having left St. Johns, N. B. on the preceding Sunday. The captain informed the Boston Atlas that the whole militia of the province had been ordered out by sir John Harvey.

Part of the 69th regiment, which arrived at Halifax, a few days ago, embarked on the 20th for conveyance to the frontier.

The Nova Scotia Royal Gazette is very belligerent. We copy the following paragraph:—"Nothing can justify this conduct of Maine. Great Britain holds sovereignty over the district which has been invaded, and will as firmly defend it as she would any other part of the empire. Still we are anxious that this boundary story should be brought in a close in some way or other. We would have no unsettled accounts with the United States, for the only friendship they have for us is that which rests on commercial cupidity."

A New Brunswick paper winds up an angry article upon the subject of the border difficulties, with the following remarks upon the course which it will be the duty of Great Britain to pursue in case of any invasion:

"Whenever such an infringement is made, from the moment the commencement of hostilities between the two countries may be dated, and although we cannot pretend to boast with our western neighbors, yet we are greatly mistaken if such a war, brought about by the self-willed and misguided policy of Maine, does not end in leaving the United States with a ruined trade—crippled commerce—mouldering cities—and a FREE, but disinherited and distracted people."

General Scott, accompanied by major Ripley, and captain Anderson and Keyes, reached Boston on Saturday morning on his way to the northeastern frontier. We learn from the Boston Evening Gazette that general S. was introduced to governor

Everett in the council chamber, who addressed him substantially as follows:

GENERAL: I take great pleasure in presenting you to the executive of Massachusetts. I need not say that you are already well known to them by reputation. They are familiar with your fame, as it is recorded on some of the most arduous and honorable fields of the country's struggles. We rejoice in meeting you on this occasion, charged as you are with the most momentous mission, and the result of the United States. We are sure you are entrusted with a duty most grateful to your feelings—that of averting an appeal to arms. We place unlimited reliance on your spirit, energy, and discretion. Should you unhappily fail in your efforts, under the instructions of our president to restore harmony, we know that you go equally prepared for a still more arduous and important duty in the support of the commonwealth of Massachusetts.

The answer of the general was happy and appropriate—he concluded by saying that the executive of the United States had full reliance upon the patriotism and public spirit of Massachusetts, in any emergency which might arise.

The Boston Transcript of Monday evening says:—"Major general Scott and suite left town to-day, at 12 M. for the east. The general expected to receive despatches from Washington, but in consequence of the non-arrival of the mail, concluded to proceed without them."

The following resolutions were reported in the Massachusetts senate. The committee to which governor Everett's message was referred:

Resolved, That the present state of affairs in relation to the northeastern boundary, as communicated to the executive of this commonwealth by the governor of the state of Maine, furnishes a strong reason for again asserting our rights, and for re-affirming the position heretofore assumed by the legislature of this state against the unwarrantable claims of Great Britain, and the adoption of strong and vigorous measures by the government of the United States, for a speedy adjustment of the existing difficulties in such a manner as shall protect Massachusetts and Maine in the possession of the large tract of territory guaranteed to them by the treaty of peace of 1783.

Resolved, That the active measures authorized by the act of the legislature of the state of Maine, passed January 25, 1839, for the prevention of depredations upon the lands of Massachusetts and Maine, were required by the exigencies of the case, and a wise regard for the preservation of their interests in those lands, and were similar in character to the measures adopted by the land agents of Massachusetts and Britain, in October last, and recognized and approved, through their agent, by the government of the province of New Brunswick.

Resolved, That the claim of Great Britain to the exclusive jurisdiction of the whole of the disputed territory, as recently asserted by the governor of Great Britain, and his avowal of a determination to sustain that claim by a military force, and his denial of the right of the state of Maine to protect from the lawless depredations of trespassers, the lands which have long been in the possession of Massachusetts and Maine, government and that territory, has arrived, when the honor of the nation demands the adoption of decisive measures for the protection of her citizens, and for the preservation of the rights and interests of two of the members of our confederacy.

Resolved, That this commonwealth will co-operate with the state of Maine in all constitutional measures for the preservation of the interests of both states in the lands in the disputed territory, and for the speedy adjustment of the existing controversy.

Resolved, That his excellency the governor be requested to transmit a copy of these resolutions to the executive of the United States and of the state of Maine, and to each of our senators and representatives in congress.

It will be seen from the following resolves, that the British claim of exclusive jurisdiction over the disputed territory, is not so novel as some persons have supposed it.

Resolves concerning the northeastern territory of the United States, claimed by Great Britain.

Whereas, a large tract of the northeastern territory of the United States, belonging in common to the states of Maine and Massachusetts, and lying within the limits of the former state, has, for many years past, in consequence of a claim of Great Britain, been surrendered to the exclusive custody of the British government; and whereas, it appears from the report of the committee appointed by the legislature of this commonwealth, to make personal examination of the rights and interests of Massachusetts, that great inconvenience and gross abuses have resulted, from so valuable a portion of our domain being left in the keeping of agents over whom they have no control.

Therefore, resolved, by the senate and house of representatives in general court assembled, That in the interests of Massachusetts, that measures should be taken by the executive of the United States to secure a speedy settlement of this long protracted controversy, so that these States may be reinstated in the enjoyment of that property which was so long in their undisputed possession, and which is so indisputably theirs.

Resolved, That in case there be a prospect of further unavoidable delay in the settlement of this controversy, it is essential to the ends of justice, that measures should be taken by the executive of the United States to obtain representation of the interests and rights of Maine and Massachusetts, in the agency and guardianship of the territory.

Resolved, That his excellency, the governor, is hereby requested to transmit a copy of these resolutions to the executive of the United States, to our senators and representatives in congress, and to the governor of the state of Maine.

In senate, March 1, 1836.

Passed—sent down for concurrence.

HORACE MANN, president.

FOREIGN INVASION.

AN ACT giving to the president of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes.

Be it enacted by the senate and house of representatives of the United States, That the president of the United States be, and he hereby is, authorized to resist any attempt on the part of Great Britain to enforce, by arms, her claim to exclusive jurisdiction over that part of the state and territory of Maine which is in dispute between the United States and Great Britain; and that for that purpose, to employ the naval and military forces of the United States and such portions of the militia as he may deem it advisable to call into service.

Sec. 2. And be it further enacted, That the militia when called into the service of the United States by virtue of this act, or of the laws of the United States, shall be called forth to execute the laws of the union, suppress insurrections, repel invasions, and to repel the act now in force for those purposes; may if in the opinion of the president of the United States the public interest require it, be compelled to serve for a term not exceeding six months after the arrival at their place of rendezvous, in any one year, unless sooner discharged.

Sec. 3. And be it further enacted, That, in the event of actual invasion of the territory of the United States by any foreign power, or of imminent danger of such invasion discovered, in his opinion, to exist, before congress can be convened to act upon the subject, the president be, and he hereby is, authorized to call into the service of either of the contingencies provided for in this act, the president of the United States shall be authorized to complete the public armed vessels now authorized by law and to equip, man, and employ, in actual service, all the naval force of the United States; and to build, purchase or charter, arm, equip, and man, such vessels and steamships, as he may deem it necessary and proper to communicate with the United States and Great Britain, as I shall deem necessary to protect the United States from invasion from that quarter.

Sec. 5. And be it further enacted, That the sum of ten millions of dollars is hereby appropriated and placed at his disposal for the purpose of executing the provisions of this act; to provide for which the secretary of the treasury is authorized to borrow money of the credit of the United States, and to cause to be issued certificates of stock, signed by the register of the treasury, for the sum to be borrowed, or any part thereof; and the same to be sold upon the best terms that may be offered after public notice for proposals for that purpose. Provided, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed after the expiration of five years from the first of January next; and that the rate of interest shall not exceed five per cent, payable semi-annually.

Sec. 6. And be it further enacted, That the sum of one hundred dollars be, and the same is hereby appropriated, out of any money in the treasury or otherwise appropriated, for outfit and salary of a special minister to Great Britain: Provided, The president of the United States shall deem it expedient to appoint a same.

Sec. 7. And be it further enacted, That in the event of either of the contingencies provided for in the first and third sections of this act, the president of the United States shall be authorized to apply a part not exceeding \$1,000,000 of the appropriation made in this act, to pairing or arming fortifications along the seaboard frontier.

Sec. 8. And be it further enacted, That whenever militia or volunteers are called into the service of the United States, they shall have the organization of an army of the United States, and shall receive the same pay and allowances.

Sec. 9. And be it further enacted, That the several provisions of this act shall be in force until the end of six days after the meeting of the first session of the next congress, and no longer.

JAMES K. POLK,

Speaker of the house of representatives

Wm. R. KING,

President pro tem. of the senate

Approved, March 3, 1839.

M. VAN BUREN.

LETTER FROM MR. PRICE.

To the editors of the National Intelligencer.

House of representatives, Feb. 28, 1839.

GENTLEMEN: On the 26th instant, after the select committee on the late defalcations had concluded its labors and ordered its report to be made, I received the enclosed letter from Wm. M. Price. I am assured that the letter is genuine, and therefore send it to you for publication. I have no other way of complying with his request to "put his plea" upon "the record."

Respectfully,
HENRY A. WISE.

Paris, February 2, 1839.

SIR: By a letter this day received from Washington, I learn that, on the 27th day of December last, you stated on the floor of congress that you had been informed:

1st. That I had sold a bond given to the United States in the sum of \$50,000, for \$30,000, in order to get gold for it.

2d. That I had taken with me to Liverpool \$100,000 in gold.

And, 3d. That the secretary of the treasury had made inquiry into my accounts, and found a deficit of \$240,000.

The first and second items of your informant appear to have been stated as matters of fact. So help me God, sir, some villain has abused you with the most malignant misrepresentations. I never sold a bond given to the United States in the sum of \$50,000, or any other sum, for \$30,000, or any other amount, in order to get gold for it, or for any other purpose. In either form or substance, the assertion is infamously untrue, "sine aliquo alio testimonio."

Equally untrue is it that I carried with me to Liverpool \$100,000 in gold. I never, at any one instant of my life, had in my possession a title part of such amount of gold. I purchased in Wall street, the day preceding my departure, one hundred and fifty pounds sterling in gold; and that was all the gold I purchased, exchanged, procured, or had in my possession at the time of my departure.

As to the third item, to wit, that the secretary of the treasury had made inquiry into my accounts and found a deficit of \$240,000, I can only say that he must have done so, then, with his proverbial accuracy. He is not—he could not have been at that time in possession of my credits. Then, how dare sworn accounting officer of the government make me debit side, only of an account the evidence by which he would prove me to be a defaulter.

I have not, of course, my accounts here for examination, but I would be both legally and equitably entitled to allowances which would probably be deducted to me at the treasury.

Of such description I will present to you, from memory, one or two, out of very frequently occurring cases, in the course of what was called the anti-

Mr. Woodbury, during that year, directed me to procure to collection the bonds of New York banks and New York merchants to the amount of several millions of dollars. By the general bankruptcy it could produce, I entreated him not to enforce his orders. At the request of the board of trade of New York, I repaired to Washington to stay the mischief, succeeded in my object, and was instructed to negotiate with the parties. I allude especially to the Dry Dock bank of New York, and the Bank of Brooklyn, whose bonds amounted to more than a million of dollars. As attorney of the United States had repeated interviews with those institutions; he indulgence they asked was granted, and they honorably discharged their indebtedness to the government. I was not a salary officer, and there could have been, in such proceedings, no costs of suit. The secretary holds all like services to be gratuitous, and I presume he means to insist upon injury of the country dissenting from his construction of allowance at the treasury.

I had not, sir, at the time of his statement of my accounts, been three weeks absent from my country, and, yet, within that time, Mr. Woodbury, without that decent notice which the law of every state gives to the most unquestionable absent debtor, upon an ex parte inquiry adjudges me to be a defaulter. Sir, it is untrue. A just allowance of my claims upon the department will entitle me to a balance over and above all amounts received by me from debtors of the government.

Although the several millions of fines transmitted me for collection in the course of the last five years, should make my compensation appear to be immense, still, the law which has allowed such rates of compensation to others must not altered or repealed, secure it to me.

It is mighty easy to charge high crimes, especially from high places, but, before Mr. Woodbury pronounced me, "upon inquiry into my accounts,"

for five years, to be a defaulter, he should have recollecting his letter addressed to me within the last six months, approving, in almost fulsome terms of approbation, my official conduct during the term of my appointment. He will, I hope, favor you with a perusal of the draught.

If, "upon inquiry," he then understandingly approved my whole course in office, he has been cruelly precipitate in his late conclusion; or, if he paid me the compliment without an examination of my affairs, it is valueless, and he is welcome to it again. If he can so abstract himself from the general confusion of his official concerns as to allow me the credits to which I am justly entitled, I will stand at least wholly absolved from the indebtedness he has charged.

My motives for the resignation of my office and coming hither will, in due season, be deemed unquestionably correct.

I am not here upon departure from any official responsibility. I am here upon matters of great private moment to myself and family, and I will, upon any issue the treasury may tender, absolve myself, in the judgment of every just man, from any wrong done to it.

I claim, sir, from your sense of justice, that while debating upon the postulates above referred to, you will, at least, permit me to put my plea on record.

I am, sir, your most obedient servant,
WILLIAM M. PRICE.

Henry A. Wise, esq.

MESSRS. DUNCAN, STANLY AND SLADE.

We give below the communication from Dr. Duncan, of Ohio, published in the "Globe" of the 19th ult. and read, on the motion of Mr. Prentiss, in the house of representatives on the 21st ult.; with letters from Messrs. Slade and Stanly in reference thereto, published in the Intelligencer. The speeches of Messrs. Prentiss, Mencelee, and others, shall also have a place in our pages as soon as they are ready for the press.

From the Globe.

On the 16th and 17th January last, I made some remarks in the house of representatives on the resolutions to appoint a committee to inquire into the defalcations of Samuel Swartwout, which remarks were soon after published in the Globe, and have since been published in pamphlet form. Mr. Stanly, of North Carolina, followed me in reply. At the commencement of his remarks, he intimated that I was an abolitionist. I promptly pronounced the insinuation a base falsehood, and a foul detraction, whether it dwelt upon the lips of the unprincipled calumniator or floated on the breeze in the corrupt, poisonous, and slanderous federal sheets of the day. My intention at the time was to insult the member. So he understood me. So all who heard me understood me. My meaning was that the member was a base liar and a foul calumniator; and the only reason that he was indirectly thus denounced, was because the rules of the house prohibited me from doing it directly, without laying myself liable to its censure. All this, too, was well understood at the time; and for this intended and well understood insult, I held myself in readiness to give the member any satisfaction which he might have the moral courage to seek. But no disposition to seek redress was manifested within the time I had a right to expect it, or within the time it might be expected from a man who had any regard for his honor or reputation. So I was disposed to let the member go for what I believe him to be, a mean poltroon and a base liar; and which I believe he may at any time, and in any place, be pronounced with impunity.

Some ten or twelve days after making the remarks to which I allude, I saw a communication in the National Intelligencer, occupying the space of four or five columns of that paper, purporting to be "the reply of Mr. Stanly, of North Carolina, to Dr. Duncan." I was surprised to see a reply of such length. I was not present all the time the member was speaking. I was present, as I have stated, when he commenced. I was present when he finished, and his last remark was, "I have detained the house not more than fifteen minutes." I thought he was correct as to the time he occupied the floor—a (short time in which to make a speech occupying four and a half columns of one of the largest newspapers sheets.)

Leave is sometimes asked of the house to write out a speech which there may not be time to make, and the privilege is generally granted. This is a case of the kind, and the house and to the country whose business is permitted to progress. But, in all cases of this kind, leave of the house ought to be obtained, and a notice of the fact ought to accompany the written speech. It is mean and basely dishonest, and it is a falsehood and a fraud practised upon the community, to promulgate a speech purporting

to have been delivered on the floor of congress which never was there spoken, on any other conditions than by the leave and with the notice which I have named.

I say that the speech published in the National Intelligencer of the 4th instant, purporting to be "the remarks of Mr. Stanly, in reply to Dr. Duncan," never was delivered in the house of representatives nor any other place, except through the polluted columns of the corrupt, bank bought, servile and degraded sheet, through which it makes its appearance; therefore, its very caption or title contains a base falsehood, and a mean attempt at fraud and imposition upon the public. Its whole body is a tissue of misrepresentations, unmanly insinuations, and low vulgarities, worthy of the man that can be charged with base falsehood and foul detraction with impunity. In order to know that I could not be mistaken as to the time the member occupied in his attempt to reply to me, and to ascertain some other facts, of which I will soon speak, I addressed the following notes to the gentlemen whose names are prefixed, to which I received the subjoined answers:

House of representatives,
February 9, 1839.

SIR: If you were present on the 17th January, 1839, when Mr. Stanly, of North Carolina, replied to some remarks made by me on the resolution to appoint a committee to inquire into the defalcations of Samuel Swartwout, will you have the goodness to state what time Mr. Stanly occupied in making his reply? Whether Mr. Slade, of Vermont, did, or did not, hand him (Stanly) a paper containing my answer to some abolition interrogatories, and whether Mr. Slade did, or did not, point out to Mr. Stanly such passages of said answer as Mr. Stanly exhibited in his reply.

Your attention to this will much oblige your friend,
A. DUNCAN.

Hon. H. L. TURNEY.

House of representatives,
February 9, 1839.

SIR: I have received your note of the 9th of this month, and in answer thereto have the honor to state, that I was in my seat in the house of representatives on the 17th of January last. I heard your speech delivered in the house on that day, on the subject to which you refer, and the reply thereto of the hon. Mr. Stanly of North Carolina, on the same day. I did not tax my recollection with the precise time occupied by Mr. Stanly in making his reply, but my impression is that it did not exceed fifteen or twenty minutes.

In the course of Mr. Stanly's remarks, I understood him to make allusions to a letter which he alleged had been written by you on the subject of abolitionism. He regretted that he had not the letter to read to the house. In a few seconds after this your attention was directed to Mr. Stanly by some gentlemen who sat near me, and who called my attention to the fact, that Mr. Slade was prompting Mr. Stanly, by pointing out to him certain parts of your letter, to be read by him to the house. I have no knowledge how or from whom Mr. Stanly received the letter above referred to.

I am, sir, respectfully yours, &c.

H. L. TURNEY.

Hon. A. Duncan.

House of representatives,
February 9, 1839.

SIR: Were you in the house on the 17th January, 1839, when I made some remarks on the resolution providing for the appointment of a committee to inquire into the defalcations of Samuel Swartwout, or were you present when Mr. Stanly, of North Carolina, replied to me? If so, will you be so good as to state, first, if Mr. Slade of Vermont did, or did not, hand him (Stanly) a paper containing my letter in answer to some abolition interrogatories? Second, state whether Mr. Slade did, or did not, stand by him (Stanly) and prompt or point out such passages of said letter as were exhibited in his reply? Third, will you state what time Stanly occupied in his reply, and whether or not the greater portion of that time was occupied in reading portions of the letter above alluded to?

Your attention to this, will much oblige,
Yours, &c. A. DUNCAN.

Hon. J. A. Blynum.

Washington city, 10th Feb. 1839.

SIR: In reply to your note of the 9th instant, and the questions therein contained, I can only say that I was present, and heard the concluding part of your remarks on the occasion alluded to; after which, I saw Mr. Stanly rise, and heard his reply. I did not see Mr. Slade hand Mr. Stanly the paper containing your letter on the subject of abolition. Mr. Slade has informed me since, however,

that he did hand Mr. Stanly such a paper at the time alluded to by you.

While Mr. S. was speaking, I saw Mr. Slade standing by, or behind Mr. Stanly, pointing, as I thought, at different paragraphs in the paper held by Mr. S. As to the last question, I think I heard Mr. Stanly say, in concluding his few remarks, that he had not addressed the house more than fifteen minutes, and I think that about the time he did speak.

With respect,

I have the honor to be,

Your obedient servant,

J. A. BYNUM.

The hon. A. Duncan.

House of representatives,

February 9, 1838.

STR: Were you in the house on the 17th January, when I made some remarks on the resolution providing for the appointment of a committee to inquire into the defalcations of Samuel Swartwout, or were you present during the time that Mr. Stanly replied to me? If so, will you be so good as to state the time, as near as possible, or as well as you can recollect, that he (Stanly) occupied in his reply. Your early answer will much oblige your friend.

A. DUNCAN.

To hon. Ely Moore.

House of representatives,

February 12, 1838.

STR: In reply to the interrogatories contained in your communication of the 9th inst., I will state that I was in the house at the time referred to, and heard the remarks both of Mr. Stanly and yourself. The time occupied by Mr. S. in his reply to you, did not, to the best of my recollection, exceed fifteen minutes.

Very respectfully,

ELY MOORE.

Hon. A. Duncan.

I think I am sustained in the fact which I have asserted, viz: that "the speech of Mr. Stanly, of North Carolina, in reply to Dr. Duncan," &c., was made in the house of representatives, or, if made, must have been made in the *short space of "fifteen minutes!"* But even all that time was not occupied in making the speech purporting to be the reply to "Dr. Duncan." When I charged upon the member a base falsehood, &c., for making the insinuation which he did, some part of the fifteen minutes was occupied in denying that he had insinuated that I was an abolitionist. Here is where the member showed the white feather. That denial was but a squirming from under the responsibility of answering in an honorable way the charge of being guilty of base falsehood. A part of the balance of these precious fifteen minutes, (and a great part, too,) was occupied in reading garbled extracts from a letter which I wrote in answer to some abolition interrogatories pronounced to me shortly before my re-election. The member first regretted that he had not the letter in his possession; but it was soon furnished. Who furnished it? Mr. Slade, of Vermont. Ah! Mr. Slade, I am happy to meet you on this board of exposition. I have been talking all this time about (to use a vulgar phrase) "the little end of nothing;" a thing that requires the use of a telescope to see it if at any considerable distance; hardly the ninth part of a man; a thing now out of time and out of place; a thing that the Almighty never intended for any other purpose than the use of the hokins, shears, and thimble. But you see, in the talking, and in your shoes. I feel a freedom in talking to you; and, in order to have a full and ample case, I will splice the member from North Carolina to you, and for a short time will consider you one person, or in "cahoot," and in that capacity I will hold myself responsible to you for all I say.

You profess to be an abolitionist; religiously, morally, patriotically, and civilly, a modern abolitionist; even so, I have been told, to *unamelgamationism*. You furnished the member from North Carolina, did you, with my answer to the abolitionists, from which to read garbled extracts? You stood at his elbow, did you, prompting him, and pointing out suitable passages of my letter, and at the same time make an anti-abolition speech, and attach to my name that of abolitionism? Only think of this! A rank abolition whig from the north in "cahoot" with a rank anti-abolition whig from the south, in exposing the pernicious doctrine contained in a letter which deprecates slavery in the abstract, or, rather, a northern abolition whig making a convenience and a parrot of a southern anti-abolitionist, through which to expose the dangerous tendencies of an expression of hostility to slavery in the abstract, and its effects, without regard to time or place! What base sophistry! What black hypoc-

risy! What political swindling for base and corrupt party purposes!

Yes, black hypocrisy, take it as you may. I am an abolitionist, why should the member from Vermont lend himself to make me odious to the slaveholding people? Or, if the member from Vermont is sincere in his profession of abolitionism, why is he assenting and prompting an anti-abolitionist to expose opinions of mine, to the prejudice of the principles of his faith? If the member from North Carolina is sincere in his professions of anti-abolitionism, why does he lend himself to be made the tool of an avowed abolitionist? All this unnatural connection is well understood. Abolitionism and whiggery, like twin brothers, walk hand and hand here and every where else. There is not an *ism* on earth, however degraded, that whiggery will not take by the hand. Here we have the evidence of the submission and acknowledgment into which the member from North Carolina was either kicked or coaxed by party discipline, evidenced by the following letter, by which the member from North Carolina is made publicly to retract a charge which he had made against the member from Vermont, and to declare, publicly, that he (Stanly) believes that the open, avowed, and reckless abolitionist (Slade) "means no harm to the south." But read the letter. Here it is:

TO THE EDITORS.

Washington, Dec. 14, 1838.

MESSES. GALES AND SEATON: In the Intelligence of this morning I find the following report:

"Mr. Slade introduced the following resolution: 'Whereas there exists, and is carried on between the ports in the District of Columbia and other parts of the United States, and under the sanction of the laws thereof, a trade in human beings, whereby thousands of them are annually sold and transported from said District to distant parts of the country, in vessels belonging to citizens of the United States; and whereas such trade involves an outrageous violation of human rights, is a disgrace to the country by whose laws it is sanctioned, and calls for the immediate interposition of legislative authority for its suppression:

"Therefore, to the end that all obstacles to the consideration of this subject may be removed, and a remedy speedily applied, be it enacted, &c."

"Resolved, That so much of the fifth of the resolutions on the subject of slavery, passed by this house on the 11th and 12th of the present month, as relates to 'the removal of slaves from state to state,' and prohibits the action of this house on 'every petition, memorial, resolution, proposition, or paper, touching' the same, be, and henceforth be, rescinded."

After which, it is reported that "Mr. Dawson called for the reading of the resolution; which having been again read, Mr. Stanly said he wished to introduce an amendment. The chair said it was not now in order, that resolution not yet being in the possession of the house."

When Mr. Slade's resolutions were read, and I heard the words "outrageous violation of human rights" and "disgraceful" applied, as I thought, to the slaveholding states, and to North Carolina as one of them, I could not repress the indignation I felt at such language. It was under the influence of this excitement that I wished to "introduce an amendment," when the "chair said it was not now in order."

The amendment I wished to introduce was in the words following:

"Resolved, That said resolution is disrespectful in its language, and outrageously insulting to the representatives of the slaveholding states; that it is calculated to provoke and irritate the members from said states; and that the consideration of said resolution would be an 'outrageous violation' of the respect due to the slaveholding states, and would necessarily tend to weaken the bonds of our union."

"Resolved, That the said resolution is 'disgraceful to the house, and presents it as it evinces a total disregard of the feelings of the representatives of the slaveholding states of this union, and does not deserve to be considered by the house."

But the rules of order, different at different times, prevented me from introducing this amendment, and I erred by the house, as I have been since satisfied that, though the language sounded harshly to the ears of a representative from the south, nothing offensive was intended, and I write this note now that my constituents may be informed what my amendment was; waiting for an hour of leisure, when I will inform them more fully than it was that I did not vote upon the resolutions recently offered by a member from New Hampshire.

I have good reasons for refusing to join in the miserable farce which has been played by the instruments of party in the house of representatives during Tuesday and Wednesday last.

Oblige me by publishing this note.

Very respectfully, yours,

EDWARD STANLY.

Comment on this letter, it would seem, is unnecessary. The resolution of the member from Vermont not only strikes at the root of every interest the southern states have in the institutions of slavery, but it uses the most degrading and abusive

language that a foul tongue could express, or a poisoned pen record; and so the member from North Carolina virtually expresses himself; but, either from being whipped into the traces by force of party discipline, or from cowardice unworthy a son of the south, whose heart ought to be in her interests, and her reputation his boast, he is forced to the degrading public acknowledgment that nothing offensive to the south was intended by the member from Vermont! I think, as the people of North Carolina will understand this matter, it is useless for me to expand upon it.

But a word in relation and in justice to myself. A few days prior to the session, several interrogatories were propounded to me on the subject of the abolition of slavery in the District of Columbia, and I, probably on the spur of the occasion, answered them without time for reflection, or opportunity for examination; but I am to say that, on mature examination, I have not one word, contained in that letter, to take back, as it regards slavery in the abstract or abolitionism. When I wrote that letter I felt as I wrote. I wrote as I now feel, and as I hope always to feel on the subject of slavery, in the abstract, and as thousands and hundreds of thousands of the best men the world ever produced, have thought, and now think, both in free and in slave states.

My remarks in that letter were made with reference to slavery in all time, present, past, and future, and without reference to any particular realm, kingdom, empire, or republic, and I now say, that the man who will otherwise express himself to this general view of the subject of slavery in the abstract, is no philanthropist, is no friend to human liberty, and would be unworthy the proud name of an American.

My objections to modern abolitionism are strongly expressed in the same letter. I there deprecate it as disorganizing in its tendencies—in violation of the compact by which the union was brought into existence, and, if persisted in, will endanger its duration. My official course since has been in accordance with the view I then entertained of it. I voted to suspend the rule for the admission of Mr. Atherton's resolutions, for the object and contents of which I refer the reader to the journals of the house of representatives for the present session of congress. A motion for adjournment was then made by Mr. Bell at the early hour of half past one o'clock, P. M., evidently for the purpose of defeating the adoption of the resolutions. I voted against the adjournment; but the member from North Carolina (Mr. Stanly) voted in favor of the adjournment. I voted throughout for the adoption of these resolutions, with the exception of the last division of the last resolution, which goes to prevent the reading, printing and reference of petitions on the subject of abolitionism. This I thought impolitic, and well calculated to multiply petitions and petitioners on this vexed question, because such a disposition never fails to raise the cry of persecution. I also thought that such a disposition of petitions was a violation of the right of petition as secured by the constitution; for, not only to prevent and refuse legislative action upon them, but to prevent and refuse the right of petition.

To recognise the right of petition congress should abolish slavery in the District of Columbia, (which congress does by receiving petitions for that purpose,) and at the same time, and by the same act, refuse them the usual legislative action, is worse than contemptuous mockery of the right to petition.

I hold that the people have a right to petition congress for the redress of every grievance not forbidden by the constitution. I hold that the people are, and of right ought to be, the judges of what they shall petition congress for; and I hold it follows, as a corollary, that congress is bound to give petitions the proper and usual direction, to the end that they may receive that legislative action which the framers of the constitution intended they should, when they secured and inviolate the right of petition. It seems to me that good policy and a sound interpretation of the constitution require that such should be the disposition of all petitions.

I voted for Mr. Atherton's resolutions, because I thought the reserved and constitutional rights of the southern states demanded their adoption. I voted for them because I thought the peace and quiet of the country required it. I voted for them, because, as I have before said, I think the practical operation of the principles of modern abolitionism would be more fatal to the unfortunate African than even slavery itself as it at present exists in the United States; and, therefore, I can consider modern abolitionism to be no other light than as mistaken philanthropy. I voted for their adoption, because I am sure that congress has any such power over the District of Columbia, as to abolish slavery within its limits. But above all, I voted for them, because I think the perpetuity of this Union, and the dur-

tion of our institutions required that they should all be adopted, with the exception of that part of the last resolution which I before excepted.

I say I stood by and sustained these resolutions, voting for them against all the efforts to defeat them by the opposition; but where was the member from North Carolina at this trying moment? I have examined the journals; the name of Edward Stanton is not to be found. Where was he, I ask; when the northern democracy rallied almost to a man to put at rest a question that was shaking the institutions of his state from their centre to their circumference, and endangering the very existence of the union itself? I repeat, where was the member at this responsible crisis? Was he at his post, sustaining the interests of his state, which he said on one occasion not long since, had "grown with his growth! strengthened with his strength!" No, he was not at his post. He was, spaniel-like, skulking from his duty and his post, at the nod of party discipline; but, when backed and prompted by the abolitionist, Stated, he assumed all the pertness of a chieft, hissed on, puppy-like, to do that which a bigger dog had not the courage to attempt.

But to conclude, people of North Carolina, (for my paper may find its way to you,) what do you think of your representative, who has attempted to practise a base fraud and a mean deception upon you, by promulgating a speech among you, purporting to have been delivered by him in the house of representatives, which never was delivered, and which a disgrace—delivered or written—to any man but the member from North Carolina, he has either the moral courage or the talent to deliver? that do you think of your representative, who has patiently stood to be charged with base falsehood and foul detraction with impunity, and who, skulk from the responsibility of resenting such insult, has basely denied that which every word written in that which he is pleased to call his speech, bears evidence, thus adding, I repeat, base falsehood to mean cowardice? What do you think of your representative who has skulked from the support of measures, (I mean Atherton's resolutions,) introduced for the purpose of putting to rest that dangerous question, modern abolitionism, so eminently calculated to disturb the peace and harmony of this union, and to prostrate or shake the institutions of the member's state, whose interests have grown with his growth!! and strengthened with his strength!?"

But, above all, what do you think of your representative, who has permitted himself to be made the tool, the cat's paw, the thing, the automaton, and the puppet, through which an open and avowed abolitionist should make an anti-abolition speech? An anti-abolition speech through your representative! that, too, by an abolitionist! yes, and I believe, an amalgamation abolitionist, too; a man who has spent or evaporated thousands of dollars the floor of congress in efforts to establish principles and laws subversive of your institutions, in violation of your reserved rights as a state, and disuniting, if not destructive, to the union, and so as amalgamation is concerned, or is a part of it, creed, degrading to the American character. Is this the man from whom your representative issues his promptings, papers, and dictations, to fix on the character of an abolitionist! and to execute the horrors, injustice, and dangers of modern abolitionism!"

I conclude by saying, that if the speech in the Intelligencer, which purports to be "the reply of Mr. Bell of North Carolina to Dr. Duncan," had been delivered, and had the member suspended the previous question which he held and which he refused to suspend, this communication would have appeared in the form of a reply, which would have been due to all he really did say; but as it was, I might it due to myself, to those who may read my paper, and to the cause of truth and justice, to state the above expose.

Further this deponent saith not.

A. DUNCAN.

House of representatives,
February 12, 1839.

SIR: In a letter written by me in answer to some interrogatories propounded to me on the subject of abolitionism, by a number of members of the anti-slavery society in the district I have the honor to present, I deprecate slavery in the abstract; and I attempt, to some extent, to describe the effects it has upon the institutions and prospects of those countries and states where it exists. I also, in the letter, deprecate modern abolitionism as dangerous and disorganizing, subversive of the reserved rights of the slave states, and calculated to endanger the union, &c. All in that letter that I said in relation to slavery, was intended to apply to slavery in the abstract; also to apply to slavery

and its effects in all time past, present and future. I gave no locations. My objections and descriptions were of the most general character. I see in a speech published in the National Intelligencer, purporting to be a speech made by "Mr. Stanley of North Carolina, in reply to Dr. Duncan, &c." he is made to ask, in substance, if the ruin and desolation, &c. which I describe in the letter above named, applies to your district, &c. You are made to respond, "No; it is a foul libel, a base slander upon my constituents and upon my state." If you made such a remark, I did not hear it, or I would have responded to it at the time. I presume you made it. Now, sir, if you read my letter, you must have seen that my objections to slavery have reference to slavery in the abstract, and applied to slavery, as I have before said, in all time; and my description of its effects had no location. You had no right to suppose that my description of the effects of slavery applied to your state, or your district, where it is well known, it is a matter of history creditable to your state, that slavery exists in its mildest and most unexceptionable form, and if you had read my letter, you would have said no grounds to warrant the remark you are said to have made. If you never read the letter, and know nothing of its contents, only from the base and unmanly manner in which its garbled fragments have been exhibited, you were wholly unjustifiable in your remark. You made the remark under the broad and protective shield of parliamentary privilege. You have not the moral courage to face me, or any other man, and make such a remark, without the protection of such a privilege. It is a shield and privilege under which many a puppy, in man's shape, has taken refuge.

I think your remarks were unwarranted, uncalculated, and unprovoked. And, sir, on my own responsibility, and without claim to privilege, permit me, by way of offset and compromise, to reciprocate the remark by another, which I think better founded in truth—that is, that you are a liar and a scoundrel, and permit me to add, also, that in my opinion, you are better qualified to adorn the gambler's board, the brothel, and the dogery, than the halls of congress.

A. DUNCAN.

To William Southgate, esq.

House of representatives,
February 18, 1839.

SIR: In the remarks which I made in the house of representatives on the 17th January, 1839, on the resolution to appoint a committee to investigate the delinquencies of Samuel Swartwood, I exposed the names of several government defaulters, and the several amounts for which they were in default, and the offices which they held under which the delinquencies occurred. In my exposures I was governed by the official reports and records of the different government departments. Among them I found the name of Robert B. Randolph, acting purser in the navy, reported to be a defaulter to the amount of \$25,000, or upwards. Since the publication of the remarks above referred to, I have seen a communication addressed to me through the Alexandria Gazette, (a paper published in the district of Columbia,) signed Robert B. Randolph, denying that he is a public defaulter, as he has vouchers to show, &c.

I hope the statement of Mr. Randolph is true. It will give me great uneasiness, if I have done him injustice. I have not the slightest acquaintance with the delinquencies of Samuel Swartwood, or with the delinquencies of whatever. If I have done him injustice in the exposures I have made, it will give me great pleasure to acknowledge my error in as public a manner as I have made the exposures. Will you have the goodness to inform me, without delay, what the relations of Mr. Randolph are with the government in reference to the delinquencies reported by your department?

Respectfully,

(Signed) A. DUNCAN,

To the fourth auditor.

Treasury department, fourth auditor's office,
February 19, 1839.

SIR: I have the honor to acknowledge the receipt of your letter of this date, inquiring "what the delinquencies of Mr. Robert B. Randolph are with the government, in reference to the delinquencies reported by the treasury department," and to state, in reply, that the account of Mr. Randolph, as acting purser of the frigate Constitution, was settled and closed in this office, in the month of October, 1828; that in February, 1833, he was recharged with items for which he had been erroneously credited in the previous settlement, amounting to \$25,229 17; and that by a subsequent allowance for pay and rations to 19th April, 1833, the balance against him was reduced to \$25,097 83, in which sum he appears, by

the books of this office, still to be indebted to the United States.

I have the honor, sir, to be,

Very respectfully,

Your obedient servant,
A. O. DAYTON.

To the hon. Alex. Duncan,
House of representatives.

House of representatives,
February 19, 1839.

SIR: If you were fourth auditor of the treasury department at the time Robert B. Randolph was purser in the navy, will you have the goodness to state to me whether Mr. Randolph was, or was not, a public defaulter. If he was a defaulter, please state to what amount he so appeared. It is alike due to myself, as it is to Mr. Randolph, that this information should be furnished me. Will you please give it your immediate attention?

I am yours,

With high respect,

A. DUNCAN.

Hon. A. Kendall.

Washington, Feb. 18, 1839.

SIR: I have just received your letter of this date. I was not fourth auditor at the time Robert B. Randolph was an acting purser in the navy, nor did I settle his account for that service; but I settled the account of his predecessor in the purshership, who had died at sea; and in the course of that duty discovered that Mr. Randolph had received a large sum of public money left by the deceased purser on board of his ship, with which he had never been charged, and other property, public and private, for which he did not appear to have accounted. The amount was accordingly charged to him on the books of the fourth auditor, where, I suppose, the charge still stands.

Mr. Randolph denied his indebtedness, alleging that he had paid away the money on account of his predecessor, and taken the vouchers in his name, but could produce no proof which would entitle him to credits in the accounting office. It was the opinion of a court of inquiry, called in his case, that he had applied a portion of the money in the way he alleged, and that he was justly indebted for the balance.

I write from memory and cannot particularize. Very respectfully,

Your obedient servant,

AMOS KENDALL.

Hon. A. Duncan.

I have been induced to make the inquiries and exposures here exhibited, in consequence of the following communication,

To the hon. A. Duncan, of Ohio.

In a speech which has been published, said also to have been delivered by you, in the house of representatives, I find that you have classed me among the public defaulters. However much you may be in favor of abolition "in the abstract," I beg that, hereafter, you will not, in making use of my name, abolish the truth. I am no defaulter, as the doctrine you stand up in your place, and, with brazen front, defame honest and honorable men; but you shall not use your "privilege" where I am concerned, without receiving a proper contradiction. You have quite enough to do, to defend the speculations and frauds of your political friends—those who steal millions and use state paper for England, as well as those who steal thousands, and remain at anchor here—without calumniating innocent persons. I therefore recommend to you a little caution in your future harangues.

R. B. RANDOLPH,

late of the United States navy.

Alexandria, January 29, 1839.

It was not from a spirit of resentment I have been induced to notice the above communication. No; I was led to notice it from a disposition to do Mr. Randolph justice and right, if I had done him an injury, although I think most readers will conclude, with me, that Mr. Randolph might have seen abundance of reason in the following extract, to have desisted from the above communication. This extract is taken from the speech to which Mr. Randolph alludes, and was in answer to Mr. Bell, as the extract shows. When I was exposing the delinquency of the Messrs. Erwins, Mr. Bell of Tennessee, rose, and said the Erwins were not defaulters; it was a slander promulgated by the Globe paper; "Mr. Duncan responded, that he did not get the information from the Globe; he obtained it from the records in the archives of the government; evidence of the highest character, and that which is open to the view of every one who desires to read. I hope (said Mr. D.) it is not true. I would prefer to conceal, at all times, human weakness and error, rather than expose, where it may be done without public injury; but I would prefer that such depravity as I am now exposing, did not exist. And let me say, once for all, that I

know nothing personally of the numerous and wholesale frauds which I am now exposing. I am alike ignorant of the men whom the records show to be the perpetrators. These frauds, with the names of those who committed them, are matters of record, and the facts are spread over the whole country, and known to all who read the journals of congress, and the reports of the secretary of the treasury. Consequently, my exposition can neither affect the reputation of those whose names I expose, or the cause of justice."

I say the remarks contained in this extract might have well superseded the communication. "But Mr. R. volunteers the following advice: "I therefore recommend to you a little caution in your future harangues." I return my thanks for this advice, and when I want more I will call for it. But Mr. R. is unkind in saying, "It may suit your creed, sir, to stand up in your place, and with brazen front, to defame an honest and honorable man." I say this is an unkind charge—is unkind, if it is intended to fix on me a claim of privilege in consequence of my representative character. I claim no privilege on that ground. I hold myself responsible for all I say, either in my personal or representative character. If, perchance, I am officially compelled to notice men and things in a manner unpleasant, and I am to be held responsible in my individual capacity, all I ask is that he be a gentleman who so holds me. I want him to have clean hands. He must be such an one whose faults have not been such as to stain him out of time and out of place when he is without a gloomy walls of a degrading penitentiary. He must not have the base and degraded character of coward united to his reputation in life and in his memory in death, by having pulled the nose of an old patriot, withered and bleached by the frosts of seventy winters, and worn to the brink of the grave by services to his country.

A. DUNCAN.

From the National Intelligencer.

House of representatives,
February 22, 1839.

MESSRS. EDITORS: I regret that I am compelled to ask the privilege of making an explanation through your columns, which I was denied an opportunity of making in the house this morning. I refer to the refusal of Mr. Petrikin, of Pennsylvania, to withdraw, at my request, his motion to lay on the table the resolution censuring Mr. Duncan, of Ohio, for the purpose of allowing me to place myself right before the house and the country in regard to a matter which had been misrepresented in the debate on that resolution—a refusal which, much to my surprise, was immediately followed by a withdrawal of his motion, to give another member an opportunity to make a speech against the resolution.

The communication of Mr. Duncan to the Globe, which had been made the foundation of the proceeding against him, embraced several letters from members of the house, in reply to his inquiries addressed to them, stating that, on the occasion of Mr. Stanly's reading the letter addressed by Mr. Duncan to certain abolitionists before his election, I was seen "prompting Mr. S. by pointing out to him certain parts of that letter to be read by him to the house."

The effort of Mr. Duncan, in his communication to the Globe, to use this fact to create an impression that there was a conspiracy between Mr. Stanly and myself to use Mr. D.'s letter against him, was followed up by him in his remarks in the course of the debate yesterday, in which he alleged that this prompting, as it has been called, was the result of a preconcert, between Mr. S. and myself. A similar attempt to show a connection between us in this matter was made in an editorial article in the Globe accompanying the publication of Mr. Duncan's account, to which Mr. Stanly's was a reply, in which it was said that I "was seen in close converse" with Mr. Stanly at the time of his reading Mr. Duncan's letter.

The purpose of these coincident attempts to connect Mr. Stanly and myself in this matter, I well understand. It is to excite against him the feelings of his slavholding constituents, upon the assumption that he is secretly plotting with an "abolitionist" to put down the great anti-slavery man, Mr. Duncan, of Ohio. I felt it due, therefore, to Mr. Stanly to explain my agency in regard to the use which was made of Mr. Duncan's letter, and to show that by the insinuation of the Globe and the assertion of Mr. D. were without foundation. This I will now proceed to do.

Mr. Duncan, in his speech to which Mr. Stanly replied, had taken occasion to speak in terms of strong denunciation of abolition and abolitionists. I perceive that, in the report of his speech in the Globe, that part is entirely omitted. I was much surprised at his denunciations, recollecting, as I did, the letter of his to the abolitionists, to which I have alluded in which he indulged in language of most

unmeasured denunciation of slavery as it exists in the southern states—language stronger than any that I, though frequently denounced as an incendiary abolitionist, have ever used.

Intending to take the floor upon the general question under discussion after Mr. D. should have finished his speech, and deeming it not inappropriate to confront him in this matter with the letter referred to, I went to my lodgings while he was yet speaking, and drew from my file of Niles' Register the No. containing the letter, with which I returned to the house. When I entered the hall Mr. D. had closed his speech, and Mr. Stanly was on the floor replying to him. I went to my seat, which is near that of Mr. Stanly, with the intention of obtaining the floor when he should have finished, not knowing he had taken it under a pledge to Mr. Petrikin to renew a motion for the previous question made by Mr. P., and which had been withdrawn at the request of Mr. Stanly. Soon after I took my seat, Mr. S. came to that part of his remarks in which he alluded to Mr. Duncan's letter to the abolitionists, and expressed his regret that he had not the letter to read to the house. Upon hearing this, I drew the paper containing Mr. D.'s letter from my pocket, and handed it to Mr. S. pointing out to him the page on which it might be found. After he had read the paragraph in which Mr. D. denounced slavery as it exists in the southern states, I directed his attention to that in which Mr. D. gave an affirmative answer to the question—"are you opposed to the admission of any new state into the federal union whose constitution tolerates slavery?" and that in which he replied to the question with regard to the right of the people to petition for the abolition of slavery and the slave trade in the District of Columbia.

This was my whole agency in the matter. I obtained the letter, not for the purpose of furnishing it to Mr. Stanly, but to use it myself. I furnished it to him without any preconcert between us, and, indeed, without any previous knowledge by him that I had it.

I ought to add that, understanding from Mr. Duncan that he deemed it unfair to have a part of his letter read and not the whole, I handed him the paper containing it, that he might use it on some subsequent occasion in the house, for the purpose of reading the remainder. I afterwards asked him if he intended to use the letter in the way I had intimated, to which I understood him to reply that he did not.

This is the explanation which I intended to have made in the house this morning. I intended, also, to have said that I have just seen the Globe issued this morning, in which, under the lead of "Dr. Duncan and his assailants," it is said that "the attempt was made [yesterday] by the friends of Messrs. Stanly, Southgate, and Slade, to revenge the quarrel by a resolution and abusive speeches in the house;" and intended to have added that, wantonly and unjustly as I have been assailed by Mr. Duncan, in his communication to the Globe, I had no "quarrel" with him whatever; that I had not been in the least disturbed by his abuse of me, and that I entertained no feeling of "revenge" towards him or any other human being.

I am, respectfully, yours,

WILLIAM SLADE.

From the Intelligencer of Feb. 27, 1839.

TO THE EDITORS.

Washington, February, 1839.

GENTLEMEN: On the 20th instant, my attention was called to a publication in the Globe, signed A. Duncan, in which I am abused and denounced, in language almost as violent as all the people of the southern states have been by the same individual.

This communication has created no other sensations with me than those of ineffable disgust and humiliation,—disgust, to see such an article paraded before the world, in the official paper, (in the paper supported by executive patronage;) and humiliation, that such a man should be a member of congress. I do not wish the author of this article any other punishment than that the people should read his communication in the Globe of the 19th of February, 1839.

I had not been in the house, on the morning of the 20th instant, more than an hour, before the appended letter, signed by my friend S. S. Prentiss and others, was handed to me. After the receipt of this, several other statements were offered me, and I requested several gentlemen to give me their opinions in regard to the correctness of the report of the speech.

I must ask the favor of you to publish these letters with this note. The letters are from gentlemen who advocate the sub-treasury—from whigs and from conservatives.

Washington, February 20, 1839.
DEAR SIR: Our attention has been called to a publication in the Globe of this day, signed A. Duncan, which denounces the speech as published in the Intelligencer, purporting to be your Reply to Dr. Duncan, delivered by you in the house of representatives, on the 17th of January, 1839, was ever present when you replied to Dr. Duncan, on that day, and heard your remarks through; and feel bound in justice and truth to tender to you our testimony that the said report of your remarks in reply to Dr. Duncan, on the 17th of January, 1839, is, according to our recollection, in which we are confident of more faithful and correct than the reports of speeches in the house of representatives are usually; that it is nearly, if not quite verbatim correct; and, if incorrect in any respect, it is less severe than were your remarks on the floor. We add, also, that your remarks seemed to be extemporaneous; and at the moment you regretted, we are not aware of; Dr. Duncan's letter on the subject of abolition, and it was, we thought, from the expression of this regret that Mr. Slade (of Vermont) openly handed you a copy of that letter, from which you read several extracts.

We beg leave to express to you our individual respect, and esteem, and are, most truly, your friends.

S. S. PRENTISS,

RICHARD NATHAN,

W. H. FELLOWS,

CHARLES YEATMAN,

W. J. KEY BOND,

T. J. WORD,

HENRY A. WISE,

JOHN CALHOUN,

WADSWORTH THOMPSON, jr.,

E. J. SHIELDS,

J. BENJEFER,

F. MALLORY,

S. T. SAWYER.

Hon. Edward Stanly, house of reps.

House of representatives, Feb. 21, 1839.

DEAR SIR: I listened very attentively to your speech in reply to Mr. Duncan, on the 17th of January last, and have since that time read the report of it in the National Intelligencer. It strikes me that the speech is reported with the accuracy usual in congress in debates, and especially in those portions of it which personally referred to the member from Ohio. Indeed, in regard to that portion of the printed speech, I had remarked some mitigation of the severity of the phrase used.

If you consider it important that I should give a recollection of the time occupied by you in speaking that occasion, I can say my impression is that you occupied the floor but little short of an hour. You spent some short time before a copy of Mr. Duncan's answer to certain interrogatories respecting abolition could be found in the house; and extracts from them, and collected upon them in the manner in which your remarks appear in your speech.

Truly, yours,

J. P. KENNEDY

Hon. Edward Stanly.

House of representatives, Feb. 20, 1839.

SIR: In answer to your note just handed to me, I state that I heard your speech delivered in the house on the 17th ult. in reply to Mr. Duncan, and have read it in the National Intelligencer, and that it appears to me to be, in substance, correctly reported.

Respectfully, yours,

S. GRANTLAND

Hon. Edward Stanly.

House of representatives, Feb. 21, 1839.

MY DEAR SIR: I was in my seat in the house during the delivery of your speech of the 17th of January, and have endeavored to recall to my first impression, of the length of time you were on the floor, and of the length of time you were from three-quarters of an hour to an hour. As regards the fidelity with which your speech has been reported, I repeat what I have frequently said, that I have never seen a printed speech more true to the oral one than yours, and I am confident to be coincident with that of several other members of our house, who, like myself, had the pleasure of being present when you spoke.

As regards the communication between you and Mr. Slade, I considered it a mere incident, unworthy of particular remark. You, in the course of your speech, when commencing your remarks, had expressed your regret that you did not have it at hand, and Mr. Slade (who happened to be sitting next you) proffer a paper to you, which I presumed was your copy, because you read extracts from it as from a letter. I observed no other communication between you and him; and I may be permitted to add that any thing to your injury, which your constituents can manufacture against you, is such merely incidental circumstances. I shall be much mistaken in their character.

I am, dear sir, very respectfully, yours,

J. JACKSON, of Georgia

The hon. Edward Stanly.

House of representatives, Feb. 21, 1839.

SIR: Your note of yesterday has just been handed me, and, in reply to it, I say that I heard your speech delivered in this house on the 17th ultimo, in answer

Dr. Duncan, of Ohio, and have since read it as published in pamphlet form, and in the National Intelligencer; and, whilst my recollection of particular remarks made in this house is perhaps not as good as those of others, I must say that I do not remember to have delivered, quite so severe as the published remarks, and I think I have rarely seen a speech more faithfully reported, according to my best recollection.

Very respectfully, I am your ob't servant,
G. W. HOPKINS.

Hon. E. Stanly.
I fully concur with my friend and colleague, Mr. Hopkins, in the above statement. I recollect distinctly most of the striking remarks in the published speech.

A. STUART.

Being called upon by Mr. Stanly to say whether I hear his speech in reply to Mr. Duncan, and whether the report of it in the National Intelligencer is correct, I state that I heard the speech, and have read the report of it, and believe the report to be in substance faithfully written out, according to my best recollection.

J. GARLAND.

Washington, February 21, 1839.

Sir: I see a publication in the Globe of the 19th February, 1839, signed A. Duncan, denying that you made the remarks of Mr. Republican in answer to Dr. Duncan, on the appointment of a committee to investigate the defalcations at the custom house in the city of New York. When Mr. Stanly began his speech, I was sitting near the fire-place in the southwestern part of the house, reading some papers, and did not then distinctly hear his remarks; but, after a short time, my attention was attracted by Mr. Stanly stating his intention to comment upon a letter in relation to abolition, which purported to be written by Dr. Duncan. I then left my distant position, and drew near enough to hear Mr. Stanly make his remarks on that letter, which I read, and read in the newspapers. After I took my seat on the right side of the house, the conductor placed in front of the speaker's chair, I heard all the remarks of Mr. Stanly delivered in the continuation of his speech on that occasion. I attended particularly to the passages and extracts which he read from Dr. Duncan's letter, which he held in his hand, and to the comments of Mr. Stanly upon the opinions and sentiments expressed in that letter. When the remarks of Mr. Stanly in answer to Dr. Duncan's speech were published in the National Intelligencer, in the early part of this month, I read them. I believed then, and I believe now, that many of the very words and sentences found in the printed speech were used by Mr. Stanly in his verbal speech in debate; and that the speech published is substantially the same which was delivered in the house of representatives.

Respectfully,
JAMES GRAHAM.

To the hon. Edward Stanly.

Washington, Feb. 21, 1839.

DEAR SIR: By comparing your speech as published with our recollection of it as delivered, in reply to the hon. A. Duncan, of Ohio, on the 17th ult, we feel no hesitation in stating that it has been correctly reported; and by this we do not mean merely to say that the report embodies the thoughts and sentiments conveyed by you while speaking, but preserves throughout, with remarkable fidelity, the very words and phrases in which you uttered them.

Very respectfully,
A. H. SHEPPERD,
EDMUND DEBERRY.

To the hon. E. Stanly.

I did not hear the whole of Mr. Stanly's speech. I heard distinctly, I suppose, two-thirds, perhaps three-fourths of it; and I say that it is, I believe, so far as I am concerned, a correct report in the printed copy as much so, I think, as any other speech I have heard or read.

LEWIS WILLIAMS.

From the distance at which I sat from Mr. Stanly's seat, I could not hear him distinctly, but from what I did hear, I have no hesitation in giving it as my opinion that the speech as reported is correctly given. I have never before heard its correctness questioned.

A. RENCHER.

I have read the foregoing statement of Messrs. Shepperd and Deberry, and fully concur with them in opinion.

JOHN W. CROCKETT.

Sir: You did me the honor to address to me a note, enclosing the rough notes of your speech, in regard to Mr. Duncan's letter on the subject of abolition, taken by me at the time, and from which you afterwards wrote out the speech as published with my report, that I would compare the published speech with the notes, and then say whether it did not correspond with them, and did not follow the track which those notes indicated as having been taken by you when speaking. I have complied with your request, and feel no hesitation in saying that it does. Candor leads me further to say that the speech very fully agrees with my recollection of it, as delivered; that it is much less extended than is usual when members write out their speeches from reporters' notes; and that you have not inserted in the published speech all that was spoken in the

house. As to the time occupied in its delivery, if you said, as I think you did, that you had occupied but fifteen minutes, I am persuaded you were unconscious of the lapse of time. My impression is that you spoke, in all, including the reading of extracts from the letter, at least half an hour.

You are at liberty to make what use you please of the above, which a sense of justice induces me to furnish at your request; but I pray, at the same time, that I may not be drawn into the very unpleasant controversy between yourself and Mr. Duncan further than sheer necessity shall demand.

With sincere regard, I am, sir,
Your obedient servant,
ARTHUR J. STANSBURY,
Reporter for the National Intelligencer.

Hon. Mr. Stanly.
The letter published in the Globe of the 19th instant affords much material for comment. Besides the misstatements as to the correctness of the reported speech, others are very apparent. But I cannot deliberately descend to expose this individual, who is already punished more than he can bear. I cannot believe he is in earnest in using such harsh epithets towards me. He no doubt intended to speak of me as he did of slavery, as it exists "in the slave states in our union," merely "in the abstract!" He has presented abolition petitions since he voted on the Atherton resolutions. He is a democratic Van Buren friend of the south, and of course he is willing to let slavery continue in this district and the states—he only wishes to abolish it "in the abstract."

Self-respect, regard for the opinions of my friends, respect for my constituents—all forbid that I should descend to notice the author of such a communication.

I owe an apology to the gentlemen whose respect I possess and a prize, for having noticed this individual at all. I know it was a contest in which I could gain no laurels. But he had been constituted the defender of the administration; the speech-maker, "by authority," of the party; the libeller of southern institutions. He had attended the caucuses, with the democratic Esaus—the exclusive friends of the south—with the monopolizers of all the chivalry in our land; and I availed myself of the opportunity, I submitted to the disagreeable necessity of using the "bodkin and shears" upon him, for the purpose of exposing the southern humbugging chivalry democrats.

When he spoke of "Cressers and Hercules, Assyria, clearing stables, hickory and broom," &c. a friend of mine perceived me writing down what he said, and begged me not to notice him, asking me, "Do you consider him a gentleman?" I instead asked, in return, "Do you consider me a candidate for admission into a lunatic asylum?" And then remarked that I wished to say something in reply to his praises of Tappan; his denial that there were any democratic abolitionists, &c.

In conclusion, let me assure the "deponent" of the Globe, that his malignant vituperation has not produced the slightest feeling of resentment; and wishing him many more pleasant rides with his friend and patron at the white house—wishing him much leisure to practice with the broad sword and the clarinet, I leave him to the judgment of an intelligent community.

EDWARD STANLY.

LIST OF ACTS

Passed at the 3d session of the twenty-fifth congress.

- ACTS OF A PUBLIC NATURE.
- An act making appropriations in part for the support of government for 1839.
- An act making appropriations for the civil and diplomatic expenses of government for the year 1839.
- An act making appropriations for the support of the army for the year 1839.
- An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes for 1839.
- An act making appropriation for preventing and suppressing Indian hostilities for the year 1839.
- An act making appropriations for the naval service for the year 1839.
- An act making appropriations for the payment of the revolutionary and other pensioners of the United States for 1839.
- An act making appropriations for building a pier at the northern extremity of Winnebago lake, and for other purposes.
- An act to amend an act entitled "An act to require the judge of the district of east and west Tennessee to hold a court at Jackson, in said state," approved June 18, 1830.
- An act in addition to an act to promote the progress of the useful arts.
- An act to amend the act of the 3d March, 1837,

entitled "An act supplementary to the act entitled an act to amend the judicial system of the United States," and for other purposes.

An act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof.

An act to abolish imprisonment for debt in certain cases.

An act in amendment of the act respecting the judicial system of the United States.

An act to reorganize the district courts of the United States of the state of Alabama.

An act to provide for carrying into effect the convention between the United States of America and the republic of Texas for marking the boundary between them.

An act to provide for the location and temporary support of the Seminole Indians removed from Florida.

An act to revive and extend an act to authorize the issuing of treasury notes to meet the current expenses of the government, approved 21st May, 1838.

An act to repeal the proviso to the 2d section of an act approved 3d March, 1837, which authorized the secretary of the treasury to compromise the claims of the United States against certain banks.

An act to amend an act to reorganize the district courts of the United States in Mississippi, approved June 18, 1838.

An act providing for paying three companies of militia in the state of Indiana, called into the service of the United States.

An act to amend an act entitled "An act regulating the pay and emoluments of brevet officers," approved April 16, 1818.

An act giving to the president of the United States additional powers for the defence of the United States in certain cases against invasion and for other purposes.

An act providing for the erection of a fire-proof building for the use of the general post office department.

An act to provide for taking the sixth census or enumeration of the inhabitants of the United States.

An act to repeal the second section of an act to extend the time for locating Virginia military land warrants and returning surveys thereof to the general land office, approved July 7, 1838.

An act further to regulate the transportation of the mail upon railroads.

An act to authorize the secretary of the navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts.

A resolution to authorize the purchase of an island in the river Delaware, called the Pea Patch, and for other purposes.

A resolution presenting the thanks of congress to George Washington Lafayette, the son, and to the surviving family of gen. Lafayette.

A resolution for the purchase of the island at the confluence of the St. Peter's and Mississippi rivers.

A resolution authorizing certain certificates of deposits to be cancelled and reissued.

A resolution for the distribution in part of the Madison papers.

ACTS RELATING TO THE TERRITORIES.

An act to define and establish the eastern boundary line of the territory of Iowa.

An act to authorize the election or appointment of certain officers in the territory of Iowa, and for other purposes.

An act to alter and amend the organic law of the territories of Wisconsin and Iowa.

An act to authorize the construction of a road from Dubuque, in the territory of Iowa, to the northern boundary of the state of Missouri, and for other purposes.

An act for the relief of certain officers of the Florida militia.

An act for the relief of the Brothertown Indians, in the territory of Wisconsin.

An act making a donation of land to the territory of Iowa, for the purpose of erecting public buildings thereon.

An act granting to the judges of the supreme court of Iowa the same compensation as by law is given to the judges of the supreme court of Wisconsin.

An act to authorize the construction of certain improvements in the territory of Wisconsin, and for other purposes.

An act for the improvement and survey of certain rivers, and the repair of certain roads in Florida.

An act to provide for the erection of a new jail in the city of Washington, District of Columbia.

An act to provide for the erection of public buildings in Florida.

A resolution authorizing the opening of an alley and the execution of certain deeds in the city of Washington.

An act to amend an act entitled "An act to establish a criminal court in the District of Columbia."

A resolution directing the manner in which certain laws of the District of Columbia shall be executed.

An act making an appropriation for the support of the penitentiary in the District of Columbia.

An act to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge.

An act to prevent the abatement of suits and actions now pending in which the Bank of Columbia, in Georgetown, may be a party.

An act supplemental to the act granting certain city lots to the corporation of the Columbian College for the purposes therein mentioned, approved the fourteenth day of July, 1832.

ACTS OF A PRIVATE OR LOCAL NATURE.

An act authorizing the settlement of the accounts of the heirs of captain Jesse Copeland; for the relief of Dennis Trainell; of the legal representatives of Thomas Glazcock, deceased; resolution authorizing an examination and payment of the claims of the workmen upon the public buildings; for the relief of the heirs of Charles Brown, deceased; for the relief of the heirs at law of captain Fred. M. Bell, deceased; for the relief of Abraham Wright, of New York; for the relief of William W. Stevenson and Joseph Henderson; of John Davlin; of Robert Murray; of John Wiley and Jefferson Greer; of John Whittitt; of the legal representatives of Thos. T. Triplett; of John H. Pease; of Frederick Frey and company; of James Middleton Tuttle, of Arkansas; of Hiner Stigermire; of certain heirs and legal representatives of James Wilcox, late of Alexandria, in the District of Columbia; of Archibald R. S. Hunter; of Thomas McClelland; James Smith; of the legal representatives of Nathan Sars; of Daniel Malone; of the Louisville Savings Institution; of Samuel Dickerson; authorizing a grant of bounty lands to the heirs of Bennett Shurley; for the relief of William Colt and William Donaldson; of John Randolph Clay; of John E. Alexander; of Nathaniel H. Hone; of Chs. S. Walsh; of Tilford Taylor; of Nathaniel Mitchell; of Jesse E. Dow; of Bradbury T. Jipson; of Joseph M. Hernandez; of Messrs. Smith & Town; of Levi Chadwick; to authorize the issuing of a register to Anthony C. Meneghthy for the sloop Sarah; for the relief of Joseph Pierce and others; of Abraham Stipp; of the legal representatives of Joseph Maxwell, of Pennsylvania; of Samuel Missey and Tho. James, of Missouri; to authorize the trustees of the township of Oxford, in the county of Butler, and state of Ohio, to enter a section of land in lieu of section sixteen, in said township, for the use of schools; for the relief of Isaac Lull; of Janison & Williamson; of James L. Stokes, and for other purposes; of the widow and legal representatives of John Tilden; of Jesse Seynour or his representatives, and in alteration of an act entitled an act respecting the late officers and crew of the sloop of war *Wasp*, approved April 20, 1816; of Charles Rockwell; of Thomas Kibbey; of Sarah Windham, widow of the late Joshua Lamb; of Susan Gratiot, administratrix, and Charles H. Gratiot, administrator of Henry Gratiot, deceased; of Solomon Prewett; granting a pension to Susannah Roe, widow of Joshua Roe, deceased; for the relief of Sibbel Barnes; granting a pension to Harvey Reynolds; for the benefit of Eliphalet Sanford; for the relief of Rosaline Proudhon; of Isaac Miller; of Peter Samuel Jaccard; of Dr. J. M. Foltz; of Menzies Gillespie, late a soldier of the United States army; of Wm. Moor, and for other purposes; to authorize the president of the United States to cause to be issued to Michael Ambrister, assignee of U-s-e-yoholo, a Creek Indian, a patent for a certain reservation of land in the state of Alabama; for the relief of Stephen Marsters; of Dudley Walker; of Benjamin Hewitt; of John Balch, jr.; of Wm. Marcus, of Arkansas; of John Dougherty, of Wisconsin; of umbrella makers in the city of Philadelphia; of the heirs of William Graham, deceased; of Thomas Cushing; of Herman Harris, of New York; of Patrick Gen; of Philip Cather; for the settlement of the accounts of Edmund Roberts, late diplomatic agent of the United States to Cochinchina, Muscat, and Siam; for the relief of Henry L. Reviere; of Milley Yates; of the representatives of Henry Richardson, deceased; of Spencer C. Gist; of Benjamin Hewitt; of Wm. Washington Bigham; of James Cooper; of John and Samuel Rowe, heirs, &c. of Ludwick Rowe, deceased; of Zebulon Sheets; of Winslow Lewis; of the legal representatives of Michael Fenwick, deceased;

to confirm the claim of Charles Morgan in right of Simon Porche to a tract of land; for the relief of the legal representatives of Dunscomb Bradford, deceased; of Enoch Matson; of Paul Poissot; of John Blanc; of John L. Allen; of J. Wm. Grozer; of Richard Hendley; of Isaac Conly; of James Moore; of the heirs and legal representatives of the late Robert Farmer, deceased; of Thomas Todd; of Asbel Mason; to provide for the settlement of the claims of Walter Jones against the United States; of George Rowe; of capt. John Vannettin and his company for their services during the late war; of Cornelius Taylor; of Joseph Jackson; of Etienne (Stephen) Lalande, of Alabama; of Henry Lynch; of the legal representatives of Wm. Tudor, jr.; of George Jones; of the heirs and assignees of Peter Alba, deceased; of Polly Lining, executrix of the last will and testament of Charles Lining, deceased, late executor of Edward Blake; of Daniel Ward & George Ficklin; of Samuel McCoub; of Ezekiel Jones; of Abel A. Pasco and others; of Solomon Sturges, assignee of Rezin Frazier; of John Brown & company; of James Selby; of Farish Carter and the heirs of Charles Williamson, deceased; of Return B. Brown; of Nathaniel Hara; of the legal representatives of William Smith; of Ezer Hazel H. Crouch; of the legal representatives of the late doctor James H. Chears; of William Travers; of Woodburne Potter; of Andrew Reumbert; of John L. McCarty; of the assignees of Jacob Clesnor, deceased; of the legal representatives of Isagar Tarlton Woodson; of Frederick Richmond; of Nicholas Phelan, heir at law of John Phelan, deceased; of the heirs of Crocker Sampson, deceased; granting a pension to Mary Uplegraff, of Butler county, Pennsylvania; granting a pension to William Ford, of Virginia; granting a pension to Frances Jones, widow of John Jones, of Virginia; for the relief of David Rollins; granting a pension to John Clark; for the relief of Wright Hunt; of Henry Grady, of Macon county, North Carolina; of Thos. M. Burao; granting a pension to the widow of John Marchaud; for the relief of Chauncey Calhoun; of Isaac D. Saunders; of A. J. Pickett and George W. Gayle; of Irad Kelly and Datus Kelly; of John Jones and Charles Souder, and Robinson, Carr & co.; of Robert M. Roberts or his legal assignees; of the legal representatives of Ann Levacher Van Brun; of Griffith Coombe and of John P. Angle, trustees of the house in the city of Washington commonly called the brick capitol; of Joseph Safford and others, heirs at law of Joseph Safford, late of the New Hampshire line in the revolutionary war, deceased; of John Dixon; of Polly Lemon; of Aaron Stout; of John Borey, of Arkansas; of William C. Hazard, of Rhode Island; of William Clark; of Zebulon Sanford, the children and heirs of Sebastian Sroufe, late of Ohio, deceased; of James H. McCarr, jr.; of the legal representatives of John Dawson, deceased; of Thomas Linnard; of Wm. S. Colquhoun; of certain settlers living on what is called the Salt Lick reservation in the western district of Tennessee; granting a pension to Michael McCarty; for the relief of Jarius Loomis and heirs of J. S. Basset; of Lewis B. Willis, formerly acting deputy surveyor for the district of Mississippi; of Francis Jarvis, deceased; of the legal representatives of Daniel Warner, deceased; of Margaret Kingsbury; joint resolution for the relief of Edward Beatty, of Missouri; for the relief of Francis Malbaly; of Joseph R. Fulson and the owners and crew of the schooner *Galaxy*, of Bucksport, in the state of Maine; of J. Eliot Rachel; of William G. Belnap and Benjamin Walker; of Stephen P. W. Douglass; of David Balentine; of James H. Grant, Moses Simpson, assignees of George W. Thomas, deceased; of Sarah Angel and the other heirs at law of Benjamin King, deceased; to confirm the sale of certain reservations; for the relief of John Newton; of Jean B. Valle; of the owners of the British brig *Despatch*; to remunerate the captors of the privateer *Lydia*; for the relief of Jechonius Pigot and Benjamin Leraat, sureties of James Manney, late collector of the customs for the district of Beaufort, in North Carolina; to remit or refund to the Philadelphia, Wilmington, and Baltimore railroad company the duties upon certain railroad iron; for the relief of the heirs of John Bran, late receiver of public moneys at Huntsville, Alabama; of William East; of Eliza Town; of Erastus Fairbanks and Thaddeus Fairbanks; of Peter Berg, jun.; of Henry Wilson, confirming purchases of certain lands in Arkansas; of the widow and other heirs at law of Alexander Hamilton, deceased; to amend and carry into effect the intention of an act entitled an act to renew the patent of Thomas Blanchard, approved June 30, 1834; for the relief of William B. Ferguson and sureties; of Dr. John Campbell, of Baltimore, in the state of

Maryland; of the sureties of Elias T. Langham, late surveyor of public lands for the states of Missouri and Illinois.

NORTH-EASTERN BOUNDARY.

In house of representatives, Thursday, Feb. 28.

The following is the report on the boundary question referred to in the Register of last week. The bill which accompanied it will be found on page 16.

The committee on foreign affairs, to which have been referred two messages from the president of the United States, enclosing sundry papers relating to the disturbances upon the Aroostook river, in the state of Maine, report:

That they have examined the papers submitted to them by the house with great care, and will offer such reflections upon them as the limited time for the preparation of this report will admit. The very near approach of the termination of the present congress, and the desire of the committee that as much time as possible should be afforded to the house, for the examination of the bill herewith reported, are considerations of such a powerful nature, that consequential matters, connected with the subject, cannot be investigated. The main points, however, of the controversy, are not numerous, and upon them the opinion of the committee is clear and decided. The position assumed by the president in his message, is correct, and ought to be sustained, by the legislative power of congress.

It is well known that an informal arrangement or understanding has existed, for many years past, between the United States and Great Britain, relating to the territory in dispute between them, and having for its object the avoidance of clashing authorities, calculated to endanger the peace of the two nations. The committee have not time to give a detailed and historical statement of the origin and progress of this arrangement, the examination of which might perhaps elucidate the cause of the strange error into which the British government is represented by its agents in this country to have fallen with respect to its provisions. Suffice it to say that it never appears to have gone further, in its great extent, than to adopt the basis of the "uti possidetis," leaving each party to the continued exercise of the jurisdiction which it had previously maintained in practice. The idea which is occasionally suggested in some of the British documents, that, prior to the peace of 1783, the government of Great Britain was in possession of the whole country, and, therefore, that this constructive possession must be considered as continuing until she is divested of it with her own consent, is one which the United States can never sanction, or even listen to without strong repugnance. It implies that the people of the United States hold their country by a grant from the British crown, and that the treaty of 1783 is a doctrine which was successfully resisted by the ministers of the United States, even when it was advanced by remote implication, prior to the signature of that treaty, by their refusing to treat with the British ministers, until their credentials were changed. At a subsequent period of our history, the same document was advanced in argument; and at that period, also, was, as it must ever be, met with instant contradiction. The people of the United States hold their country by virtue of the declaration of the 4th July, 1776; and the treaty of 1783 did nothing more than arrange the boundary lines between the two nations, independent of each other in fact and in right. So far, therefore, as the claim of Great Britain to the jurisdiction over the unsettled parts of Maine is founded upon the twice exploited theory that she is the rightful sovereign of all that she has not granted away, it cannot be submitted to without sacrifice of honor, which the American nation never will make.

When the discussion became active between the two governments, as to their respective rights to the territory now in dispute, the greater part of it was, and indeed still remains, uninhabited by permanent settlers. Here and there a small settlement could be found, consisting in some cases of a single house, and in others of more than one, placed near each other for the convenience of the inhabitants. The extent of the arrangement between the two governments does not appear, as construed by the American government, to have gone further than the recognition of the jurisdiction of each over the people and land then operated upon by it. If these inhabitants had taken out the titles to their lands from either one government or the other, and were in the habit of resorting to its judicial authority for the preservation of order, then they were to continue so to do until the question of ultimate ownership should be finally decided in some mode satisfactory to both governments. The propriety of this arrangement will not be questioned by the committee. If it left to the British government the jurisdiction over the inhabitants along the military road which

leads from Halifax to Quebec, and thereby furnished it with a motive for procrastinating the controversy, inasmuch as it continued in the enjoyment of nearly all that rendered the country valuable as a British possession, it also furnished a strong proof of the desire of the American government to deal fairly and liberally with its antagonist in the argument. Demonstrating, in this conclusive manner, that it was not influenced by a capricious spirit of discontent, the government of the United States derived from this state of the case a right to appeal to the British government to expedite the final adjustment of the controversy, and to claim, in the mean time, the full benefit, on its part, of an arrangement which, perhaps, gave to its adversary more than an equal share of advantages. But the arrangement has been entirely misunderstood or misconstrued if the lieutenant governor of New Brunswick be correct in his exposition of the orders under which he is acting. The United States never did, and never can, consent that the exclusive jurisdiction of the whole territory in dispute shall be consigned to the care of any officer of the British government. The pretension now advanced is as unreasonable in itself as it is unjustified by any agreement between the two governments. Supposing that the parties to the controversy stand upon an equal footing as to their rights, (and there is no ground on which to dispute the maintenance of the territory formerly allotted to the United States) has as much reason to expect that Great Britain will yield to them the exclusive jurisdiction of the whole of the contested territory, together with the care and custody of the timber and other public property, as she has to require from us such an extravagant concession. On the part of the United States, it has never been claimed or asked, as far as the committee are informed; and the true position of the president now is, that he resists the application of a principle which no executive of this country ever adopted as his guide. It has not been asked of Great Britain, nor can it be submitted to from her. What the United States ask from others, they are always willing to grant; nor can they grant what it would be deemed unreasonable to ask.

That portion of the territory in which the recent and present disturbances exist, has been, for a number of years past, subject to the laws of Maine; and, before the separation of Maine from Massachusetts, was under the control of the latter. In December, 1807, Massachusetts conveyed one township, lying on both sides of the Aroostook, and near the meridian line from the source of the St. Croix, according to a selection, survey, and plan made under a resolve passed in March, 1806. In January, 1808, she conveyed ten thousand acres, lying west of the aforesaid township, and on both sides of the Aroostook, pursuant to a survey and plan made under the same resolve. This jurisdiction has been continued, through the medium of land agents, ever since that time; and the settlers, who have been there for a number of years past, (certainly since 1822,) have always, in practice, held their property under grants from Massachusetts and Maine, the part remaining unsettled has been applied to other useful purposes than to use the timber, in which it is very productive; and the state of Massachusetts has been in the practice of granting licenses to her people to cut timber from the public domain. The exercise of jurisdiction was as perfect as the nature of the country would permit. The mere fact of granting licenses to cut timber to certain individuals shows that the preservation of the timber was held to be an object of great consequence, and drew after it the incidental right of refusing to permit the timber to be cut down, whenever it was thought wise to do so; or of taking other measures for its preservation, by driving off trespassers, or punishing them by civil process. This right Maine derived from Massachusetts. Every state government in the union has a right to regulate the landed interest, whether public or private, within its limits, and to assume awards upon the same logic, unless as to such parties of it, it be decided not to be under its jurisdiction by the exercise of the constitutional powers of the federal government. But, as has been already observed, no proceeding or agreement of the federal government can be found which did not recognise an actual jurisdiction, just such as that now claimed and enforced by Maine. Whether the legislature of that state ought or ought not, in courtesy to the federal government, to have invoked its interposition before driving off the trespassers with a strong hand, is a question which the committee deem it unnecessary to examine; because the pretensions advanced by the lieutenant governor of New Brunswick equally include the rights of the United States and Maine to interfere. If the United States have been applied to, and the urgency of the case had rendered a prompt and forcible interposition necessary to remove the lawless trespassers who were equally the enemies of both governments, the same opposition would have

been made to such interference by the lieutenant governor of New Brunswick, and the same question arisen as in the present case. The conflicting claims of Great Britain and the United States arose presented in antagonistical position to each other, and the subordinate question as to the manner in which they have thus been brought in direct opposition is not of sufficient importance to require a strict examination. If it were, it might be argued that the conduct of the lieutenant governor of New Brunswick in directing a boom to be placed across the mouth of the Aroostook river, for the purpose of intercepting, seizing, and selling the timber which has been cut, is no sufficient satisfaction to the state of Maine, which may desire to preserve its own timber, whilst it argues such remissness on the part of the British authorities, over their own people, as might well have induced the state of Maine to enforce her own laws. If the committee are right in the view which they have taken of the arrangement between the United States and Great Britain, there is nothing in it to impair, but, on the contrary, every thing to ratify the jurisdiction of Maine over that part of her territory where it had long been familiar, and the interference of the lieutenant governor of New Brunswick is a violation of the existing understanding between the two governments of Maine, the force sent to the coast of the United States, and the trespassers who were depicted upon the public property, appears to have been in the nature of a civil process, in execution of the law of the land. The power of a ministerial officer, such as a sheriff, for example, to compel obedience to the law, and to summon to his aid a sufficient portion of the "power of the country" to subdue opposition, is well known both to American and British jurisprudence, and is sanctioned by early laws in the history of England. The riotous and desperate character of the marauders upon the Aroostook is sufficiently manifested by the fact of their breaking open an arsenal upon the British territory, in order to supply themselves with an additional quantity of arms to enable themselves to resist and repel the party which was approaching, under a civil officer, to require submission to the laws. The proclamation of the lieutenant governor of New Brunswick was issued before any steps were taken by Maine to sustain the civil by the military power, and was directed against the interference of the ministerial officer of the law, acting in strict conformity with what are believed to be fundamental principles of British as well as American law. The first appeal to military force was made by him, and the subsequent proceedings of Maine are defensive merely. The pretension of the lieutenant governor of New Brunswick excludes the civil as well as military power of Maine and the United States from interfering to preserve order in this seat of the ancient jurisdiction of Massachusetts; and would compel the United States and Maine to rely upon the justice, the vigilance, or the generosity of the British authorities for the maintenance of quietude. The proclamation of the laws, in a county where nothing but a naked claim is said to exist upon the part of the British government. It demands of Maine that she should divert herself of a jurisdiction practically established and ascertained, and transfer it to Great Britain. It demands of the United States that an arrangement, alleged to have been made between the two governments, of the existence of which the United States are unconscious, should be summarily carried out, according to the construction which one of the parties is said to have placed upon it, and without giving to the other party an opportunity to contest such construction. It is difficult, in the opinion of the committee, to believe that the government of Great Britain maintains such an interpretation of that arrangement, and thus converts what was intended for the preservation of friendly feelings into a source of great and instant discord. But the assertion of the lieutenant governor of New Brunswick has been twice officially, deliberately, and publicly made, that he is acting under the instructions of his government; a fact of which he and his government can be the only judges. The execution of these orders is incompatible with the honor of the United States. The executive branch of the government has expressed this opinion, and in this opinion the committee fully concur. The sudden execution of these orders may bring on a crisis for which as much preparation ought to be made as the short time remaining of the present session of congress will permit; and the bill which is herewith submitted is intended to accomplish that purpose.

The committee refer with much pleasure to the efforts which have been made by the British minister at Washington, evidenced by the memorandum of a conference between him and the secretary of state, to avert the events which seem to be approaching. If the lieutenant governor of New Brunswick shall desist from any attempt to take

or hold military possession of the whole of the disputed territory, it will be easy to restore things to their former condition. If he shall determine to suspend further movements until the decision of the British government be known, it will be for that government to say what shall be the political relations between the United States and Great Britain; whether the friendship which now so happily prevails between the two nations, for the preservation of which the essential interests of both loudly call, shall be suddenly and rudely broken by assuming a principle as a ground of action to which the United States cannot submit.

The committee cannot but entertain the hope that no precipitate counsels on the part of the lieutenant governor of New Brunswick will deprive the government of Great Britain of an opportunity of explaining, before any more serious difficulties shall have occurred, orders which he is believed to have misunderstood. In this event, all immediate difficulties will disappear. The insuperable objection to the military occupation of the disputed territory by Great Britain, requires, in common fairness, that no attempt of the kind should be made by Maine or the United States. Having accomplished her intention of driving off or arresting the trespassers upon the Aroostook, and thus enforcing her laws, Maine will be doubtless satisfied with this vindication of her sovereignty, and withdraw the military force which is now in arms to sustain the civil authority and repel invasion. A contemporaneous cessation of measures by Maine and New Brunswick will compromise the honor of neither; and time will thus be afforded for the British government to select the position which it intends to occupy in the relations between it and the United States. If any motive were necessary to induce Maine to adopt a course so manifestly proper, it would be found in the prompt response of the executive of the United States to the appeal made to it at the present crisis, and the jealous sensibility which has been manifested for the protection of her rights, by spreading over them the ample powers of the federal union.

The committee ought, perhaps, here to close this report. But the anxiety which they feel that no measure should be left unemployed to preserve peace between the United States and Great Britain, by removing, not only temporarily but permanently, the causes of discontent between them, induces them to offer another recommendation to the house. It is, the expression of an opinion by the house, sustained by a legislative provision, that a special embassy should be sent to England, for the purpose of co-operating with the resident minister there, in endeavoring to adjust this long-pending controversy. The precedents for this measure in our history are numerous and encouraging.

The object of such an embassy is, to express a deep conviction on the part of the government of the extreme urgency of the case, and the absolute necessity of adjusting existing difficulties. The ordinary forms of diplomatic agency insufficient to rouse the British government to the danger that the two nations may find themselves involved in war, notwithstanding the desire of the governments of both to avoid it, and the step proposed would manifest to the world, at all events, that the United States are sincerely anxious to exert every means in their power to maintain the most amicable relations with a government and people, so eminently entitled to the respect and regard of every civilized nation on the globe.

The committee are conscious that some of the provisions of the bill herewith reported would more properly have emanated from some of the other committees of the house, upon whose jurisdiction they are reluctant to encroach; but the few days which remain of this session would not have permitted any delay, with a view of referring these subjects to other committees, with the slight hope of obtaining any action on the part of the house. They submit the whole matter, therefore, as the result of their anxious reflections, to the better judgment of the house.

[For the bill see page 16.]

CLAIMS ON MEXICO.

Mr. Howard, from the committee on foreign affairs, to which was referred the president's message of the 27th ult. submitted, on Saturday last, the following report:

The committee on foreign affairs, to which was referred the message of the president of the United States of the 27th February, relating to Mexico, have had the same under consideration, and offer the following report:

In the month of September last, a convention was made between the governments of Mexico and the United States, wherein it was agreed that the claims of a private nature upon Mexico by citizens of the

United States should be referred to a board of commissioners, two of whom were to be appointed by Mexico and two by the United States. It was further agreed that, in case of a difference of opinion between the commissioners, the questions should be decided by the king of Prussia, or an arbiter to be selected by him, who should proceed to Washington and reside there until the termination of his functions. The ratifications of this convention were to be exchanged at Washington on or before the 10th of February.

The committee regret to say that the time thus stipulated for the exchange of the ratifications has passed away, without the performance of this concluding obligation on the part of Mexico. There are only two reasons given for the omission. The first is contained in a letter from the Mexican minister to the secretary of state, dated on the 11th February, 1839, in which he says that he had been informed on the 7th of December, by the acting secretary of foreign relations of Mexico, that the despatches relating to the convention had been received, but that Señor Cuevas, the minister in ordinary, was preparing to go to Jalapa for the purpose of treating the affairs of the India, and that the government had been consequently occupied at Jalapa with his affairs, and had not been able to examine the said convention. No reason is assigned for the inactivity of the government prior to the 7th of December, although sufficient time intervened between September and December for the reception and examination of the convention, the ratification of which could scarcely have occupied more than an hour. The reason is altogether insufficient and unsatisfactory.

Another reason which is assigned through the medium of the consul is, that the king of Prussia declined to act as arbiter, as Mexico had been informed by the Prussian charge d'affaires. But as no direct information of this description has reached the United States, the committee think some error must have occurred, as the good understanding between Prussia and the United States would, in all probability, have induced a communication to the United States as well as Mexico, if the arbitration had been declined. It is not a good reason for the omission to ratify the convention, because another power could easily have been substituted in the place of Prussia.

In a note from the Mexican minister to the secretary of state, dated on the 13th of February, 1839, he declares that the approbation expressed by his government with regard to a former minister did not extend to the preparation, publication, and use made by that person of a pamphlet which he printed at Philadelphia, when he supposed, in good faith, that his mission was entirely ended. This disavowal removing the objection which prevented the renewal of diplomatic intercourse with Mexico, has induced the president to order a minister plenipotentiary from the United States to repair to Mexico with all convenient despatch, after the preparation of his instructions, which cannot be drawn up until a satisfactory explanation (daily expected) shall be given of the causes which prevented the ratification of the convention. In the mean time, congress is about to close its session, and the committee cannot, with any probability of having it discussed, offer to the house any mode in which it may exercise its legislative powers. They have thrown their opinion into the form of resolutions, which are herewith submitted.

Resolved, That the house of representatives of the United States view the existing condition of the political relations between the United States and Mexico with great dissatisfaction, the earlier causes of which are now increased by the omission of the Mexican government to ratify the convention concluded between the agents of the two powers in September last, without assigning any sufficient reason for such omission.

Resolved, That the unreasonableness procrastination which has attended every step on the part of Mexico in the progress of the negotiations between the two governments, for many years past, justifies a hope that the minister who is about to be sent to that country by the president will press for a speedy and definite settlement of the demands which have been so repeatedly, but ineffectually, made upon Mexico by the government of the United States.

Resolved, That this house will impatiently expect the result of this mission; and, if it shall prove unavailing, will sustain the executive branch of the government in any ulterior measures which may become necessary.

THE SENATE AND THE POSTMASTER GENERAL.

From the Globe of Saturday night.

It is due to the postmaster general that the whole facts connected with Friday's proceedings in the senate, should be laid before the public.

On the 12th of February, Mr. Tallmadge submitted the following resolution, which was adopted, viz :

Resolved, That the postmaster general communicate to the senate the number of removals of deputy post-

masters since the 4th day of March, 1837; the names of the persons so removed, and the times when removed; the names of the persons appointed to fill the vacancies; the names of the offices where such removals have been made, classifying the whole by states and territories.

This resolution was received at the post office department on the 13th. As it did not appear to look to any action of the senate, legislative or executive, it was not considered necessary to interrupt the ordinary business of the department, for the purpose of hastening a reply, as the object, it was presumed, would be accomplished if it was sent before the close of the session. The statement was, therefore, made out as other business permitted, with intent to send it up as soon as it should be prepared. This, of itself, was no light job, as the names had to be extracted from about 1570 pages of the postmaster general's journal, composed of large manuscript volumes.

On the 27th of February, Mr. Tallmadge offered the following resolution, which was adopted, viz :

"Whereas, the senate, on the 12th day of February instant, passed a resolution as follows :

Resolved, T. at the postmaster general communicate to the senate the number of removals of deputy postmasters, since the 4th day of March, 1837; the names of the persons so removed, and the times when removed; the names of the persons appointed to fill the vacancies; the names of the offices where such removals have been made, classifying the whole by states and territories: and, whereas, no answer has been received to the same, therefore,

Resolved, That the postmaster general inform the senate, without delay, what he has not communicated the information required by said resolution."

This was immediately sent to the post office department. At the moment of its reception the postmaster general's reply to the resolution of the 12th, with the statement called for, was in the hands of his messenger for conveyance to the capitol, and the messenger was detained until a reply to the last resolution could be prepared. The replies to the two resolutions, therefore, went up together, and were as follows :

"Post office department, Feb. 27, 1839.

SIR: In compliance with the resolution of the senate, adopted on the 12th instant, I have the honor to transmit a statement showing the number of removals of postmasters since the 4th day of March, 1837, the names of the persons so removed, the time of removal, the names of the persons appointed to fill the vacancies, and the names of the offices where such removals have been made, classified by states and territories.

Very respectfully,

Your obedient servant,

AMOS KENDALL.

"Hon. R. M. Johnson,
"Vice president and president of the senate."

"Post office department, Feb. 27, 1839.

SIR: Just as my messenger was about to start for the capitol with several communications, including my reply to the resolution of the senate adopted on the 12th inst., I received their resolution of this day, asking why the information then asked for has not been communicated.

In reply, I have the honor to state, that the only reason I have to give why it has not been before communicated is, that it was not ready.

Very respectfully,

Your obedient servant,

AMOS KENDALL.

"Hon. R. M. Johnson,
"Vice president and president of the senate."

To do justice to the postmaster general, these papers should be taken together. But it so happened that, although sent up on the 27th February, they were not read until the 1st March, and then the last was read first. Had the other been read first, it cannot be doubted that the impressions of most of the senators would have been different. With an imperfect view of the case, they, however, proceeded to pass the following resolutions :

Resolved, That the letter of the postmaster general, as president of the senate, stating that the only reason why he had not sent an answer to a previous resolution, was because it was not ready, is considered by the senate as disrespectful to this body.

Resolved, That said letter with the resolution to which it purports to be an answer, be laid before the president of the United States for such action as he may deem proper.

These were immediately forwarded to the president, who, in a short time sent in a message, with the following letter of the postmaster general, viz :

"Post office department, March 1, 1839.

SIR: In reference to the resolution of the senate, adopted this day, and by you just communicated to me, expressing the opinion that a communication made by me on the 27th ultimo, in reply to their resolution of the same date, was disrespectful

to that body, I have only to say, that no disrespect was intended or felt. Their resolution of the 12th ult. called for the names of removed postmasters, designated no specific time within which the information would be wanted; and as it did not appear to look to any immediate legislative or executive action on their part, the necessity of great expedition in preparing and communicating them, to the delay of other pressing matters, was not appreciated by me so highly as it appears to have been by the senate, or as perhaps it ought to have been. As to the reply to the resolution of the 12th, was already in the hands of the messenger, and would accompany the reply to that of the 27th, showing that no disposition existed to withhold the information called for, it did not occur to me that any detailed explanation why it had not been sooner sent, was necessary or would be expected. Hence it will be perceived, that the letter complained of, was written hastily, (the messenger having been in fact detained until it could be written and recorded,) and but for the hurry of the moment, not allowing time for consideration, I should probably have given the more full explanation contained in this letter.

Very respectfully, your obedient servant,
AMOS KENDALL.

"To the president."
With this explanation the senate appeared to be satisfied.

It is possible that the postmaster general's reply to Mr. Tallmadge's resolution of the 27th, may have been more brief than it otherwise would have been in consequence of the tone of that resolution, which appeared to many to be quite as susceptible of an offensive construction as the reply.

TWENTY-FIFTH CONGRESS.

THIRD SESSION—SENATE.

February 27. In addition to the proceedings inserted on page 12, we give the following :

Mr. McKean presented a memorial from the Philadelphia board of trade, asking an appropriation for the erection of a light house on Brandywine shoals.

Mr. Benton presented a memorial from numerous citizens of Louisiana, asking a repeal of the naturalization law, and to prevent the increasing influx of foreigners.

Resolutions were introduced giving to the messengers, pages, and persons connected with the capitol, (such as the watchmen, doorkeepers, &c.) a certain sum in addition to their salaries.

Mr. Benton, from the committee on military affairs, reported the bill from the house to provide for the protection and defence of the western frontier.

Mr. Robbins introduced a resolution calling on the mayor and city councils of Washington to prepare a plan for an institute under the bequest of Mr. Southton, of London.

The resolution submitted yesterday by Mr. Tallmadge, was taken up.

This resolution called for a statement of deputy postmasters dismissed since May last, and asked at the same time for the reasons why the resolution of the same nature which had before passed the senate had not been answered.

Mr. Tallmadge said he had offered, about two weeks since, the first part of the resolution that had just been read; it had passed the senate at once, and, although that time had elapsed, there had been no return made from the department. The information sought for, any competent clerk could prepare in the course of a day. If the statements were to be furnished, it was desirable that they should be forthcoming with as little delay as possible, and if they were not, Mr. T. desired to have the reasons why.

Mr. Niles was not heard in the first part of his remarks, but was understood to say that the postmaster general was not afraid or ashamed to show to the whole world what he did in the discharge of his duties. He did not think the resolution treated that officer with proper respect. Asking the reasons why he had not furnished information, implied censure on the conduct of the head of the department, which he was by no means prepared to admit.

Mr. Tallmadge was not aware that the resolution was expressive of censure; there might be good and sufficient reasons why the response had not been made, among which could be instanced press of other business, &c. He thought, however, that the postmaster general, in justice to himself, should state the causes why it had not been furnished. Mr. T. was desirous to have the information, and as there were now only two or three days to the close of the session, it must be manifest to every senator that if it were not sent at once it would be too late.

Mr. Wright did not know, but there appeared to him, to say the least of it, that there was something novel in such a proceeding.

Mr. Preston said there did indeed appear some-

thing novel in the matter. Here was a piece of plain information asked for, that any clerk, ay, any clerk in the department might furnish in a third of a day, and yet weeks had been suffered to elapse without its being sent. He must confess that this looked like an act of contumacy on the part of the officer. When a resolution was presented, and the senate adopted that resolution, it became the property of the body; and he thought it necessary that a proper sense of its own dignity should be preserved. The thing asked for was entirely unobjectionable in itself, and he hoped it might be passed without further delay.

Mr. Norvell said that the sense of the senate had already been expressed by the passage of that resolution, some days since. He did not see the necessity of again acting on it, and he should therefore move its indefinite postponement.

Mr. Tallmadge expressed a hope that the resolution would not be postponed. More than fifteen days ago, he had asked for the information, and the senate had sanctioned the call. There was no trouble or investigation necessary; it was merely to take from the records of the office a plain statement of facts, which any one clerk might collate and prepare at once. His political life was short, and he desired to have the answer before his close.

Mr. Foster said it was with difficulty he could restrain his feelings on such an occasion. Here a plain call had been made on a department by the senate, and after sufficient time had elapsed to answer it, none had been received; and when an honorable senator sought for the reasons, there appeared a disposition to withhold the resolution.

Mr. Norvell withdrew his motion, affirming there was no disposition on the part of the senate to have the information withheld.

Mr. Benton said, in the first of the session, he had offered a resolution, calling on the secretary of the treasury for information in relation to the fishing bounties, which resolution had been amended at the suggestion of a senator from Massachusetts, and yet that information had not reached the senate. He had never thought of calling by resolution for an answer why its provisions had not been complied with; he knew too well the numerous calls made on the departments of the government, which were, on an average, six times more than could be answered within any reasonable period. He mentioned this merely to show what had been his own rule of conduct in such matters.

Mr. Tallmadge insisted that the delay in sending the information called for from the post office department could not be owing to the want of clerks or time, for to make out the whole information required would not occupy one of the clerks more than a single day. Since the late elections in New York there had been removals of postmasters throughout the state; and Mr. T. having been requested to ascertain at the department the reasons for some of these removals, on his application there, he had been promptly refused the privilege and opportunity of seeing the papers. Gentlemen on the other side had gone to the furthest point in vindicating and recommending the interference of office holders in elections; but that interference must be on the right side, or even their casting their votes would not be tolerated. The report of the senator from New Jersey on this subject said a great deal of the horrors of an electoral inquisition, that should prevent interference in elections. But what inquisition could be greater or more detestable than this, where the master inquisitor sat at the head of the whole machinery, and instantly struck off the heads of all those who would not obey his will in the exercise of their political functions? These persons in New York were removed the very moment the elections were over, and most palpably removed, because they exercised the privilege of voting against a member of the other house, who had most evidently himself gone against the will of his constituents. And when Mr. T. who was equally a representative of the state, asked to look for the reasons of the removals, he was told that he could not see the papers. He wished the country to know this, and to know, also, that while some of the friends of the administration were devoutly contending that office holders had a right to interfere in elections to any and every extent, others on the same side were instantly punishing in the severest manner the simple casting of a vote in opposition to their wishes.

Mr. T. had formerly moved a resolution calling on the postmaster general, not for his reasons for removals, but for a simple statement of facts; and now fifteen days had passed without an answer, and no reason even had been assigned for the delay. And now, when Mr. T. offered a resolution asking him for the reasons of this delay, it was gravely objected to. Mr. T. wished the country to know also that this grand inquisitor would not only at will strike

off the heads of his refractory officers, and proudly sit without ever assigning a reason; but when called upon by the competent authority to say at least why he would not assign to them his reasons, and when he refused or neglected to do even this, there were enough here ready to spring up and screen him from all question whatever.

Mr. Niles argued at considerable length that these office holders who were removed had not been honest as politicians, and that there was no better cause for removing a public officer than his political dishonesty.

Mr. Bayard said, as the principal objection to the resolution was that it might be looked upon as casting censure on the postmaster general for delay, he would suggest the propriety of striking the words "without delay" from the resolution.

Mr. Benton moved, as a test of the sense of the senate on this subject, that the resolution be laid on the table; which motion was negatived by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Brown, Clay, of Alabama, Clayton, Hubbard, Linn, Lyon, Mouton, Niles, Norvell, Pierce, Roane, Sevier, Smith, of Connecticut, Wall, Williams, of Mississippi, Wright, Young—19.

NAYS—Messrs. Bayard, Calhoun, Clay, of Kentucky, Clayton, Crittenden, Cuthbert, Davis, Foster, King, Knight, McKean, Merrick, Nicholas, Prentiss, Preston, Robbins, Smith, of Indiana, Swift, Tallmadge, Walker, White—21.

Mr. Calhoun said, when there was a call on a department, it was right there should be an answer, and it was equally clear, when an answer was not given, that it was right to know the reason why. This government was a government of responsibility; it had, besides, justice to the country and to the officers themselves required that their conduct in office, and the reasons for it, should be known. On this ground, Mr. C. would vote in favor of the resolution.

Mr. Sevier said he had voted to lay it on the table only on account of the protracted debate. He should now vote for the resolution.

The resolution was then agreed to by yeas and nays, as follows:

YEAS—Messrs. Allen, Bayard, Calhoun, Clay, of Alabama, Clay, of Kentucky, Clayton, Crittenden, Cuthbert, Davis, Foster, Fulton, King, Knight, Linn, Lyon, McKean, Merrick, Nicholas, Pierce, Prentiss, Preston, Roane, Robbins, Sevier, Smith, of Indiana, Swift, Tallmadge, Walker, White, Williams, of Mississippi—30.

NAYS—Messrs. Benton, Brown, Hubbard, Mouton, Niles, Norvell, Smith, of Connecticut, Wall, Wright, Young—15.

The senate again took up the bill to prevent the interference of officers and agents of the United States government in elections.

Mr. Crittenden spoke at large in favor of the bill, and especially in opposition to the doctrines of the report on this subject from the judiciary committee, adducing documentary proof, at Boston, that office holders had been largely "doomed" to pay a *pro rata* tax for the purposes of elections.

Mr. Wall spoke largely in vindication of his report, declaring that its doctrines had not even been assailed, because they had been misunderstood and misrepresented, and that all the descriptions of them made by their opponents in the senate were quite imaginary.

Mr. Niles spoke long and strongly in vindication of the practice of levying a tax on office holders, to be used in elections, declaring it to be quite as justifiable as for any private citizen to use money for that purpose. He spoke also in reply on various points to Mr. Crittenden and Mr. Rivers.

A discussion followed, chiefly politico-personal, by Messrs. Crittenden, Wall, and Niles. Mr. Crittenden now offered his substitute which he had at first proposed for the original bill, omitting the fine, and restricting the penalty to a mere disability for office under the government, confining himself to the words of Mr. Jefferson, and declaring that he preferred the substitute, but, if that should be rejected, he would vote for the original bill.

This substitute was lost by yeas and nays, as follows:

YEAS—Messrs. Bayard, Calhoun, Clay, of Kentucky, Clayton, Crittenden, Davis, Foster, Knight, Merrick, Prentiss, Preston, Rivers, Robbins, Ruggles, Smith, of Indiana, Swift, Tallmadge, White—18.

NAYS—Messrs. Allen, Benton, Brown, Clay, of Alabama, Cuthbert, Fulton, Hubbard, King, Linn, Lyon, Mouton, Nicholas, Niles, Norvell, Pierce, Roane, Robinson, Sevier, Smith, of Connecticut, Walker, White, Williams, of Maine, Williams, of Mississippi, Wright, Young—25.

Mr. Tallmadge offered a substitute precisely like the substitute of Mr. Crittenden, except that the punishment of dismission from office was to be inflicted only on those who should in any way,

either directly or indirectly, pay or advance any money for purposes of elections.

Mr. Norvell suggested that banks should be embraced by the substitute, as well as office holders.

Mr. Tallmadge was perfectly willing; he had not the smallest objection to the dismission of banks from office the moment that they should contribute money for electioneering purposes.

This substitute was rejected by yeas and nays, as follows:

YEAS—Messrs. Bayard, Calhoun, Crittenden, Davis, Foster, Merrick, Prentiss, Preston, Rivers, Robbins, Ruggles, Smith, of Indiana, Swift, Tallmadge, White—15.

NAYS—Messrs. Allen, Benton, Brown, Clay, of Alabama, Clayton, Cuthbert, Fulton, Hubbard, King, Linn, Lyon, Mouton, Nicholas, Niles, Norvell, Pierce, Roane, Robinson, Sevier, Smith, of Connecticut, Walker, Wall, Williams, of Maine, Williams, of Mississippi, Wright, Young—26.

The question now recurring on the original bill,

Mr. Smith, of Indiana, said: As the vote on the

bill is about to be taken, I must detain the senate a few moments, while, in a very brief manner, I explain the vote which I am about to give.

I would contented myself with a silent vote, were it not that my vote may be misunderstood. Mr. President, I shall vote against this bill. This vote, unexplained, might imply a sanction of the doctrines of the report of the committee. I cannot for a moment suffer, ever by implication, such an inference to be drawn from a silent vote.

The report, in my opinion, clearly justifies the interference of federal officers with elections; nay, more, stimulates them to active exertions in the political conflicts of the day. Sir, this doctrine I wholly repudiate. I concur entirely in the doctrines of Mr. Jefferson, Mr. Clinton, and general Jackson, on this subject; in a word, that "the patronage of the federal government ought not to be brought into conflict with the freedom of elections."

I fully and entirely concur in the sentiments that pervade the whole of the document on this subject written by these distinguished men, that the federal officers should not use the powers vested in them, or the influence of their official stations, to prevent a free and unrestrained exercise of the elective franchise on the part of the people.

I have voted for the different amendments which have been offered to the bill, because they recognized the principles which I have stated, because they severally condemned so much of the doctrines of the report as I have referred to, and because I was willing and desirous to express my utter condemnation of those doctrines.

The amendments have been in succession rejected, and the question now arises, whether the bill before the senate should command my vote. I have already said, sir, that I cannot vote for the bill. It may be asked, as I have already said, why I do not propose a remedy? It was principally to answer that question that I arose.

Sir, I admit the evil. I do not concur with the committee that no such evil exists. The proof is to the contrary. The fact is otherwise. I have little doubt but that it is expected, in the party operations of the times, that those who participate in the favors of the government shall use their exertions to perpetuate the official existence of the party in power; and so far as their rights can be exercised in their votes fairly and independently, I cannot object. But when such exertions proceed to that point where they bring into conflict with the freedom of elections the patronage, power, and influence of official station, I repudiate, I condemn it. The same may be said of the press; it is a still more powerful weapon in the hands of the executive in the perpetuity of his official existence, than even the office holders with all their influence. The press, sir, in many cases, pensioned. It is not free. It is all over the country fed by the patronage of the government, to the amount of thousands upon thousands annually.

It is from a press thus circumstanced, that many of the people receive their political doctrines, as well as the character and conduct of their public servants. It is to such a source that many look for the truth. The press is licentious; the federal officers bring the patronage of the government into conflict with the freedom of elections. Admit all this; repudiate, condemn, and censure as we may, still the question arises, are not these things the necessary consequences growing out of our free institutions? May we not, in other words, say that this is only the effluence of freedom? Who would place a legal censorship over the press because it is licentious? Sir, I have ever contended for the most unlimited freedom of speech and of the press, leaving reason free to combat error of opinion in the one case, and the good sense of a free people to evicerate truth from falsehood, orthodox from heterodox doctrines, in the other. I may abridge those great principles that lie at the bottom of our

free institutions, by regulating or punishing this licentiousness by law. I would rather bear the evils of which we complain, than fly to a remedy that may prove worse than the disease, even if we had the constitutional power to pass it, of which, candor compels me to say, I have great doubt. I have listened most attentively to the whole argument, and I should have given a silent vote, would it have explained itself. I duly appreciate the motives of those of my political friends who support this bill; I am satisfied that they have been actuated by the best motives, but I cannot go with them. I believe the remedy they propose is inefficient as well as inexpedient, to say nothing of constitutional objections. If a remedy for the evil could be enacted, it should include the press which receives the patronage of the general government, and from the licentiousness of which we have even more to fear than from the interference of the federal officers. It should also reduce the salaries and perquisites of the federal officers to the standard of the state officers. Let this be done, and you will disperse the crowds of hungry applicants for federal appointments, you will remove the powerful stimulus that gives impetus to the army of office-holders and office-seekers, and you will purify the elective franchise. But while your federal officers receive salaries greatly disproportioned to the salaries of the state officers, how can you anticipate any other result than that the office-holders will hold on by every means in their possession, and the office-seekers do all in their power to recommend themselves to the appointing power? And as the doctrines are maintained that to the victors belong the spoils, and as victory is to be obtained in this government only at the ballot boxes, I know little of the human mind who does not see that the vigor of the man and the energies of the office-holders and office-seekers will be in proportion to the value of the spoils. Diminish that value, and in the same ratio you remove the evil complained of; increase it, and a corresponding result may be expected. I have no doubt but that there are honorable exceptions to the principle I have just stated. I speak of the principle without reference to any party or persons. But, sir, I cannot concur in the opinion that any legal remedy can be found to meet the evil contemplated by this bill. The remedy must be left to public opinion, and the executive action as proposed by Mr. Jefferson, by holding a wholesome restraint over the conduct of the federal officers. I would have been pleased to have said more on this subject; but as I rose merely to explain a vote, I will not depart from that purpose. I am now ready, Mr. President, to vote against the bill, as my vote will be understood in the light in which I wish it to be.

Mr. Rives moved to recommit the bill to the committee on the judiciary, with instructions to report to the senate, by bill or otherwise, in conformity with the principles of certain resolutions heretofore laid on the table by Mr. Rives, which resolutions were based mainly on the Virginia and Kentucky resolutions of 1798 and 1799.

This motion was negatived by yeas and nays, as follows:

YEAS—Messrs. Crittenden, Davis, Foster, Knight, Merrick, Penick, Preston, Rives, Ruggles, Smith, of Indiana, Swift, Tallmadge, White—13.
NAYS—Messrs. Allen, Benton, Brown, Calhoun, Clay, of Alabama, Cutbert, Fulton, Hubbard, King, Linn, Lyon, Mouton, Nicholas, Niles, Norvell, Pierce, Roane, Robinson, Sevier, Smith, of Connecticut, Walker, Wall, Williams, of Maine, Williams, of Miss., Wright, Young—25.

The original bill, on the question of its engrossment, was now rejected by yeas and nays, as follows:

YEAS—Messrs. Crittenden, Foster, Merrick, Preston, White—5.

NAYS—Messrs. Allen, Benton, Brown, Calhoun, Clay, of Alabama, Cutbert, Fulton, Hubbard, King, Linn, Lyon, Mouton, Nicholas, Niles, Norvell, Pierce, Roane, Robinson, Sevier, Smith, of Conn., Smith, of Indiana, Walker, Wall, Williams, of Maine, Williams, of Miss., Wright, Young—25.

A message was received from the president of the United States, transmitting a copy of a memorandum signed by the secretary of state of the United States and her Britannic majesty's minister plenipotentiary, of the terms upon which collision on the northeastern frontier can be avoided; which, after some remarks from Messrs. Williams, of Maine, Preston, Davis, Ruggles, Webster, Brown, Walker, and Calhoun, was referred to the committee on foreign relations. And the senate adjourned.

February 28. The President submitted a communication from the secretary of war, in compliance with a resolution of the senate of the 12th inst. in relation to the mode of furnishing supplies for the Indian department, which was laid on the table, and ordered to be printed.

Also, a communication from the secretary of war, transmitting a communication from the commissioner on Indian affairs relative to the number and description of persons employed as agents by the Indian office; which was laid on the table, and ordered to be printed.

Also, a communication from the treasury department, in answer to a resolution of the senate of the 21st instant; which was laid on the table, and ordered to be printed.

Also, a communication from the secretary of the treasury in relation to the operations of the branch mints; which was laid on the table, and ordered to be printed.

Also, a communication from the secretary of the treasury, transmitting a letter from the register and receiver at St. Stephens, Alabama; which was laid on the table, and ordered to be printed.

Mr. Williams, of Mississippi, presented the joint resolutions of the legislature of Mississippi on the subject of certain mail routes; which were laid on the table, and ordered to be printed.

Several committees were discharged from the consideration of memorials, &c. which had been referred to them.

Mr. Denton, from the committee on military affairs, to which was referred various memorials from officers of the line of the army, praying equalization of pay with the officers of the staff, made a report thereon, that the request of the petitioners was reasonable and ought to be granted, but that the present was not a favorable time to accomplish the object; the report was ordered to be printed.

Mr. Webster, from the committee on Indian affairs, to which was referred the petition of a number of half breeds of the Sac and Fox Indians, asked to be discharged from the further consideration thereof; which was agreed to.

Mr. S. from the same committee, to which was referred an act for the relief of the Brotherton Indians, reported the same without amendment.

Mr. Buchanan, from the committee on foreign relations, to which was referred the president's message, and accompanying documents, in relation to the existing difficulties on the northeastern frontier, made a report thereon, which was read, as follows:

The committee on foreign relations, to which was referred the messages of the president of the United States of the 26th and 27th instants, and the accompanying documents, in relation to the existing difficulties on the northeastern frontier of the United States, report the following resolutions, and recommend their adoption by the senate:

Resolved, That the senate can discover no trace, throughout the long correspondence which has been published, of one or the other party, Great Britain and the United States, of any understanding, express or implied, much less of any "explicit agreement," such as is now alleged, that the territory in dispute between them on the northeastern boundary of the latter shall be placed and remain under the exclusive jurisdiction of her Britannic majesty's government until the terms of a peace shall be ascertained. It appears that there was, and is, a clear subsisting understanding between the parties, under which they have both acted, that, until this question shall be finally determined, each of them shall refrain from the exercise of jurisdiction over any portion of the disputed territory, except such parts of it as may have been in the actual possession of one or the other party.

Resolved, That, whilst the United States are bound in good faith to comply with this understanding, during the pendency of negotiations, the senate cannot perceive that the state of Maine has violated the spirit of it by merely sending, under the authority of the legislature, her land agent, with a sufficient force, into the territory in dispute, for the purpose of expelling lawless trespassers engaged in impairing its value by cutting down the timber; both parties having a common right, and being bound by a common duty, to expel such intruders from a territory to which each claims the taking care, however, to retire within their acknowledged limits when this single object shall have been accomplished.

Resolved, That, should her Britannic majesty's government, in violation of the clear understanding between the parties, persist in carrying its avowed determination into execution, and attempt, by military force, to assume exclusive jurisdiction over the disputed territory, and to exercise, by force, what is rightfully belongs to the state of Maine, the exigency, in the opinion of the senate, will then have occurred, rendering it the imperative duty of the president, under the constitution and the laws, to call forth the militia, and employ the military force of the United States, for the purpose of repelling such an invasion. And, in this event, the senate will cordially co-operate with and sustain the president in defending the rights of the country.

Resolved, That, should the British authorities refrain from attempting a military occupation of the territory in dispute, and from enforcing their claim to exclusive jurisdiction over it by arms, then, in the opinion of the senate, it would be the duty of the president to pursue a course of similar forbearance. And should she refuse to do so, and determine to settle the controversy for herself by force, the adjustment of which is entrusted under the constitution to the federal government, in such

an event there will be no obligation imposed on that government to sustain her by military aid.

The report was ordered to be printed, and made the special order for to-morrow.

Mr. Wall, from the committee on the library, reported a joint resolution for the distribution of the Madison papers; which was read and ordered to a second reading.

Mr. Walker, from the committee on the public lands, to which was referred an act granting to the territory of Iowa a quantity of land for the erection of public buildings, reported the same without amendment.

Mr. W. also, from the same committee, to which was referred the joint resolution for the relief of Edward Beatty, reported the same without amendment.

Mr. Webster submitted a resolution for the distribution of certain books; which was ordered to lie on the table and be printed.

Mr. Clay of Alabama, submitted the following resolution, which was agreed to:

Resolved, That the secretary of war be instructed to report to the senate, at the commencement of the session in December next, or as soon thereafter as may be, what measures have been taken since the last report of Messrs. Crawford and Balch, in settling the claims of the purchasers of reservations growing out of the treaty of 1825, and particularly what further action has been taken, or may hereafter be taken, in the settlement of J. C. Watson and Co. as conditionally ratified by the late president of the United States, and upon the assents of the individual reserves to that contract, purporting to have been taken by captain John Page, what charges have been made impeding those assents, together with the evidence thereon. Also copies of all correspondence on the subject of referring said contract to the examination of a commissioner or commissioners, with the instructions given to said commissioner, and his decision thereon, as to the legality of said contract under the treaty, and the validity of the assents so taken, particularly whether any assents purporting to be signed by the individual reserves, and that the jurisdiction of the reserves whose lands are included in the Watson contracts, and who are marked on the register of the certifying agents as being dead; and also a list of those Indians entitled to reservations who died and were killed in the Florida war, and of those who died on the route from Alabama to their destination west of the Mississippi, as appears from the report of the officers in charge of the different emigrating parties.

Resolved, further, That the secretary of war be instructed to issue no patent in confirmation of the Watson contract, nor to make any final decision adverse to private claimants, and in favor of said contract, until the same required in the preceding resolution shall be submitted to the examination of the senate.

On motion by Mr. Wright, the senate took up the bill making appropriations for the support of the army for the year 1839. After some amendments had been made, Mr. Webster offered an amendment appropriating the sum of \$272,000 in payment for the services of the Massachusetts militia during the last war with Great Britain.

After a short discussion, in which Messrs. Wright, Webster and Davis took part, the amendment was rejected—yeas 17, nays 18.

After the adoption of several amendments, the bill was reported to the senate, and Mr. Davis renewed the motion of Mr. Webster, and it was decided in the affirmative—yeas 19, nays 16, as follows:

YEAS—Messrs. Bayard, Clayton, Crittenden, Davis, Knight, Linn, Merrick, Norvell, Prentiss, Preston, Robbins, Ruggles, Smith, of Va., Swift, Tallmadge, Webster, White, and Williams of Me.—19.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Cutbert, Fulton, Hubbard, King, Lyon, Nicholas, Niles, Roane, Smith of Connecticut, Williams of Mississippi, Wright, and Young—16. So the amendment was agreed to.

The amendments were then ordered to be engrossed.

A number of private bills from the house, were taken up, read a third time, and passed.

The senate then adjourned.

March 1. After the passage of several bills, the chair submitted the following communication from the postmaster general, which was read, and is as follows:

Post office department, Feb. 27, 1839.

Sir: Just as my messenger was about to start for the capital with several communications, including my reply to the resolution of the senate, adopted on the 12th inst., I received their resolution of this day, asking you the information then called for has not been communicated.

In reply, I have the honor to state, that the only reason I have to give why it has not been before communicated, is, that it was not ready.

Very respectfully, your obedient servant,
Amos KENDALL.
Hon. R. M. Johnson,
Vice president and president of the senate.

Mr. Sevier moved that the communication be sent to the president of the United States, with a request that he would dismit that officer; whereupon, quite an animated discussion took place, in which Messrs. Tallmadge, Sevier, Foster, Walker, Crittenden, Buchanan, Webster, and Rives were named the disrespectful and insulting character of the letter, and Messrs. Niles, Allen, Benton, and Smith, of Connecticut, defended or palliated the letter of the postmaster general. The resolution was finally so modified as to read as follows:

Resolved, That the letter of the postmaster general to the president of the senate, stating that "the only reason why he had not sent an answer to a previous resolution was because it was not ready," is considered by the senate as disrespectful to this body.

Resolved, That said letter with the resolution to which it purports to be an answer, be laid before the president of the United States for such action as he may deem proper.

The question being divided, the vote was taken on the first resolution, which was adopted, as follows:

YEAS—Messrs. Bayard, Brown, Buchanan, Calhoun, Clay, of Alabama, Clay, of Kentucky, Clayton, Crittenden, Cuthbert, Davis, Foster, Fulton, King, Knight, Linn, McKean, Merrick, Morris, Mouton, Nicholas, Norvell, Prentiss, Preston, Rives, Robinson, Sevier, Smith, of Indiana, Southard, Swift, Tallmadge, Walker, Wall, Webster, White, Williams, of Maine, Williams, of Mississippi—33.

NAYS—Messrs. Allen, Benton, Hubbard, Niles, Pierce, Smith, of Connecticut, Wright, Young—3.

The vote on the second resolution was as follows:

YEAS—Messrs. Bayard, Calhoun, Clay, of Alabama, Clay, of Kentucky, Clayton, Crittenden, Cuthbert, Davis, Foster, Fulton, King, Knight, McKean, Merrick, Mouton, Nicholas, Norvell, Prentiss, Preston, Rives, Roane, Robbins, Robinson, Sevier, Smith, of Indiana, Southard, Swift, Tallmadge, Walker, Webster, White—31.

NAYS—Messrs. Allen, Benton, Brown, Buchanan, Hubbard, Linn, Morris, Niles, Pierce, Smith, of Connecticut, Wall, Williams, of Maine, Williams, of Mississippi, Wright, Young—15.

The senate then took up the resolutions from the committee on foreign relations, as published above.

Mr. Buchanan said the resolutions had already been so much discussed, that he should now offer no further explanation of them, though he would be glad to reply to any questions that might be suggested.

A considerable debate [to be given hereafter] ensued in the course of the proceedings on these resolutions, in which Messrs. Buchanan, Williams, of Maine, Clay, of Kentucky, Norvell, Clay, of Alabama, Calhoun, Allen, Niles, Benton, Davis, Preston, Walker, Webster, Young, Linn, and Ruggles participated.

Mr. Williams, of Me., suggested various changes in the resolution (indistinctly heard,) and moved to strike out the whole of the 4th resolution, relating to the support of Maine by the government; which motion, after some debate, he withdrew.

On the suggestion of Mr. Norvell that it was the constitutional duty of the government to protect all the states in any and every case against invasion,

Mr. Clay, of Alabama, demanded that the question on the 4th resolution should be divided, so that the senate might vote, 1st, on the expression of a mere opinion that Maine ought to withdraw her troops from the disputed territory if New Brunswick should do so; and 2d, on the want of obligation on the government to sustain Maine in case she should not follow such an example of forbearance.

Mr. Williams, of Maine, moved to strike out the last clause of the fourth resolution, which related to this hypothetical want of obligation on the general government to sustain Maine, and demanded the yeas and nays on this question, which were ordered.

Mr. Norvell suggested the substitute for this last clause of the fourth resolution, the declaration that Maine should have the ultimate adjustment of her grievances to the government of the United States, to which it rightfully and constitutionally belonged.

The vote was taken on the motion of Mr. Williams to strike out the last clause of the fourth resolution, and it was decided in the negative by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Clay, of Ala., Davis, Foster, Hubbard, Knight, Lyon, Norvell, Pierce, Ruggles, Smith, of Connecticut, Walker, Webster, White, Williams, of Maine, Williams, of Mississippi, Young—18.

NAYS—Messrs. Bayard, Brown, Buchanan, Calhoun, Clay, of Kentucky, Clayton, Crittenden, Fulton, King, Linn, Merrick, Morris, Mouton, Nicholas, Niles, Prentiss, Preston, Rives, Roane, Robinson, Sevier, Smith, of Ind., Southard, Swift, Tallmadge, Wright—25.

Mr. Webster now moved to strike out the last clause of the fourth resolution, as above, and insert

the substitute of Mr. Young, declaring that Maine "should leave the ultimate adjustment of her grievances to the government of the United States, to which it rightfully and constitutionally belonged."

On the suggestion of Mr. Norvell, Mr. W. so modified his amendment as to strike out "the adjustment of her grievances," and insert the *vindication of her rights*.

This modified, the amendment, after some debate, was agreed to by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Clay, of Alabama, Clayton, Crittenden, Cuthbert, Davis, Foster, Hubbard, Knight, Lyon, Nicholas, Niles, Norvell, Pierce, Prentiss, Ruggles, Smith, of Connecticut, Walker, Webster, White, Williams, of Maine, Williams, of Mississippi, Young—24.

NAYS—Messrs. Bayard, Brown, Buchanan, Calhoun, Clay, of Kentucky, Clayton, King, Linn, Merrick, Morris, Mouton, Nicholas, Niles, Norvell, Pierce, Preston, Rives, Roane, Robinson, Sevier, Smith, of Indiana, Southard, Swift, Tallmadge, Wright—21.

The three first resolutions of the committee on foreign relations on this subject were taken together, and agreed to by yeas and nays, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Brown, Buchanan, Calhoun, Clay, of Ala., Clay, of Kentucky, Clayton, Crittenden, Cuthbert, Davis, Foster, Fulton, Hubbard, King, Knight, Linn, Lyon, Merrick, Morris, Mouton, Nicholas, Niles, Norvell, Pierce, Prentiss, Preston, Rives, Roane, Robinson, Sevier, Smith, of Connecticut, Smith, of Indiana, Southard, Swift, Tallmadge, Walker, Webster, White, Williams, of Maine, Williams, of Mississippi, Wright, Young—14.

NAYS—Mr. Young—1.

The fourth resolution, modified as above, was unanimously agreed to, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Brown, Buchanan, Calhoun, Clay, of Ala., Clay, of Kentucky, Clayton, Crittenden, Cuthbert, Davis, Foster, Fulton, Hubbard, King, Knight, Linn, Lyon, Merrick, Morris, Mouton, Nicholas, Niles, Norvell, Pierce, Prentiss, Preston, Rives, Roane, Robinson, Ruggles, Sevier, Smith, of Connecticut, Smith, of Indiana, Southard, Swift, Tallmadge, Walker, Webster, White, Williams, of Maine, Williams, of Mississippi, Wright, Young—45.

Mr. Ruggles offered as a fifth resolution a declaration that the great and unaccountable procrastination in settling this question was a cause of much regret, and that this government owed it to the United States and to Maine to require its immediate adjustment.

Mr. Davis offered as a substitute for this the declaration that the treaty of 1783 pointed out distinctly where this boundary lay, which boundary it clearly designated, or designated nothing; and that the question upon it could not remain unsettled without endangering the peace of the country.

At the request of Mr. Buchanan, and others, Mr. Davis consented to insert "long" before "unsettled." Mr. Linn said he would like something more pointed.

Mr. Preston said he did not see the necessity of this resolution, after the decisive proceedings of this evening.

On the call of Mr. Niles, the resolutions of congress at the last session on this subject were read, and appeared so strong and decisive (calling for an immediate adjustment of the question) that Mr. Davis withdrew his proposition, as not likely to give any additional force to the injunction.

March 2. The senate having taken up the bill from the house making appropriations for the civil and diplomatic expenses of the government for 1839, and Mr. Benton having moved to strike out the appropriation of \$5,602 to pay Clarke & Force in part for their documentary history of the United States, published under a law of congress—

Mr. Benton spoke at much length in opposition to the appropriation, declaring that he would rather the bill should be lost than that this appropriation should be made. Mr. Southard spoke in reply, insisting that this sum was due to a contract which was a law of the land; and that congress, before withholding appropriations, ought to declare that contract null and void, which no one dared to propose in direct terms, or else they ought to make a compromise, and allow Clarke & Force suitable damages. After a few remarks by Mr. Benton, mostly inaudible to the reporter, Mr. Calhoun said he should be happy to vote for this appropriation, but a sense of duty would not allow him to vote in favor of giving books to members of congress. He agreed, however, if Clarke & Force should suffer damage on account of a failure in congress to fulfil a contract, they ought to be remunerated.

On the call of Mr. Foster, the question was divided so as to ascertain, first, whether the senate would make such appropriations; and second, whether the books should be distributed as provided for by the bill.

The former of these questions was decided in the negative, thus striking out the appropriation of \$5,602, by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Brown, Calhoun, Clay, of Alabama, Fulton, Hubbard, Linn, Mouton, Nicholas, Niles, Norvell, Pierce, Roane, Robinson, Sevier, Smith, of Conn., Walker, Williams, of Miss., Wright—20.

NAYS—Messrs. Bayard, Clay, of Kentucky, Clayton, Davis, Foster, Knight, Merrick, Robbins, Smith, of Ind., Southard, Swift, Tallmadge, Webster—13.

The other question, on the distribution of the books, was now generally regarded as falling, of course, by the negative on the first question; but some of the opponents of the appropriation insisting that the vote should be taken, the question of distribution (without payment) was negated by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Brown, Calhoun, Clay, of Alabama, Clay, of Kentucky, Clayton, Foster, Fulton, Hubbard, King, Knight, Merrick, Mouton, Niles, Norvell, Pierce, Roane, Robinson, Sevier, Smith, of Conn., Smith, of Indiana, Swift, Walker, Wall, White, Williams, of Maine, Williams, of Mississippi, Wright—29.

NAYS—Messrs. Davis, Southard, Webster—3.

The senate also voted to strike out that provision of the bill which required the public printing for the executive departments to be let out on proposals, and executed by the lowest bidder; and having made some other minor amendments—

The bill, so amended, was ordered to a third reading, and, by consent, read a third time and passed.

This bill was subsequently returned from the house, with the information that the house concurred in the two above principal amendments made by the senate.

On motion of Mr. Wright, from the committee, the senate voted to insist on striking out the provision of the other house for letting out the public printing of the executive departments to the lowest bidder.

Mr. Wright also moved that the senate recede from their amendment, striking out the \$5,602 appropriation for Clarke & Force. This motion was agreed to by yeas 23, nays 6.

Mr. Wright, from the committee, moved that the senate insist on their refusal to authorize the distribution of these books as provided for by the bill. Mr. Webster hoped the senate would do no anything in that way.

The senate determined to insist on their refusal to authorize the distribution, by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Davis, Foster, Fulton, Hubbard, King, Lyon, Mouton, Nicholas, Niles, Norvell, Pierce, Robinson, Sevier, Smith, of Indiana, Walker, White, Williams, of Me., Williams, of Miss., Wright—23.

NAYS—Messrs. Davis, Ruggles, Southard, Swift, Tallmadge, Webster, Young—7.

The senate proceeded to consider the bill from the house for the protection of the northern and northwestern frontier.

Mr. Benton, from the military committee, reported various amendments to the bill, making an aggregate of \$1,240,000, viz. \$740,000 for fortifications much advanced, and \$500,000 for others not much advanced.

Mr. Ruggles moved to increase the appropriation for fortifications in Maine, from \$100,000 to \$200,000.

This motion was briefly advocated by Messrs. Williams, of Maine, and Ruggles, and opposed by Messrs. Wright and Clay, of Ala., and negated without a division.

The appropriation of \$100,000 for Maine fortifications, was also negated by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Calhbert, Davis, Foster, Fulton, Knight, Linn, Lyon, Norvell, Pierce, Ruggles, Smith, of Connecticut, Tallmadge, Walker, Wall, Webster, Williams, of Maine, Young—19.

NAYS—Messrs. Bayard, Buchanan, Calhoun, Clay, of Alabama, Clayton, Hubbard, King, McKean, Merrick, Nicholas, Niles, Penning, Rives, Roane, Robinson, Sevier, Smith, of Ind., Southard, Swift, White, Williams of Mr. Wright—22.

The appropriation of \$80,000 for the western frontier, was briefly advocated by Mr. Fulton and Mr. Benton, and opposed by Mr. Calhoun, and it was carried in the affirmative by yeas and nays, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Clay, of Alabama, Clayton, Foster, Fulton, Linn, Lyon, Norvell, Robinson, Ruggles, Sevier, Smith, of Indiana, Tallmadge, Walker, White, Williams, of Me., Williams, of Mr. Young—20.

NAYS—Messrs. Buchanan, Calhoun, Hubbard, King, McKean, Merrick, Nicholas, Niles, Pierce, Prentiss, Rane, Robbins, Smith, of Conn., Southard, Swift, Wall, Wright—17.

The appropriations of \$740,000 for fortifications and other military defenses on the Atlantic and Gulf coast, were now taken up, and advocated by Mr. Benton and Mr. Davis, who stated that there was recently not a gun at Boston in a condition to

fire a salute, which he supposed was generally the case; and opposed by Mr. *Calhoun*, who said there was always ready money by hundreds when he was connected with the department; and if the millions recently appropriated had been thus wasted, this pittance would do nothing; and then this whole appropriation was negatived by yeas and nays, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Clay, of Ala., Davis, Fulton, Knight, Nicholas, Robbins, Ruggles, Walker, Wall, Webster, Williams of Maine—11.
NAYS—Messrs. Buchanan, Calhoun, Clay, of Ky., Crittenden, Chambers, Foster, Hubbard, Lyon, Merrick, Niles, Norvell, Pierce, Prentiss, Preston, Roane, Sevier, Smith, of Conn., Smith, of Va., Swift, White, Williams, of Mr. Wright, Young—23.

The bill, as amended, was now reported to the senate, and after a brief conversation the appropriation of \$30,000 for the western frontier, made in committee, was non-concurred in, or lost, in senate, by yeas and nays, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Fulton, Lyon, Norvell, Pierce, Prentiss, Preston, Roane, Webster, White, Williams of Maine—13.

NAYS—Messrs. Buchanan, Calhoun, Davis, Hubbard, King, Knight, Merrick, Nicholas, Niles, Pierce, Prentiss, Preston, Roane, Smith, of Conn., Southard, Swift, Wall, Wright—13.

The bill, as amended, was ordered to a third reading, and by consent read a third time and passed. The bill giving to the president of the United States additional powers for the defence of the United States in certain cases against invasion, and for other purposes, was received from the other house, the 16th joint rule in the way of its reception was suspended, and the senate proceeded forthwith to consider the bill.

A very animated and earnest debate followed, (to be given hereafter,) in which Messrs. *Buchanan*, *Talman*, *Williams* of Maine, *Merrick* and *Hall*, spoke in favor of the immediate passage of the bill as it was, and Mr. *Southard* in favor of some little delay, or at least of modifying it so far as to strike out the provision for 50,000 volunteers. Mr. *Southard* accordingly moved that the bill be referred to the committee on foreign affairs, to whom, so far as this subject had been entrusted; which motion was promptly and strongly negatived.

Mr. S. after some remarks, moved to strike out the contingent provision for 50,000 volunteers, which motion was forthwith decided in the negative, as follows:

YEA—Mr. Southard—1.

NAYS—Messrs. Allen, Bayard, Benton, Buchanan, Calhoun, Clay, of Alabama, Davis, Foster, Fulton, Hubbard, King, Lyon, Merrick, Mouton, Nicholas, Niles, Norvell, Pierce, Prentiss, Preston, Roane, Robbins, Robinson, Ruggles, Sevier, Smith, of Conn., Smith, of Indiana, Swift, Tallmadge, Walker, Wall, Webster, White, Williams, of Me., Williams, of Miss., Wright, Young—33.

The bill was then ordered to a third reading by a unanimous vote, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Buchanan, Calhoun, Clay, of Alabama, Crittenden, Davis, Foster, Fulton, Hubbard, King, Knight, Linn, Lyon, Merrick, Mouton, Nicholas, Niles, Norvell, Pierce, Prentiss, Preston, Roane, Robbins, Robinson, Ruggles, Sevier, Smith, of Connecticut, Smith, of Indiana, Southard, Swift, Tallmadge, Walker, Wall, Webster, White, Williams, of Maine, Williams, of Mississippi, Wright, Young—41.

And, by unanimous consent, the bill was forthwith read a third time and passed.

On Sunday—

Mr. *Ruggles* asked leave to withdraw the memorial of Thomas Jefferson Smith, presented by him a few days since, for the reason that he had discovered it to contain language derogatory and offensive towards W. A. Whitehead, another memorialist, on the same subject, whose memorial had been withdrawn for a similar reason by the senator from Michigan. He certainly would not have presented it had he been aware of the indecorous language it contained, to which his attention had since been called.

HOUSE OF REPRESENTATIVES.

Thursday, Feb. 28. The house met at 10 o'clock this morning, pursuant to its order of yesterday.

The unfinished business of the morning hour was the motion to print the report made yesterday by Mr. Hall, of Vermont, from the select committee appointed on the 24th of January to inquire into the character and amount of proof which is required by existing laws and regulations to establish claims on the United States for revolutionary services in the Virginia continental and state lines and navy, and whether any, and what, further legislative provisions be necessary in regard to the mode of adjusting and allowing claims for such services; and which report was adverse to further appropriations for the satisfaction of said warrants.

The pending question being on the motion to print, Mr. *Briggs*, from the said committee, now moved the printing of 5000 extra copies. And Mr. B. made some explanations in relation to the proceedings in the committee. Mr. *Mallory* also made a statement in relation to the organization of the committee, and the proceedings therein in relation to the report, and in opposition to the motion to print. Mr. *Hise* called for the reading of the report; and the clerk commenced the reading, which was not concluded when, the hour having elapsed, the house passed to the orders of the day.

On leave, Mr. *Thomas* offered the following resolution, which was adopted:

Resolved, That the committee of accounts be instructed to settle and certify the accounts of the members of the committee of investigation into the defalcations of Swatow and others, on the same principle as regulated the settlement of the accounts of the investigating committee of the late Bank of the U. States.

Mr. *De Graff*, at the request of Mr. *Morris*, of Pa., immediately moved a reconsideration of the vote by which the said resolution was agreed to.

The motion was considered at this time; and, after a few remarks from Mr. *Johnson*, of Va., in favor of the reconsideration, the question was taken, and the motion to reconsider was negatived, yeas 56, noes 57.

The bill making appropriations for the protection of the northern frontier of the United States, was ordered to a third reading, and then passed.

The house then took up the bill making appropriations for preventing and suppressing Indian hostilities in Florida for the year 1839—the question being on the final passage thereof. When Mr. *Belt* moved his amendment moved in committee, for paying the value of horses and equipage of the Tennessee and other volunteer troops who have been in service in the Florida war, &c. which amendment, having been modified, was agreed to. Mr. *Crane*, of Va., in favor of the amendment, moved by inserting the following:

“For refunding to the state of Georgia money expended for the pay and subsistence of the troops called into service by the executive of that state to repel the invasion of Indians in the neighborhood of the Oketonek swamp, the sum of \$45,323.”

The letter from the war department, read last evening, was again read.

After some explanations from Mr. *Mason*, of Ohio, Mr. *Petlin* demanded the previous question, which was seconded.

The main question was ordered to be put, (thus cutting off Mr. Grantland's amendment,) and the bill was ordered to a third reading, and was forthwith read a third time and passed.

Mr. *Cumbeleg* moved a suspension of the rule to enable him to offer the following resolution:

Resolved, (with the concurrence of the senate,) That the 16th joint rule of the two houses, which provides that no business shall be passed one hour shall be sent to the concurrence to the other either of the next two days of the session, is hereby suspended, so far as respects bills of the house of representatives of the following title: A bill making appropriation for preventing and suppressing Indian hostilities for the year 1839; and a bill making appropriation for the protection of the northern frontier.

The yeas and nays were called, but not ordered; and the question having been taken, the rules were suspended. Mr. *Adams* urged that the suspension be made general. Various motions were made to include other bills. Mr. *R. Garland* moved to include the bill providing for taking the next census. Mr. *Cumbeleg* accepted this as a modification. Mr. *Williams* moved to amend the resolution so as to make the suspension general. Mr. *Randolph* inquired whether the effect of the amendment would not be to compel the house to sit all day on Sunday? The *Speaker* was understood to reply in the affirmative.

Mr. *R.* said he should then object, and asked the yeas and nays on the adoption of the amendment. The yeas were ordered, to the whole scheme, and inquired of the chair whether the suspension would not require a vote of two-thirds. The *Speaker* said the house had decided that the two-thirds principle applied to its own rules, and not to the rules of the senate. Mr. *Pickens* proceeded to say that there would be a contest of mere physical strength as to what bills should be passed; when the *Speaker* intimated to Mr. *P.* that the question was not debatable. Mr. *Shields* protested against the amendment of Mr. *Williams*, and demanded the previous question, which was seconded.

The main question was ordered, and taken, and the resolution was adopted.

Mr. *Howard*, from the committee on foreign relations, on leave, reported a bill, accompanied by a report, giving additional powers to the president for the defence of the United States, the proceedings on which were stated in the last “REGISTER.”

[For the bill, see page 16; the report, page 24. The debate at length on this question, shall have a place hereafter.]

EVENING SESSION.

Mr. *Thomas* having moved a resolution for the compensation of the investigating committee in a manner corresponding to preceding practice on that subject; which was agreed to—

Mr. *Morris*, from the committee of accounts, made a statement in excuspation of that committee for having refused to allow a certain account presented to them by the chairman of the investigating committee.

The committee then resumed the consideration of the bill for taking the next census. Mr. *Loomis*, of New York, moved an amendment proposing to add certain items to the returns of the marshals relating to the ages of unmarried persons. It excited no little merriment in the committee, and was rejected. The bill was further amended, and finally ordered to be engrossed for a third reading.

During the discussion Mr. *Hise* made explanations in reply to certain statements of Mr. *Morris*, and in defence of the investigating committee.]

On motion of Mr. *Grant*, the house then went into committee of the whole on the state of the union, (Mr. *Briggs*, of Massachusetts, in the chair,) and took up the bill for the continuance of the Cumberland road through the states of Indiana, Illinois, and Missouri—yeas 70, noes 55. The bill having been read, Mr. *McKenna* offered an amendment appropriating \$20,000 for the erection of guard fences on that portion of the road lying east of the Ohio, and \$500 for widening a certain turn in the road on the side of Laurel Hill. The amendment was rejected. Mr. *W. Cost Johnson* moved to appropriate \$50,000 for the extension of the road from the Montgomery to Rockville, in Maryland. This also was rejected. Mr. *Robertson* of Virginia, moved to strike out the enacting clause of the bill. It was negatived—yeas 54, noes 70. Mr. *Yell* moved to amend the bill by appropriating \$65,000 for a road from Memphis to Little Rock, in Arkansas. Mr. *Elmore* moved to amend the bill by striking out the clause which provides that the cost of the road be reimbursed out of the two per cent. fund. On this motion a highly animated debate arose, in which Messrs. *Elmore*, *Mason* of Ohio, *Thompson*, *Thomas*, *Dawson*, *Robertson*, *Garland* of Louisiana, and *Herold* participated; when, at about 10 o'clock, the committee rose (yeas 63, noes 60) and reported progress.

The census bill was read a third time by its title, and passed. When the house, on motion of Mr. *Elmore*, adjourned.

Friday, March 1. The following senate resolution and bills were reported upon by Mr. Boudin, and all passed, viz:

Joint resolution authorizing the opening of an alley and the execution of certain deeds in the city of Washington; the bill to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge; and the bill to incorporate the Georgetown college in the District of Columbia.

Mr. *Ewing* endeavored to get up the Cumberland road bill; Mr. *Graves*, to obtain the consideration of a resolution moved by him concerning the accounts of C. J. Ingersoll (late U. S. attorney in Pennsylvania) with the United States; Mr. *Mercer*, to have leave given to committees to report. All these motions were overruled, two-thirds of the votes being requisite to their success.

The following executive communications were received and laid on the table, viz:

A message from the president of the United States, in obedience to a resolution of the house of the 18th January last, calling for a copy of a despatch from Mr. *Stevenson*, our minister at London, on the subject of the tobacco trade.

A communication from the treasurer of the United States, transmitting copies of his accounts settled by the accounting officers of the treasury, for the third and fourth quarters of 1837, and first and second quarters of 1838.

A letter from the secretary of war, in obedience to a resolution of the house of representatives of the 19th ultimo, calling for a statement of the proceedings of his department in the execution of the first and second provisions of the fourth article of the treaty of the 1st November, 1837, with the Winnebago Indians.

A letter from the secretary of war, transmitting a report of the commissioner of Indian affairs, and one of the second auditor of the treasury, in answer to the resolution of the 16th ultimo, calling for information in reference to the treaty with the Pottawatamie Indians, of the 25th, 26th, and 27th October, 1822.

A letter from the secretary of war, transmitting reports from the commissioner of Indian affairs and second auditor, in reply to a resolution of the house of representatives of the 28th January last, in relation to the execution of the treaties of 1832 and

1834, with the Chickasaw Indians, and the treaty of 1830 with the Choctaws.

A communication from the secretary of the treasury, in compliance, as far as practicable, with the resolution of the house of the 31st December last, in relation to the condition of the banks in Wisconsin.

The house then resolved itself into committee of the whole on the state of the union, (Mr. Lincoln, of Massachusetts, in the chair,) on the bill reported by the committee on foreign relations, in connexion with their report upon the subject of the existing difficulties in relation to the northeastern boundary.

The bill having been read, Mr. W. Thompson expressed the hope that, in a view to give more solemnity to this proceeding, the question on the bill should be taken without debate, and by a vote as nearly unanimous as possible.

This suggestion not being acceded to, a long debate followed, which was participated in by Messrs. Howard, Kennedy, Biddle, and Evans; and, incidentally, by Messrs. Pickens, Elmore, Robertson, Tilghast, Mercer, Menefee, Craig, Adams, and Naylor.

Mr. Evans (who spoke in reply to Mr. Biddle,) had not concluded his remarks, when, the hour of 3 having arrived, the house took a recess.

EVENING SESSION.

Mr. Evans resumed his speech and continued to occupy the floor for a considerable time, when he was succeeded by Mr. Fishmore, who urged some provision for the defence of the lakes, and laid on the table an amendment empowering the president to arm and equip as many steamboats as he might deem proper for that end. Mr. Menefee next took the floor, and warmly advocated the necessity of vindicating the national honor. Mr. Saltonstall opposed the bill as premature, and read extensively from the documents to show that Great Britain had no right to claim the existence of any understanding between the two governments for her exclusive possession of the disputed territory, yet the course of our government had been such as to encourage such an idea; and therefore, we ought to give time for explanation. He charged Maine with rashness and indiscretion in the movement which she had made.

Mr. Legare defended the bill, denied it was a war measure, but insisted that its tendency was to peace. He examined the question of right, and vindicated the stand taken by the state of Maine. Mr. Pickens replied to the remarks of Mr. Menefee, and said that national interest ought to be looked at as well as national honor. He deprecated war, and thought peace might be preserved; but was prepared to go any length when war was inevitable. He opposed the second section of the bill, which empowers the president to raise 20 new regiments, &c. Mr. Naylor insisted that it would be an empty bravado to pass the rest of the bill, and not the second section, which gave vitality and force to the whole. He concluded that the country must do something in the case, and supported the bill as fit and necessary. Mr. Prentiss replied to some of the remarks of Mr. Pickens, and treated in ridicule the idea of looking at interest when honor was at stake. He went into an examination of the several parts of the bill—opposed the second section, and wished the residue better guarded, and the discretion of the president more restricted. Mr. Hoffman went into an explanation of the reasons why, although a representative of a great commercial emporium, which must be most sensibly injured by war, should it come, he gave his support to the bill. He then went into a brief examination of the existing difficulty, and insisted on the necessity of supporting the national rights and character at every sacrifice. Mr. Thompson followed in a similar course of remark, commenting with great severity on the injustice and arrogance of the British claims, and the course of the provincial government on this occasion, and pledged his constituents and himself to the whole extent of their means to stand by the government.

Mr. W. Cost Johnson moved the substance of the foandry bill to be inserted as an amendment.

Mr. Wise treated the whole debate as a matter of amusement. Those who talked so much seldom were great doers. The whole danger, as he understood, was like to pass away; but, if not, he opposed giving to any president powers so large as those in the bill. He offered, by way of substitute, the resolutions moved in the senate by Mr. Buchanan, and then moved that the committee rise; but consented to withdraw the motion under a pledge that it should be renewed.

Mr. Evans stated that information had been received through the papers by the evening mail, that a special messenger had passed through Augusta, Maine, with despatches from Sir John Harvey for the British minister here, the contents unknown; but generally understood and believed to be expressive of his determination to take no further step until the reception of the minister's reply. It was not

certainly true, though he was strongly inclined to believe that it was.

He then went into a course of very severe animadversion on the speech of Mr. Saltonstall, particularly as coming from a member from Massachusetts, who had been the first to resist British aggression; and, as a contrast to the positions of that gentleman, read a series of resolutions, just received, from the legislature of Massachusetts, fully supporting Maine in all she had done, and proffering for her aid the loan of a million of dollars. He further stated that an agent of Massachusetts had accompanied the agent of Maine in the late transactions, and had concurred fully in all that was done; that the party who went to support the sheriff, though they had arms with them to resist, if need be, an armed body of trespassers which they understood to be collected in a considerable force within the territory, had taken care to carry them boxed up, and had determined not to open the boxes until the actual necessity arrived of a forcible conflict. It was not a military expedition, but strictly a civil one to enforce the execution of a writ. As to the secret session of the legislature, it had been secret to conceal the movement, not from the general government here, or the provincial government beyond our lines, but from the trespassers, whom it was desirable to seize before they could make good their retreat.

After some general remarks on the necessity, whether the pacific intelligence were true or false, of still passing the bill, Mr. E., according to his pledge, moved the rising of the committee, but hoped the motion would not prevail.

[It was now midnight.]

The question being put, it was carried, and thereupon the committee rose and reported progress.

On motion of Mr. Howard, it was ordered that the consideration of this bill be the special order for to-morrow at 11 o'clock, to take precedence of all other business.

Mr. Pelrick moved a reconsideration of the vote on a bill for the benefit of the Georgetown college, but did not press it.

Mr. Wise obtained the printing of his substitute for the military preparation bill; which was as follows:

Resolved by the senate and house of representatives of the United States of America in congress assembled, That congress can discover no trace, throughout the long correspondence which has been submitted to them, between the governments of Great Britain and the United States, of any understanding, express or implied, much less of any "explicit agreement," such as is now alleged, that the territory in dispute between them on the northeastern boundary of the latter shall be placed and remain under the exclusive jurisdiction of her Britannic majesty's government until the settlement of the question; on the contrary, it appears that there was and is a clear subsisting understanding between the parties, under which they have both acted, that, until this question shall be finally determined, each of them shall refrain from the exercise of jurisdiction over any portion of the disputed territory, except such parts of it which have been in the actual possession of one or the other party.

That whilst the United States are bound, in good faith, to comply with this understanding, during the pendency of negotiations, congress cannot perceive that the state of Maine has violated the spirit of it by merely sending, under the authority of the legislature, her land agents, with a sufficient force, into the disputed territory, for the sole purpose of expelling lawless trespassers engaged in injuring its value by cutting down the timber; both parties having a common duty, and being bound by a common duty, to expel such intruders from a territory to which each claims title, taking care, however, to retire within the acknowledged limits which have been mutually acknowledged.

That should her Britannic majesty's government, in violation of the clear understanding between the parties, persist in carrying its avowed determination into execution, and attempt, by military force, to assume exclusive jurisdiction over the disputed territory, all which they fairly hold, it rightfully belongs to the state of Maine, the exigency, in the opinion of congress, will then have occurred, rendering it the imperative duty of the president, under the constitution and the laws, to call forth the militia, and employ the military force of the United States, for the purpose of repelling such an aggression, the state of Maine, congress will cordially co-operate with and sustain the president in defending the rights of the country.

That should the British authorities refrain from attempting a military occupation of the territory in dispute, and from enforcing their claim to exclusive jurisdiction over it by arms, or, on the other hand, should the state of Maine, on her part, to pursue a course of similar forbearance, and leave the ultimate vindication of her rights to the general government of the United States, to which it rightfully and constitutionally belongs.

That the president of the United States should, in the exigency of war with Great Britain, immediately convene congress of the United States.

That the sum of eighteen thousand dollars be, and the same is hereby, appropriated, out of any money in the

treasury not otherwise appropriated, for outfit and salary of a special minister to Great Britain; Provided, the president of the United States shall deem it expedient to appoint the same.

The house took up sundry bills on the speaker's table, which had come back from the senate with amendments.

The amendments to the bill for the relief of Joseph M. Hernandez were concurred in, and the bill passed.

The senate's amendment to the bill for the erection of a new jail in Washington, requiring the addition of \$1,000 to the appropriation by the house of \$30,000 for the erection of that building. The bill was referred to a committee of the whole on the state of the union.

The house bill for the support of the army, with sundry amendments from the senate, was referred in like manner.

The senate's amendment to the bill for the relief of the Springfield Manufacturing Company, having been read,

Mr. Calhoun, of Massachusetts, moved that the said amendment be non-concurred in.

Various attempts were made to get a quorum on this motion, and several motions for adjournment were made, the last of which succeeded: ayes 73, noes 59; and so

The house adjourned at half past 12 o'clock.

Saturday, March 2. On motion of Mr. Noyes, ordered that three additional members be appointed on the committee on enrolled bills.

The unfinished business of the morning hour was the report of the select committee on the subject of the Virginia land claims. Mr. Cobb moved to suspend the rule for the purpose of receiving reports of committees, and of taking up and disposing of bills on the speaker's table; on which motion there appeared ayes 35, noes 37. (No quorum.) Mr. Molloy moved a call of the house; which was ordered. And the roll having been called, 91 members answered to their names. And the names of the absentees having been called, there appeared 114 answering to their names.

Some other members having appeared, and it having been ascertained that a quorum was present, on motion of Mr. Hopkins, all further proceedings on the call were dispensed with. Mr. Hopkins then withdrew his motion to suspend the rule for the purpose above mentioned, but moved to suspend the rule for the purpose of introducing a resolution providing for the pay of messengers for extra services; which motion was rejected. Mr. Mercer moved a suspension of the rule until half-past eleven, for the purpose of receiving reports of committees, and disposing of the business on the table; which motion was agreed to. Sundry reports were made. Among the reports was one by Mr. Howard, from the committee on foreign relations, on the subject of our relations with Mexico. Mr. Howard said that the report concluded with certain resolutions which, in consequence of the want of time, he would not ask the house to act upon. The reports and resolutions were laid on the table, and ordered to be printed. [For the report and resolutions see page 25.] Some other business having intervened, Mr. Biddle rose and made inquiry whether the above report included a certain petition heretofore presented by himself, from New Orleans? Mr. Howard replied affirmatively. Mr. Biddle complained that the report was made in such an obscure way as not to attract attention. Mr. Howard said that the report had not been made in an obscure way, but as usual. The noise, however, was so great that scarcely a word could be heard of any thing that passed. Mr. Biddle said he did not speak with a view to impugn the sense of the chairman of the committee on foreign affairs, but simply in justification of himself for not noticing the report when it was made.

A number of intellectual motions were made to suspend the rule for the purpose of proceeding to the consideration of particular bills, &c. On motion of Mr. Thomas, the senate bill in relation to the courts of New Orleans was taken up, read twice, and committed. Mr. Graves asked the house to take up the resolution of inquiry in relation to Charles J. Ingersoll, late district attorney at Philadelphia. Objection was made. Mr. G. moved a suspension of the rule; which motion was agreed to.

Mr. Keim stated it to be the desire of Mr. Ingersoll that the resolution should pass. Mr. K. was authorized so to state. Mr. Graves asked leave to consider another resolution heretofore offered by him; which was objected to. The resolution was agreed to. And the house then passed to the special order of the day.

The house then again resolved itself into committee of the whole on the state of the union on the bill reported by the committee on foreign relations

in connection with the existing difficulties in relation to the northeastern boundary. Mr. Cushing was entitled to the floor, but yielded to Mr. Saltonstall for the purpose of explanation. Mr. Saltonstall expressed his fears that, from severe cold, he should be unable to make himself heard. Mr. S. then proceeded to make an explanation in relation to the course of argument adopted by him yesterday, and which had been misapprehended. After Mr. S. had concluded, Mr. Cushing took the floor. Mr. Cambreleng inquired if the gentleman would yield the floor to allow him to make a statement. Mr. Cushing said he would, if the gentleman would be brief.

Mr. Cambreleng then said he perceived that members were preparing to leave the city, and he would give notice that the three most important appropriation bills—the army, the navy, and the civil and diplomatic appropriation bills—were still pending between the two houses with some amendments. If these bills were not acted on this evening, it might be necessary to sit to-morrow. Mr. C. hoped that the house would not be driven to this necessity, and that the discussion now going on might be terminated. In any event, he hoped gentlemen would not leave the city until these bills were passed. Mr. Wise inquired of the chairman of the committee of ways and means whether it was his intention to bring up the sub-treasury bill. Mr. Cambreleng said the gentleman knew that it could not be called up. Mr. Cushing. The gentleman might as well attempt to raise a dead man to life. The debate was then resumed; and the committee was addressed by Messrs. Cushing, Briggs, (in explanation) Cray, Adams, Bell and Everett.

Mr. Smith took the floor, but the hour of three having arrived, the house took a recess until half past four o'clock.

EVENING SITTING.

Mr. Evans addressed the house for a short time in explanation of a portion of his remarks, made on Friday evening, which he admitted to have been so severe on an honorable gentleman, (Mr. Saltonstall), for whom he cherished the highest possible personal respect. He then proceeded to express his entire conviction of the rectitude of that gentleman's motives, and acquitted him of the remotest purpose of strengthening the hands of a foreign power against the interests of his own country and state.

Mr. Adams made a similar explanation in regard to Mr. Biddle, on whom he pronounced a short but beautiful eulogium. He insisted on his own right to combat the arguments of any other member with all the force in his power, and protested against its being interpreted as the slightest reflection against such members; and the strenuousness with which he had resisted the speech of Mr. B. was but a proof in how high a degree he appreciated the talents of that gentleman, and their effect upon the house.

The question being on a motion of Mr. W. C. Johnson to amend the bill by inserting a provision for the purchase of a site for a foundry of cannon,

Mr. J. supported the motion in a short speech, and then, at the request of Mr. Robertson, modified his motion so as to require that the piece of ground purchased should not be less than 50 nor over 100 acres.

The question being then taken, the amendment was negatived.

Mr. Wise moved to amend the bill by striking out all after the enacting clause, and inserting the following as a substitute:

That the sum of five million of dollars is hereby appropriated and placed at the disposal of the president to employ in any manner which he may deem proper to the employment of the naval and military forces of the United States, and such portion of the militia as he may deem necessary to be called into service, to repress or prevent any actual invasion of the territory of the United States by any foreign power, at any time before Congress can be convened to act upon the subject; to provide for which, the secretary of the treasury is authorized to borrow money on the credit of the United States, and to cause to be issued certificates of stock, signed by the register of the treasury, for the sum to be

borrowed, or any part thereof; and the same to be sold upon the best terms that may be offered after public notice for proposals for the same: provided, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed after the expiration of five years from the first of January next; and that the rate annually shall not exceed five per cent, payable semi-annually.

And be it further enacted, That the sum of eighteen thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for outfit and salary of a special minister to Great Britain; provided, That the president of the United States shall deem it expedient to appoint the same.

Mr. W. expressed his hope that the committee would be brought to a unanimous vote in favor of this amendment. It went to avoid all the disputed questions on the bill, and reduced it in fact to a contingent appropriation of five millions of dollars. This was as far as he could go. The whole measure was, at last, but a menace; and, as such, it would, with such a power as Great Britain, operate rather as an obstacle to negotiation, than an auxiliary to its success. He was willing to vote a declaratory resolution like that he had offered; but he could not make the president a de jure judge of the expediency of peace or war, &c. He was willing to trust the present executive in a matter of that kind as far as he would any man, because he was not of a warlike disposition—but a chief magistrate might hereafter rise, and plead this act as a precedent. He believed the noise about war to be all humbug; but, if a war did ensue, he would not go as far as these resolutions went, but he would go further—he would ask president Van Buren for an office.

A voice. "What will it be?"

Mr. W. did not say; but observed that, if this substitute should not be agreed to, he would then move resolutions generally similar to those which had been submitted to the senate by a senator from Pennsylvania (Mr. Buchanan.)

The question being put, the amendment was negatived: ayes 73, noes 84.

Mr. Wise now moved to strike out the second section of the bill, and after the reading of a substitute for that section, which Mr. McKay desired of offering when in order, the question was taken on the motion of Mr. Wise's motion to strike out and decided in the affirmative: ayes 65, noes 78; so the second section of the bill was ordered to be stricken out.

Mr. McKay (chairman of the military committee) now moved to fill the blank occasioned by the above vote, by inserting the following:

Sec. 2. And be it further enacted, That the militia, when called into the service of the United States by virtue of this act, or of the act entitled "An act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, repel invasion, and to repeal the act now in force for those purposes in the order of the president of the United States the said interest require it, be compelled to serve for a term not exceeding six months after their arrival at the place of rendezvous, in any one year, unless sooner discharged.

Sec. 3. And be it further enacted, That in the event of actual invasion of the territory of the United States by any foreign power, or of imminent danger of such invasion discovered in his opinion to exist before Congress can be convened to act upon the subject, the president be, and he is hereby, authorized if he deem the same expedient, to accept the services of any number of volunteers, not exceeding fifty thousand, in the manner provided for in an act entitled "An act authorizing the president of the United States to accept the services of volunteers and to raise an additional regiment of dragoons or mounted riflemen," approved May 23, 1836.

A member moved to extend the term of militia service to twelve months, instead of six, but it was negatived. The question on Mr. McKay's amendment was then divided; a question put and so moved as to relate to the term of militia service, it was carried: ayes 105, noes not counted. The question being then put on the residue of the amendment, relating to volunteers—Mr. Wise opposed it as going, in substance, to re-enact the 2d section, which had just been stricken out. Mr. McKay denied this, and spoke a short time in vindication of the amendment. Mr. Briggs moved to amend the amendment by limiting the number of volunteers to 12,000. Rejected. The amendment was then agreed to: ayes 101. So the house adopted both branches of the amendment moved by Mr. McKay.

Mr. Wise offered an amendment limiting the operation of the bill to thirty days after the commencement of the next session of Congress; which was carried. Mr. Howard moved to fill the blank which related to the number of millions which the president was empowered to borrow to carry into effect the purposes of this act, by inserting "ten." Another member (not known by the reporter, in the

confusion which prevailed,) moved "twenty." Mr. Wise moved "five." The question being put first on the the highest number, "twenty," was negatived. And the blank was filled with the word "ten": ayes 95, no 84.

Mr. Fillmore moved the following amendment: "And to build, purchase, or charter, arm, equip, and man such vessels and steamboats on the northern lakes and rivers whose waters communicate with the United States and Great Britain, as he shall deem necessary to protect the United States from invasion from that quarter."

Mr. Bronson and Mr. Fillmore spoke warmly in support of the amendment, which was agreed to—ayes 107.

An amendment, empowering the president to arm all the fortifications, was moved by some member not ascertained by the reporter, and negatived.

Mr. McKay now moved to amend the bill by adding thereto the following:

Sec. 7. And be it further enacted, That in the event of either of the contingencies provided for in the 1st and 3d sections of this act; the president of the United States shall be authorized to apply a part, not exceeding \$1,000,000, of the appropriation made in this act, to repairing or arming fortifications along the seaboard and frontier.

And be it further enacted, That whenever militia or volunteers are called into the service of the United States, they shall have the organization of the army of the United States, and shall receive the same pay and allowances.

These sections were both agreed to.

Mr. Pratt offered an amendment for the construction of three steam frigates.

Mr. Pickens warmly remonstrated against such encumbering the bill with amendments, and declared, if it were presented against the bill so amended, he would vote against it. The amendment proposed by Mr. Pratt was rejected. Several other ineffectual attempts were made to amend the bill; when, on motion of Mr. Howard, the committee rose and reported the bill to the house.

In the house, the bill being taken up—

Mr. Howard proposed to concur in all the amendments reported by the committee of the whole; but a division of the question being insisted on, it was put on the several amendments *separatim*.

The question on concurring in the amendment striking out the second section of the bill (above recited) was taken by yeas and nays, as follows:

YEAS—Messrs. Adams, Alexander, Heman, Allen, J. W. Allen, Anderson, Arvon, Banks, Beers, Berne, Biddle, Briggs, William B. Calhoun, William B. Campbell, John Campbell, Carter, Chambers, Chaney, Chapman, Chesbain, Clark, Coles, Corwin, Crabb, Cranston, Crockett, Curtis, Darlington, Dawson, Daves, Daves, Deberry, Duncan, Edwards, Elmore, Everett, Ewing, Farrington, R. Fletcher, Fillmore, Fitch, Francis Garland, Abraham G. Gibbons, J. Graham, Grant, James Garland, George Griffin, Hanley, Hall, Halsted, Hammond, Hauser, Harlan, Hastings, Hawes, Hawkins, Hopkins, R. M. T. Hunter, Ingham, Jenifer, J. Johnson, William C. Johnson, J. W. Jones, Keitt, Kingensmith, Lewis, Lincoln, Logan, Looney, Lyons, Marshall, Marvin, J. M. Mason, Samuel Mason, McClure, Maxwell, McKay, Abraham McClinton, McClure, McLean, Meade, Mercer, Milligan, Mitchell, Montgomery, Celvay Morris, Murray, Noble, Ogles, Palmer, Pearce, Peck, Pennypacker, Pettikin, Pickens, Pope, Potts, Sergeant S. Prouss, P. nani, Rardin, Randolph, Reily, Rencher, Ridgway, Rumsey, Russell, Saltonstall, Sawyer, Shieler, Augustus H. Shepherd, Shields, Sigsbee, S. S. Smith, Stratton, Tappan, Taylor, Thomas, Thillingslat, Tius, Towns, Wagener, Webster, Albert S. White, John White, Whiteley, Willis Williams, Sherrod Williams, Jared W. Williams, Christopher H. Williams, Wemy, Word, Worthington, Yell, Yorkie—136.

NAYS—Messrs. Anderson, Beatty, Bicknell, Birdsell, Boulton, Brodhead, Bronson, Buchanan, Bynum, Caldwell, Chesley, Cray, Cushing, Cushman, De Graff, Denis, Drumgoode, Evans, Gallup, Gray, Harrison, Hoffman, Holt, Howard, W. H. Hunter, Thomas B. Jackson, Henry Johnson, N. Jones, Kemble, Kennedy, Legare, Leadbetter, Robert M. Clayton, Miller, Moore, Samuel W. Morris, Taylor, Noyes, Parke, Payne, Ferris, Payner, Fluimier, Pratt, Rives, Robinson, Sergeant, Shepler, Smith, Spencer, Taylor, Thompson, Toland, Touzey, Turney, Vail—56.

So the amendment was concurred in, and the second section of the bill stricken out.

The section extending militia service to six months was concurred in without a count.

That empowering the president to accept the services of 50,000 volunteers to repress or prevent any actual invasion of the territory of the United States, which was negatived—ayes 78, noes 10,000; which motion was negatived—ayes 78, noes 20,000.

[On this question, Mr. Williams, of N. C., demanded the yeas and nays; but the house refused to order them.]

The number standing at 50,000, the section was concurred in, yeas 153, nays 47.

[To be continued.]

* Editors of the National Intelligencer.
Washington, March 4, 1839.

GENTLEMEN: I note with regret an inaccuracy in the report of the debates of Saturday evening, which it becomes me, more than any other person, to correct. The complimentary remarks of Mr. Adams, there alluded to, however comprehensive they might be deemed, evidently sprung from an impulse which direction was neither given, nor exclusively, towards his own estimable and distinguished colleague, the hon. Mr. Saltonstall. Under any circumstances, I should be pained at such an error, but far more so when the peculiar position of Mr. S. rendered the tribute to him an act of bare justice.

Respectfully, your obedient servant,
R. BIDDLE.

NILES' NATIONAL REGISTER.

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WASHINGTON CITY, MARCH 16, 1839.

[VOL. LVI.—WHOLE No. 1,433.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The editor of the "REGISTER" has been absent from his post during the past week, which fact will account for any discrepancies which may be discovered in the present sheet.

PATENTS. The commissioner of the patent office has given notice that all assignments of patents, whether in whole or in part, will hereafter be recorded free of charge.

Mr. BENT has resigned his charge as editor of the "Republican Review and National Magazine." It will, however, be continued under the supervision of a committee of literary gentlemen of this city.

Dr. COOPER of Columbia, S. C., is not dead, as stated in some of the newspapers; but his health is so feeble that he is scarcely expected to live from one day to another. His disease is the dropsy.

NEW HAMPSHIRE. The election in this state has resulted in favor of the administration candidates by very large majorities.

MR. CLAY'S SPEECH ON ABOLITION PETITIONS. Mr. Clay has addressed the following to the editors of the "Intelligencer":

Messrs. Gales & Seaton: In the speech which I addressed to the senate on the subject of abolition petitions, I ascribed to Dr. Franklin the authorship of the law passed by the state of Pennsylvania in 1780, for the gradual emancipation of slaves. Such was the impression on my mind; but, from a communication which I have since received, I believe that the measure originated with another distinguished citizen of Pennsylvania, the late honorable George Bryan.

I will thank you to make this correction, unimportant in respect to the use I made of the fact, but otherwise just and proper.

Yours, respectfully,

H. CLAY.

Washington, March 2, 1839.

NEW POST OFFICE. The principal charge of rebuilding the post office, under the late act of congress, has been devolved by the president on the postmaster general. It is to be rebuilt on the old site, after a plan to be adopted, and of materials to be approved by the president.

The postmaster general requests us to state, that he will be happy to receive, for submission to the president, plans of building suited to the site, and information in relation to building materials, especially granite and marble, showing the advantages in each in reference to strength, durability, cost, and other qualities and circumstances which may seem to recommend them.

The plans and information are desired at as early a day as possible, that measures may be adopted for an immediate commencement of the work.

[Globe.]

NEW YORK MONEY MARKET. The Express of Tuesday says:

The week has opened with an increased gloom. The news from Nova Scotia and the frontier is considered more unfavorable. Stocks it will be seen have declined—some of them very much. The Dry Dock bank, which stood at 105 on Saturday, fell to par. The Bank of Commerce, which was so much sought after, now stands a shade better than par. The depression in stocks is caused more from the apprehension than the knowledge that American securities will decline in the London market.

The condition of our money market, for some time, must depend much, very much, on the turn things take in London. If the war news should not be much thought of in England, and if there should be no serious decline in American securities, money matters will recover here. If, however, they should fall off there, stocks may decline further here. The fall in stocks in the first thirty has been very severe, yet none of the operators have been so seriously affected as not to make good their contracts.

MORE SUSPENSIONS. The Michigan State bank and the Detroit City bank have suspended specie payments; the first on Monday, the 25th ultimo, the latter some days earlier.

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The Southwark Savings Bank, and the Pennsylvania Savings Bank, both in Philadelphia, have suspended the redemption of their notes. Neither of these institutions was incorporated by the state.

Tuculosa, Alabama, March 1st.

The private bank at Wetumpka and Selma has suspended specie payments.

A statement of the condition of the Wetumpka trading company sets down its liabilities at \$3,000. Assets, \$239,000, making a difference of four to one in favor of the institution. The cash on hand was \$10,000, real estate mortgaged \$100,000. [Int.]

THE UNITED STATES AND CANADA. A rumor at New York the beginning of this week, that Plattsburg had been captured by a body of British and Indians, doubtless had its origin in the circumstances mentioned in the following:

From the Plattsburg Whig—extra.

Plattsburg, N. Y. March 5, 1839.

"By a letter received in town last evening, and also from a citizen direct from the east side of the lake, we learn that the British authorities in Canada have taken formal possession of the strip of land in dispute on this frontier, including the site of the old fort at Rouse's Point, by erecting a flag and stationing armed patrols within the jurisdiction of this state, as heretofore acknowledged; and, what is still worse, have embodied 400 Indians on this line."

The New York Commercial Advertiser, in reference to the above, says: "The old fort alluded to was built by the United States during the last war at great expense. It was never of any use, however, to this country, as it was soon after discovered that the engineer had placed the fort some half a mile within the territory of Great Britain. It was immediately abandoned, and from that time has been known as 'Fort Blunder.' We passed it a few months ago, and observed that the walls were nearly in ruins."

In allusion to the above report, the Plattsburg Republican of the 9th says:

"We have it from persons who were there yesterday, that there are no troops at the fort, or on the 'strip of land in dispute.' All was quiet at our last advices."

COAL VEIN ON FIRE. During the severe cold in January, two persons were destroyed in Mr. L. C. Dougherty's works at Coalcastle, (Penn.), from incautiously placing a fire in the dirt. We regret to state that the flames on that occasion communicated to the breast and proppings, and have been ignited ever since; and up to this time the element has baffled every exertion to subdue it. It would surprise some of our friends who think that white ash coal cannot burn without a strong draught, to see a whole mine in flames which cannot be smothered; and to stop which Mr. Dougherty will eventually be compelled, Cyrus like, to turn the course of some stream, and drown it out. [Pottsville Journal.]

NAVAL. The Norfolk Beacon of the 13th inst. states that the broad pennant of Commodore Claxton was hoisted on board the U. S. ship Constitution on Tuesday.

The same paper says:—"We understand that a letter was received by steambot mail yesterday which states that it was confidently rumored that the U. S. frigate Constitution, com. Claxton, at present at the navy yard, Gosport, would proceed to New York, and sail thence with a special minister to Great Britain."

NORTH EASTERN BOUNDARY. Our pages contain a number of articles relating to the movements, doings, &c. on the frontier. Since they were in type, we have received the following; from which it will be seen that the agreement entered into between Mr. Forsyth and Mr. Fox, has been received, and that though satisfactory to sir John Harvey, it has not been received so favorably by gov. Fairfield.

House of representatives, Augusta,

12 o'clock M. Tuesday, March 12.

A message from the governor in relation to the memorandum of Mr. Forsyth and Mr. Fox. The governor considers the arrangement unsatisfactory and unequal, and advises that the military force of the state should not be withdrawn, unless the lieutenant

governor of New Brunswick shall withdraw his force, and the government of Maine be satisfied that he entirely abandons the idea of expelling its forces. Gov. Fairfield also resists the recommendation to allow Gov. Harvey concurrent jurisdiction in measures of protection to the property on the Aroostook, and advises that, in case sir John abandons his position, and withdraws his military force, the military force of Maine shall also be withdrawn, and a sufficient armed or unarmed civil posse be left on the Aroostook for its protection.

In a postscript to the message, the governor says that he has received a note of a pacific character from sir John Harvey, in which he intimates his willingness to enter into arrangements upon the basis of the memorandum of Mr. Forsyth and Mr. Fox. The message and sir John Harvey's note have been committed to the committee on the northeastern boundary, and 5,000 copies ordered to be printed.

The Oxford and Cumberland militia still remain in town, and have been this afternoon manoeuvring in front of the state house. Gen. Scott is in town, and will, I understand, continue here at present. He is acting the part of a pacificator; and it is to be hoped that his efforts will prove successful. Notwithstanding the belligerent aspect of affairs here, I am still of opinion that war will not result. But I still see no probability that Maine will recede one iota from the position she has taken.

Correspondence of the Atlas.

State house, Augusta,

Wednesday, March 13, 1839.

Colonel Charles Jarvis, our temporary land agent, who has command of our forces on the Aroostook, arrived here last evening. He left his encampment, which is at present near the mouth of the Aroostook and about two miles from the line of the state, on the 9th instant. Not apprehending any attack from the trespassers or the authorities of New Brunswick, colonel Jarvis has discharged about four hundred of his men.

Those that remain are engaged in constructing a boom across the Aroostook, for the purpose of stopping the timber that may come down. Colonel Jarvis visits Augusta, at this time, I learn, to communicate to the executive some local information he has obtained, and to recommend that the forces, to be retained on the Aroostook territory, should be employed in constructing roads.

Gen. Hodson has been ordered to the Aroostook. His head quarters will be on the Aroostook, at the mouth of the Presque Isle, and about ten miles from the encampment of colonel Jarvis. The Kennebec troops are ordered to No. 4, on the Aroostook road, and there to wait for orders from general Hodson. The detachments from the Oxford and Cumberland divisions are yet here. I understand they will remain here until there has been some action by the legislature on the governor's message.

I have no doubt the legislature will sustain the views of the governor, and authorize him to keep a sufficient force on the disputed territory to protect the timber from depredations. If sir John Harvey consents to this, and it is generally supposed here that he will, there will then be an end to our present difficulties.

We copy the following from the Globe of this afternoon:

Government House,

Frederickton, (N. B.) March 7, 1839.

Major general sir John Harvey presents his compliments to governor Fairfield, and, with reference to a communication which he has just received from Her Majesty's minister at Washington, transmitting a "memorandum" under the joint signatures of Mr. Forsyth, secretary of state, and Mr. Fox, containing terms of accommodation, recommended by the secretary of state and Her Majesty's minister plenipotentiary, to governor Fairfield, and himself respectively, begs to say, that he will be happy to enter into such amicable communication with governor Fairfield upon the subject as may conduce to the attainment of the very desirable and important object thereby proposed to be effected.

Sir John Harvey has answered Mr. Fox's communication by expressing his entire readiness to give effect to the proposed agreement so far as may be dependent upon him.

His excellency gov. Fairfield, &c.

THE MAINE BORDER TROUBLES. The Boston Atlas, extra, contains accounts from H. Hillax (Nova Scotia) to the 27th ult. The late movements on the part of the government and people of Maine have occasioned great excitement, and the Halifax papers regard the event of war between the United States and Great Britain as almost inevitable. The legislature of Nova Scotia met on the 26th, on the receipt of the news from the borders, and voted a sum of one hundred thousand pounds to be at the disposal of the governor to raise men to go to the aid of New Brunswick, and eight thousand men were to be immediately raised.

Extract of a letter dated

Halifax, Feb. 27th, 1839.

The late news from the state of Maine has such a wretched appearance that it is the general opinion that war cannot now be averted, and that the good countries. We should particularly lament if the good and kindred feeling that ought to prevail should now be broken up, and hope that it may still blow over. Our legislature yesterday immediately on the receipt of the intelligence, voted a sum not exceeding one hundred thousand pounds, to be at the disposal of the governor, to assist the mother country to raise volunteers to go to the assistance of our sister province, and eight thousand men will be raised immediately.

The vote was followed up with long and hearty cheers for New Brunswick and the queen of Great Britain.

As an evidence of the loyal and highly excited feeling which prevails in Halifax, we call attention to the extraordinary fact that after the resolutions were adopted by the house of assembly, three hearty cheers were proposed by one of the members, which was responded to by all present. The Royal Gazette says—

"Never have we before witnessed such a heart-stirring scene, nor ever before were such cheers heard in our house of assembly."

Journal office, Halifax, }
Tuesday, Feb. 1839. }

Highly important from New Brunswick.

The Frederickton Sentinel, received this day, confirms the accounts given on Monday, of hostile movements by the state of Maine, and in addition gives the message of the governor to the legislature commanding a levy of 10,000 men, for the purpose of taking possession of the territory in dispute, and to enable him to carry this measure into effect, the legislature have voted the sum of eight hundred thousand dollars, and passed resolutions calling upon the state of Massachusetts to aid them in the measure.

Immediately on the receipt of this important information, the legislature of this province resolved itself into a committee for the defence of the province, and for assisting the inhabitants of New Brunswick to repulse the invading foe; all other business was stopped until the committee should report, which was done at 5 o'clock.

Never, perhaps, in the history of Nova Scotia, has there occurred such an outbreak of deep impassioned feeling, as was given expression to, when the committee reported their resolutions.

Notwithstanding the suddenness of the measures adopted by the house, when the doors were opened at half past five o'clock, the lobby and gallery were filled to overflowing, by the crowds of inhabitants who had been waiting for admission. The report was then read, after some preliminary observations, by the hon. Mr. Dodd, chairman of the committee. It consisted of a series of resolutions, empowering his excellency the commander-in-chief, to call out and employ volunteer and draft companies of the militia, to the number of 5000 men, between the ages of 15 and 45; and authorizing the expenditure of £100,000, if it should be required, to repel the aggressions on the sister province.

The resolutions provided also, that in addition to the same allowance as the regular troops from the military chest, the militia should receive pay from provincial resources authorized to be expended in the service. The house received the report unanimously, after an motion of the hon. Mr. Dodd, the whole house and the assembled multitude arose and united in three times three hearty and brave inhabitants of New Brunswick, and three times three for her most gracious majesty queen Victoria, which were given with such rapturous and tremendous effect, that the solid walls of our province building seemed to shake to their foundation, and the sound was heard in the adjacent streets.

The house are to wait upon his excellency to-morrow, with a copy of the resolutions.

On the following day the legislative council concurred in the act of the assembly, and the lieutenant-governor approved of the whole proceedings. H. M. ship Crocodile, with a division of the 69th regiment, had sailed from Halifax for New Brun-

wick—also, the Eliza, and Numa, transports, with another detachment.

From Augusta. A letter from Augusta, under date of 7th, says—

"No communication has been made by the governor to our legislature in relation to the late movements at Washington on our border troubles. We shall probably have something to-morrow from the governor, when we may expect some action on the subject by the legislature. The feeling is very strong among the people through the state that our troops ought not to be withdrawn from the disputed territory until the line is settled."

In the house a bill to incorporate the county of Restook, with Houlton for the same town, has been laid on the table and ordered to be printed. It embraces within its limits the disputed territory."

General Scott remained at Augusta on Friday the 8th. Governor Fairfield had yet made no communication to the legislature on the recent proceedings at Washington. On Thursday, Gen. Scott met the citizens of Augusta, representatives and soldiers, in the legislative hall. The correspondent of the Portland Argus says:

"The hall was full and the galleries were crowded. Many could not get places. The greeting of the general to the soldiers and officers introduced to him, was peculiarly hearty. In one of the representatives, Mr. Frost of Bethel, he recognised a fellow soldier in the 1st war. They were both wounded in the same battle. The interview was enthusiastic. The general seemed hardly willing to part with his band."

After a half hour spent in these mutual interchanges of friendship, Mr. Allen of Bangor, in a few remarks, welcomed general Scott among us; to which welcoming he replied, by thanking the audience for the hearty reception they had given him in the capitol of Maine, and by expressing his happiness at being enabled, face to face, to see so many of his sons—and should war come he should be glad to be found shoulder to shoulder—breast to breast—with such soldiers."

The troops of the 5th division arrived in Augusta on Sunday. They were enthusiastically welcomed by the cheers of the people as they passed.

A letter dated at Augusta on the 8th inst. says—

"The Cumberland and Oxford troops have been reviewed to-day, by the governor. They appeared to be well prepared for the arduous service on which they are ordered. After the review the troops were formed into a hollow square, when they were addressed in a happy, appropriate and patriotic speech, by the governor."

I understand they will receive orders to march for the frontier to-morrow morning. They will be sent forward in small divisions for the convenience of getting quarters on the road.

The news advices from Houlton are of the 6th, evening Nothing new. The Maine papers and letters persist in declaring that the 11th regiment had arrived at Madawaska on the 4th; when we know that the two advance companies only reached Quebec on that day, from Sorel, on their way to New Brunswick.

From Bangor the only news we have is that, on the 8th, six companies of the Kennebec detachment or division took up the line of march for Houlton.

Mr. Senator Wilhaas addressed a small number of the citizens of Portland on the 8th instant, at the district court room. In reply to the question, whether the special minister would be appointed immediately, and what section of country he would probably be taken from, Mr. Wilhaas observed that no appointment would be made until time was allowed for our present duties to reach England, and intelligence received from our minister already there; and that when the appointment was made, some one out of New-England would probably be selected as the minister.

The St. John (N. B.) Courier of the 2d instant, reports the arrival, that morning, of H. M. ship Crocodile from Halifax with six officers and 190 men of the 69th regiment. They were to proceed to Fredericton as soon as the necessary conveyance could be procured. The transports Eliza and Numa, with the remainder of the regiment had not arrived.

The New York Star says: Mr. Buchanan, who has been with Sir John Blakey, gives it as his opinion that Sir John will make no hostile movements unless receiving positive orders to that effect from his government.

The president, we learn, instructs general Scott to insist upon the withdrawal of the Maine troops.

Correspondence of the Boston Atlas.

Bangor, Saturday, March 9, 1839.

The news from the frontier to-day is of the most exciting character. The vidette express arrived about one o'clock this afternoon, having left Houl-

ton at eleven o'clock last night, with despatches from general Hodson to governor Fairfield, which were immediately forwarded by express to Augusta. The vidette stated verbally that Sir John Harvey had despatched a body of engineers to take possession of Mars Hill, to choose a location for fortifications, and spot out a road, and that they were immediately to be supported by eight companies of regular troops, two of which had already arrived at Fredericton. The principal elevation of the highlands, called Mars Hill, is within the state of Maine, being west of the boundary line; but those highlands extend beyond the line into the province of New Brunswick. The statement is, that this judgment of the British forces is to be made west of the line, and of course on our territory. I cannot think the news will prove to be true to this extent. It is not so improbable, however, that Sir John will plant himself upon or near the line at Mars Hill, as it is at this point that the undisputed course of the boundary terminates, the true direction, according to the American claim, being due north-west, and the British contending that from Mars Hill the line should diverge in a southerly direction, and run between the head of the St. John and those of the Penobscot and Kennebec.

That there is some foundation for the story cannot be doubted, as it is also communicated in a letter from the secretary of gen. Hodson, and by him stated to be the cause of the express to the governor. True or false, this intelligence has excited the liveliest interest, and much agitation in our community—extras from the Whig and Courier office are sought with the greatest avidity, and the demand for the last hour has exceeded the supply.

I have seen a letter dated yesterday, from one of the officers at Houlton, brought by the same express as the above news, but probably written before this information reached there, as it makes no reference to it. It states that four companies of general Hodson's detachment were to march that day, and the remaining five companies on Monday at 8 o'clock. Their destination was the mouth of the Presque Isle, a stream that flows into the Aroostook on letter G, about ten miles higher up than the lowest position taken up by Mr. Jarvis. Several companies had already reached there, and huts for the accommodation of the troops had been erected at that point, beyond which they will not proceed for the present. The forces had been detained longer at Houlton than was expected, in consequence of the difficulties and delay necessarily attendant upon furnishing provisions, clothing and other munitions of war for men so unexpectedly obliged to march into the midst of a desert forest to take up their position.

The writer says he had been informed by a gentleman who left Fredericton on Wednesday, that 200 regular troops left there that day, which would arrive the day before direct from Halifax. 500 regulars had reached Grand Falls from Canada some days before.

There had been three or four regimental parades of our forces at Houlton, and their appearance was in the highest degree creditable to them, and honorable to the state. The state of their discipline and their soldier-like deportment excited the surprise of all who saw them, especially of many provincials who were present. He particularly designates the Dexter rifle company, the Bangor rifle company, the Bangor Independent volunteers, and major Smith's battalion of artillery from Bangor, as deserving of all praise, and thinks they would not suffer in comparison with many bodies of regular troops. They have made great progress in drill and discipline since they left here. They owe this improvement to being constantly under arms, and being drilled, and firing at a target, four hours each day, in pursuance of a general order, by companies. To excite their emulation in target firing, the names of those who made the best shots are recorded on the detachment orderly book.

Correspondence of the Atlas.

Augusta, Sunday, March 10, 1839.

The detachments of troops from the Oxford and Cumberland divisions are yet here. I learn they received marching orders yesterday morning—but before any of them had left the orders were countermanded. It is now understood that governor Fairfield will send in a message to the legislature to-morrow, and the probability is, that the troops now here, will remain until there has been some action in the legislature on the subject of our border troubles.

Important, if true. The Boston Courier's correspondent, under date of Houlton, American head quarters, March 8th, says:

The 11th regiment from Canada, for several days have been at Madawaska. A respectable gentleman

from Woodsto k states that a special message from gov. Harvey passed up through that town night before las , with orders for the troops to remove from Madawaska, that being a part of the disputed territory. There is no doubt that gov. Harvey is sincerely desirous of peace, and that he is willing to comply to the letter with the arrangement of Mr. Fox. We have nothing new from the militia on the disputed territory—they are building block houses in several places, out of the timber which was cut down by plunderers, and are said to be in excellent spirits.

Extract from Bangor, Saturday evening, March 9: Gentlemen just from the Aroostook confirm the former reports that we have had, that the British are concentrating Aroostook force upon the St. John, near the Grand Falls. Any attempt by Maine to exercise jurisdiction north of St. John, would undoubtedly be resisted by the British, with arms. They have an arsenal filled with all kinds of munitions of war, on the Tennessanota lake.

The greatest panic and alarm exists in New Brunswick, both from fear of invasion by our troops and the disastrous consequences that must follow from the disturbances. Almost the entire capital of the province was invested in these plundering operations.

The civil forces under Jarvis are disbanded, only a few are retained to complete and protect the boom across the Aroostook, that two acres were cleared, and a substantial fort erected which would withstand any attack of the enemy—that Fishberri's house has been razed to the ground, as it was in their way—that they anticipated an attack, not from the regulars out from a mob—that he did not hear any thing about "fortifying Mars Hills—the enemy, amounting to 400 or 500, were within four miles of the camp—that the day before he left, they destroyed four or five camps, and took 20 tons hay, 100 bushels oats, 20 barrels of pork, and their utensils, all of which were taken into our camp. They took about seventy thousand boards, which were very convenient in constructing their camps.

From the *Mechanic and Farmer, extra—Saturday evening*. The new draft in this division to make up nine. Hudson's complement, will assemble at Bangor on Monday or Tuesday, and leave soon to Houlton, under command of lieu. James Dunning, who arrived here yesterday.

Extract of a letter from an American officer, dated Houlton, March 8.

The last of our detachments moves on Monday morning. Four companies start to-morrow morning. We have now a prospect of business enough. We have received intelligence that the British engineer and men were to start this morning to spot out a road, and select a site for a fortification on Mars hills. Two companies of regulars arrived in Woodstock this afternoon. Six more are said to be moving up river. God grant that no pacific measures may retard us. Our troops are in the best possible temper for action, and with few exceptions, evince unabated ardor. The express waits.

New York legislature—The boundary troubles. On Thursday the 7th governor Seward transmitted the following message to the New York legislature. In the house it was referred to a select committee: Albany, March 7, 1839.

To the legislature:

The Congress of the United States, having had under consideration immediately previous to their adjournment the serious mis-understanding which has arisen between the state of Maine and the province of New Brunswick, passed an act giving to the president of the United States additional powers for the public defence against invasion and for other purposes. By this act, the president is authorized to resist any attempt on the part of Great Britain to enforce by arms her claims to exclusive jurisdiction over that part of the state of Maine which is in dispute between the United States and Great Britain, and for that purpose to employ the naval and military forces of the United States, and such portion of the militia as he may deem it advisable to call into service, and to increase the military and naval forces of the Union in the event of invasion, or imminent danger of invasion. Provision is also made or sending a special minister to Great Britain, to treat with the government of that country upon an amicable adjustment of the matters in difference between the two nations.

While the several state governments should carefully abstain from any act that might in any degree interfere with the constitutional duties of the Fed-

eral government, it is obvious that occasions may arise in which they ought to make known to the government, to foreign nations, and to any aggrieved sister state, that we are an united people, jealous of our sovereignty, and determined to resist aggression upon the rights or territory of the union. The passage of the act of congress to which I have referred provisionally contemplates that the country may, during the recess of that body, be compelled to assume an attitude of defence against a foreign power, and seems therefore to present one of those occasions which call for such an expression on the part of the several states.

The measures adopted by congress seem to me to have been wisely designed to preserve the existing inestimable relations of peace between this country and Great Britain, as well as to vindicate the rights of the state of Maine, and to maintain the honor and dignity of the nation. It can scarcely be believed that enlightened and Christian nations, bound to each other in peculiar relations of feeling and of interest, will necessarily suffer the harmony existing between them to be interrupted. The governments of both, as well as their individual citizens, are under the strongest obligations to cultivate every disposition to amity, and to repress all tendencies to hostile action. At the same time, peace is seldom the lot of any nation which does not, on all proper occasions, manifest that it knows its rights, and will at all hazards maintain them. I respectfully call your attention to the subject, under the expectation that an expression on our part of concurrence in the policy of the general government will contribute to avert the calamities of war, and secure the speedy and honorable adjustment of the existing differences between this country and Great Britain.

WILLIAM H. SEWARD.

CANADA AFFAIRS. A letter from gen. Skinner to governor Seward, dated Plattsburg, Feb. 26th, states that the building occupied by the United States troops at Rousse's Point, together with the dwelling house of Messrs. Norton and White, were consumed by fire on Sunday night. A considerable quantity of the military stores were also destroyed. The writer says—

There appears to be some cause for believing it may have been the work of one or more of a party of volunteers stationed in Oiletown. Several of this party came on Sunday to Comer's store, situated directly on the line, partly in Canada and partly in the United States, and raised a British flag, with much cheering, &c. Several others were at Merchon's tavern, some mile and a half this side the line, and in the immediate neighborhood of the barracks, Sunday afternoon and evening, drinking and carousing until a late hour, and immediately after the alarm of fire was given, an individual resembling the volunteers in dress and appearance, particularly in the large cap worn by them, was seen running through the fields to the north.

Despatches have reached sir John Colborne, brought by the Great Western, confirming his suspension of judges Bedard, Panet, and Sir R. B. and clearing their issue of writs of habeas corpus illegal.

The power of the special council to alter the criminal law of the province, is asserted by the law officers of the crown, the special council being held to possess the same authority as the superseded legislature.

The proceedings of sir John Colborne in constituting the court-martial, and of that court in trying the prisoners, are sanctioned and approved.

[Express.

The Montreal Herald of the 21st ult, states that one hundred and eighty persons had been sentenced to death by two courts martial—137 at Fort Henry, and 43 at London—the time and place of execution to be left to the lieu. governor, and twenty four of the condemned recommended to the merciful consideration of the lieutenant governor. Three persons tried before the court at Fort Henry, and one at London, were acquitted of the offence of which the rest were convicted—that of "having been unlawfully and traitorously in arms against our lady the queen."

From Upper Canada. We learn from the Kingston Chronicle that another duel has been fought at Sandwich, between col. Prince and Charles Baby, esq., in which the latter was shot dead. This is the second duel in which col. Prince has been recently engaged, in consequence of the disapprobation felt and expressed at his shooting of the prisoners. In the other, his antagonist, Mr. Wood, was wounded in the face. It is said that several other duels are in prospect, col. Prince have challenged a number of persons, and on account of the same matter.

We have received a copy of the speech of sir George Arthur, at the opening of the provincial par-

liament, on the 27th ultimo. It is a public document of considerable interest. Nearly four columns are devoted to general remarks upon the late rebellion and invasion.

Governor Arthur congratulates the legislature upon the present tranquillity of the province and security of the frontier, but declares his belief that the dangers are far from being entirely at an end. He maintains that the motives which caused those dangers are still existing with unabated force; and that henceforth the province must chiefly rely upon its own ability to repel and punish hostile aggression. He therefore recommends early attention to such amendments of the militia laws as shall place that force on the best possible footing.

The agitating question of the clergy reserves is earnestly commended to the early action of the legislature.

An intimation is thrown out that the prisoners now under sentence of death will be transported to a penal colony. [N. Y. Com. Ado.

FROM MEXICO. From the New Orleans Bulletin, Feb. 26. The United States sloop of war Levant, Hiram Paulding, esq. commander, touched at the Balize on Sunday last, on her way from Vera Cruz (whence she sailed on the 14th inst) to Pensacola. She brings about \$40,000 specie.

The federal party appears to be triumphing throughout the principal states of the Mexican republic.

Gen. Arista, who was made prisoner by the French at the time an attempt was made to force them to quit the harbor of Vera Cruz, has been liberated, and was expected to arrive in the city of Mexico about the 5th February. Gen. Santa Ana left Vera Cruz on the 12th inst., for the seat of government, to enter upon the duties of president ad interim, while Bustamante at the head of a strong force, marched against Tampico—and as our advices from that place represent Gen. Urrea determined to cut his way into the thickest of the central party, we may soon expect to have tidings of a bloody and probably decisive battle being fought somewhere in the vicinity of San Louis Potosi.

The blockade of Vera Cruz was still vigorously enforced.

We likewise have an arrival from Matamoros, but no news of interest. An American sloop of war was off that place on the 12th inst.—supposed to be the Warren.

A gentleman who sailed from Tampico on the 15th February states that the intelligence from the frontier was favorable to the arms and progress of the federal party. The port of Tampico was not blockaded by any ships of war, nor was there any restriction upon commerce with the interior. Heavy gales of wind were experienced in the Gulf between the 1st and 12th of February, but no shipwrecks were reported.

FLORIDA. An officer of the army who reached Savannah on the 5th instant, informs the editor of the Georgian that lieutenant Mackall, of the 1st artillery, was shot at a few days before by Indians, while on Biscayen beach, and received two balls through the body; but we are pleased to learn that the wounds are not considered mortal. He was in company with captain Tathen, of the steamer Pointsett, and his men were about two hundred yards distant at the time. The savages fired from a thicket, and escaped.

We regret to state also that major Noel, of the 5th infantry, shot himself accidentally with his own pistol a few days since, while on a scouting party against Indians, a few of whom were taken prisoners. Major N. had his pistol cocked, and going off unexpectedly, it inflicted on him a dangerous wound.

Extract from a letter dated Tallahassee, (Florida,) on February 20.

On Monday night last, the house of captain White, twelve miles from this city, on the Magnolia road, was attacked by Indians, who killed one man and two children, and wounded a man and woman, and burned the house. The same night, a house near Monticello was also burned by them; and on Thursday of the same week, another on the St. Marks road, nine miles from Tallahassee, when they murdered a man and his wife and their children. The inhabitants of St. Marks and Tallahassee turned out in pursuit, and had a fight with a party of Indians, when one of the Tallahassee Guards and one Indian were killed, and seven Indians wounded. Since writing the above, I have learned that the Indians have seized on several wagons on the St. Augustine road, about twelve miles east of Tallahassee, and killed the drivers. Thirty volunteers have just started in pursuit of them. The country appears full of Indians, and we know not when we are safe from them."

LIABILITY OF SHIP CAPTAINS. In the common pleas, yesterday, Judge Ingraham presiding, captain F. McLean, master of the British bark Colchester, was acquitted in a verdict for \$134 37, at the suit of James Farish; and another for \$77 18, at the suit of David Dobie. The suits were separately brought by the plaintiffs, for recovery of the above sums paid (interest deducted) by them to capt. McLean for three passages to England in the Colchester—for Dobie, Farish and his sister. It appeared from the testimony that the Colchester was advertised to leave this port for Liverpool on the 14th of October last, on which day these plaintiffs and other passengers went on board, and the vessel was towed round to the North river. Owing to unsettled business of the ship, and bad weather, the ship did not drop down to quarantine till the 9th, and during that time the captain was laid up at Washington hotel with sickness, the 2d mate was taken from the ship by warrant, and the crew mutinied, but were pacified by the mate by means of ardent spirits and brandy. At the quarantine, on the 14th, capt. McLean came on board, and the vessel put to sea, but he left her to the pilot, and in consequence of his leaving, the plaintiffs in due season left her also at the same time, being afraid to venture the voyage in her, unofficered as she was, and with a crew not to be relied upon. The captain refused to refund their passage money; they brought these suits against him, with the results above stated.

Besides these parties there were other passengers who went out in the Colchester, one of whom was an acquaintance of ours, who has since written us an account of the passage. The first mate, (the only officer on board,) is well spoken of by our correspondent, but the voyage is described by the writer as one of the most protracted, hazardous and unprosperous in every respect, that we have read of not terminating in shipwreck, actual starvation and death. [N. Y. Sun.]

MISSOURI—HER TRADE WITH MEXICO. The message of Gov. Libbitt W. Boggs, of Missouri, is a very able document. The finances of the state are in good condition—the state bank not so well, and requiring amendments to its charter. A geological survey of the state is urged; the entire New York school system seems to have been adopted by its excellency. The point, however, of the most moment, is a recommendation to petition congress to grant at once to *land traders* the same drawbacks on exports of foreign goods, cottons, &c. to Chihuahua, a central city of Mexico, as is allowed to shipping merchants from New York for Vera Cruz, &c. The governor says, if this plain principle of justice were accorded, Missouri would employ 600 wagons and 1000 men annually in this trade, made doubly valuable by the city above mentioned, annually a specie business of three millions. The greatest city, too, is about equal distance from Vera Cruz and St. Louis, and from the latter there a capital wagon road the whole route. The city has 15,000 inhabitants. [Boston Morning Post.]

RUSSIA—THE GRAIN TRADE. The Philadelphia Commercial List republishes from Bell's London Messenger the following document on this subject:

Alaska, December 20. The governor general of the Russian colonies, general Fiederoff, and also the commander-in-chief of the military colonies, count De Witt, have received an imperial rescript, the substance of which is as follows, viz: "The emperor, desirous to assist foreign nations who are in want of corn, and at the same time to enable Russian merchants to satisfy without loss of the orders for corn which may have been, or might hereafter be, addressed to them, has ordered that three-fourths of the corn now stored in the government reserve magazines, and those of the military colonies, may be lent to Russian merchants, and they could show that they had received orders for corn from foreign countries. "That the loan of this corn should be completely gratuitous, but on the condition that the borrowers should restore it in kind in the space of six months."

FRENCH ARSENALS. France has eight arsenals of artillery, at Douai, Metz, Strasbourg, Auxonne, Grenoble, Toulouse, Rennes, and Fere; two military depots of saltpetre, at Chalons-sur-Mare and Vizignou; three canon foundries, at Douai, Strasbourg and Toulouse (the latter belonging to a private individual—they furnish annually from 450 to 600 pieces of cannon of different calibres); six iron foundries, at Mezieres, Metz, Besancon, Toulouse, Rennes, and Nevers; five manufactories of arms, at Chatelleraut, Klingenthal, Mulzig, St.

Etienne, and Tulle; eleven powder mills, which annually furnish from 1,500,000 to 2,000,000 kilograms of powder, at Esqueres, St. Ponce, Metz, Vouges, St. Chamans, Toulouse, Angoulême, St. Medard, Pont de-Buis, Le Bouchet, and Le Ripault; seven saltpetre refining establishments, at Lisle, Nancy, Toulouse, Marseilles, Bordeaux, Paris, and Le Ripault.

FORGERIES IN FRANCE ON ENGLISH BANKS. An individual named Raimond d'Henard appeared the day before yesterday before the court of assizes, on the charge of having presented various forged bills upon London and Manchester, in the year 1835, at the banking houses of Messrs. F. Perre and Chanks de Laffitte, and having by such means realized the sum of 220,000*l.* It appears that the confidence of the Paris bankers was due principally to the circumstance that the prisoner had been an acquaintance of count d'Orsay. Since the period when the offence had been committed, d'Henard had been travelling under fictitious names in different towns of England, and had afterwards proceeded in succession to Rotterdam, Hamburg, Switzerland, Italy, &c. He was finally arrested at Florence on the charge of forging and travelling with a false passyort, and his extradition was ultimately obtained. In his defence, he stated that he was the victim of an adventurer, who had assumed the name of the English banker Drummond, and who had enclosed to him in a letter the forged bills to obtain cash for them. He added that he had met this individual by appointment at the cafe des Panoramas, and placed in his hands 210,000 francs, which he had obtained for the bills. He was found guilty, and sentenced to twelve years hard labour at the hulks, to live in the pillory, and to a fine of 100 francs. [Gulligan.]

SUMMONING THE QUEEN. Yesterday as the new police was made into yards of the Queen-square police office, Stowell the informer, ordered the driver to stop. The van at this office has only been in operation for three or four days, and the policeman who drove it refused to draw up. The informer then produced from under his arm a large quarto volume, containing statistics of every description, and pointed out to the astonishment of the constable, the act of William IV., by which he was, in the first instance, empowered to lay information against the proprietor, driver, or conductor, of any "carriage, van, or other vehicle," upon which the name and address of the owner did not appear in legible characters. He was only pointed upon this vehicle the letters V. R.; and Stowell, after producing the act, told the driver that he would immediately told him his name he should give him into the custody of one of his brother policemen. He had laid information against the present king of Hanover, lord Melbourne, etc., in which he had obtained convictions; and he did not see why the queen should be spared. The driver gave his name, and the informer, after detaining the van for about a quarter of an hour, applied for a summons, which was granted by Mr. Grogote, the sitting magistrate. [London paper.]

AMERICAN CUTLERY. It is highly creditable to the mechanical genius of this country that it is able, after the experience of only a few years, to furnish to the nations of Europe articles for the supply of which we were previously dependent on them. The following instances mentioned in the New York Courier, is a pleasing case in point:

If any person had suggested twenty years ago that at this time we would be sufficiently advanced in the mechanic arts to rival in workmanship and elegance the most difficult branches of the English manufactures in iron, he would have been put down as a fool or a madman. And yet such is the fact. We have recently had exhibited to us a pair of tailor's shears, manufactured by Robert Ward, of this city; for a fashionable tailor in London, which exceeds in finish and beauty of workmanship any article of cutlery that we have ever seen. The iron used was from the Elizabeth works, New Jersey, and the patent screw of brass, *and all* was manufactured at the works of Robert Hoe & Co. of this city. Mr. Ward, the manufacturer of this beautiful specimen of American skill, received the first premium on his cutlery at the fair of the American institute last autumn.

THE IRON STEAMBOAT. The friends of internal navigation will be pleased to learn the success of the first experiments made by the "Robert F. Stockton," a small iron steamboat built in England, for towing on the Delaware and Raritan canal. The Liverpool Albion gives the following account of her performances:

"We are gratified in giving the result of some of

her first experiments on the Thames. On Saturday week she was on the river with a party of about thirty gentlemen, invited to witness her performance, all of whom were astonished at her speed, nine miles being run with the tide in about five minutes. Suppose two and a half miles allowance for the tide, there would be left full twelve miles an hour for the speed of the boat. But her triumphant experiment was made on Wednesday last, when she was put to the task she was designed for, showing her power for towing. Four loaded coal-barges were made fast to the Robert F. Stockton, making, in all, 59 feet 1 inch beam with square ends and upright sides, besides the steamer. All ridiculed the idea of attempting, with so small a boat, to tow such an immense, ugly mass, and the coal heavers swore they would "eat her" if she moved them at all." In less than one minute from the starting of the engine, it was at the speed of 49 revolutions in a minute, and actually towed the whole one measured mile in eleven minutes, the water being perfectly still."

An iron steamboat, 145 feet long and 25 feet wide, was launched at Dumbarton on the 22d of January. She is intended for South America, and is fitted up for passengers only, of whom she can carry 1000. When launched she drew only 18 inches water, and with her machinery and cargo is to draw but three feet.

STEAM VESSELS OF WAR. A correspondent in England has favored us with the annexed statement of the steam force of England, France, and Russia, copied from sir John Burrows's life of lord Anson:

Steam govern-ment ships.	Ordinary mission.	Build-Total.
England, - - - 5	2	5
On foreign stations, - - - 13	-	13
Post office packets 28	-	28
Total	-	53

Of which twelve are ships of war.	
France, - - - 22	6
Russia, - - - 8	9

Be it remembered that on this 25th day of February, 1839, the United States of America, to oppose the above 93 steamships, have *one whole steamboat*, of all of which is in commission. Some weeks ago a committee of congress was instructed to inquire into the expediency of constructing a few more, but we have seen no mention of their report. Perhaps they find it difficult to determine whether any more are wanted. In case of a war with either of the above mentioned powers, the understanding of the gentlemen will be enlightened.

[Journal of Commerce.]

ATLANTIC STEAM NAVIGATION. An interesting letter on this subject, from an American citizen in London, is contained in a late number of the New York Courier. The writer furnishes the following list of steam vessels now employed in navigating the Atlantic, and also those which are being built for that purpose:

Great Western—1350 tons, 450 horse power, built in Bristol.
British Queen—1800 tons, 560 horse power, built in London.
Liverpool—1050 tons, 464 horse power, built in Liverpool.
President (Am'n.) 2400 tons, 600 horse power—London.
United States—1250 tons, 420 horse power—Liverpool.
United Kingdom—1250 tons, 420 horse power—Liverpool.
Atlanta—1250 tons, 350 horse power, (iron)—Liverpool.
New York—to be built in Bristol of iron.

He then proceeds in the following interesting train of remark:

This in the course of two years there will be employed between England and the United States no less than eight British steam ships; and allowing each to perform eight voyages per annum, we shall have a steam conveyance at intervals of every six days; thus we shall be indebted to British enterprise and British ships for the means of communicating between these two great countries. Surely the Americans are not to be satisfied with this state of things? Hitherto they have displayed an enterprise unparalleled—an ardor in the pursuit of commerce unequalled—and will they see this great branch of their trade wrested from them without to effort? If there are not the means at present in the United States for making engines equal to the enterprise, they can obtain them in England, and in a very short time it will be found that the American engines will be at least equal to any in the world. Our machinery has hitherto been adapted

finished when new species were undescribed in my hands? All that was in my power has been accomplished. All Dr. Townsend's species, and some received through other channels, have been published. To him I am indebted for the valuable notes which he has forwarded to me.

[Medical Journal.]

APPOINTMENTS BY THE PRESIDENT,
By and with the advice and consent of the senate.

From the Globe of Feb. 15th.
Samuel J. Gholson, of Mississippi, to be judge of the United States for the district of Mississippi, in the place of George Adams, resigned.

OFFICERS OF THE CUSTOMS
John Clarke, surveyor and inspector, Pittsburgh, Pa., from 7th January, 1839, when his late commission expired.

John Rodman, collector, St. Augustine, Florida, from 3d March, 1839, when his present commission will expire.
Normand Lyman, surveyor and inspector, Hartford, Conn., vice Wm. Conner, whose commission will expire on the 22d of the present month.

LAND OFFICERS.

Receivers of public money.
James L. Jolley, Augusta, Mississippi, vice Griffin H. Hullman, whose commission expired on the 10th of the present month.

Douglas W. Sloan, Jeffersonville, Indiana, from 21st of the present month, when the commission James G. Rad will expire.
Samuel McRoberts, Danville, Illinois, from 2d of next, when his present commission will expire.
Thomas C. Sheldon, Kalamazoo Michigan, from 1st of March next, when his present commission will expire.

Augustus C. French, Palestine, Illinois, from the 1st of the present month, vice John D. Whiteside, whose commission expired on the 1st of the present month.

Registers.

Abraham Edwards, Kalamazoo, Michigan, from 1st of March next, when his present commission will expire.
S. G. Saeed, Johnson C. H., Arkansas, from the 1st of the present month, vice R. C. S. Brown, resigned.
Pierre Auguste St. Martin, New Orleans, Louisiana, from the 13th of the present month, vice B. Z. Sponge, deceased.

From the Globe of Feb. 22d.
Richard K. Call, to be governor of the territory of Florida, from the 16th day of March next; (reappointed.)

Nathaniel S. Benton, to be attorney of the United States for the northern district of New York, from 3d of March next; (reappointed.)
Samuel Hackleton, register of the land office at Lena, Illinois.

James Finley, receiver of public moneys at Wooster, Ohio, from the 2d of March next, when his present commission will expire.

From the Globe of Feb. 26th.

DEPUTY POSTMASTERS.

William Gilmore, at Chambersburg, in Pennsylvania.
Robert Lamberton, at Carlisle, Pennsylvania.
Joseph Weaver, at Pottsville, Pennsylvania.
James H. Cowden, at Madison, Indiana.
Ephraim H. Gutwood, at Shawneetown, Illinois.
Maurin L. Fisher, at Worcester, Massachusetts.
Nathan Lester, at Columbus, Mississippi.

From the Globe of Feb. 25th.
Joel Abbot, to be a commander in the navy, from the 8th of December, 1833.

Charles W. Pickering, Overton Carr, Wm. Baitinge Ludlow, Luther Stoddard, Wm. M. Walker, George R. Gray, to be lieutenants in the navy on the 8th of December, 1833.
John S. Develin and Algernon S. Taylor, to be 2d lieutenants in the marine corps, from the 21st February, 1839.

From the Globe of the 4th inst.
Clement Clemens, to be attorney of the United States for the northern district of Alabama, in the place of E. R. Wallace, resigned.
Martin Van Buren, jr., to be "secretary under the section of the act to reorganize the general land office," in the place of Abraham Van Buren, resigned.

Jacquesville Marigney, to be marshal of the United States for the eastern district of Louisiana, in the place of John H. Holland, whose commission has expired.

CONSULS.

Daniel W. Courts, of North Carolina, to be consul of the United States for the port of Matanzas, in island of Cuba, in the place of Lewis Shoemaker, deceased.

Charles Russell, at Laguna, in the island of Del Carina, in Mexico.

Samuel F. Haviland, at Coquimbo, in the republic of Chili.

OFFICERS OF THE CUSTOMS.

George Demott, to be naval officer for the district of Portsmouth, New Hampshire, vice William Cloggett, whose commission expired on the 17th December last.

James L. Smith, collector of the customs for the district of Geneva, and inspector of the revenue for the port of Rochester, in the state of New York, vice Jacob Gould, resigned.

Nicholas V. Parker, surveyor and inspector of the revenue for the district of Norfolk and Portsmouth, in the state of Virginia, vice Samuel L. Lightfoot, resigned.

John Russell, surveyor and inspector of the revenue for the port of Hartford, in the state of Connecticut, vice Norwood Lyman, declined the appointment.

Edward Randolph, to be receiver of public moneys at Columbus, Mississippi, vice Francis Leech, resigned.

Vincent King and Gilbert L. Giberson, to be justices of the peace for the county of Washington, in the District of Columbia.

From the Globe of the 5th inst.

David Porter, to be minister resident of the United States at Constantinople.

Henry Dodge, to be governor in and for the territory of Wisconsin, from the 3d day of July next, when his present commission will expire.

Thomas H. Ellis, to be secretary of the legation of the United States near the government of the Mexican republic.

Aaron Barker, to be deputy postmaster at Cleveland, in the state of Ohio, in the place of Daniel Worley, resigned.

From the Globe of the 6th inst.

John B. Jones, surveyor, Currituck Inlet, North Carolina, from the 2d inst., when his late commission expired.

J. B. Warren, surveyor, Cincinnati, Ohio, from 3d inst., vice Robert Punshon, whose commission then expired.

Edward S. Jarvis, collector, Frenchman's Bay, Maine, from 2d inst., when his late commission expired.

James Stockman, Collector, Natchez, Mississippi, from 12th December last, when his late commission expired.

LAND OFFICER.

Eli S. Prescott, receiver of public moneys at Chicago, Illinois, vice E. D. Taylor, whose commission expired on the 4th inst.

From the Globe of the 9th inst.

Robert F. Stockton, from 8th December, 1833.

Isaac McKeezer, from 8th December, 1833.

John P. Zutzinger, from 22d December, 1833.

William D. Sailer, from 3d March, 1839.

To be commanders.

Levis E. Simonds, from 22d December, 1833.

John M. Dale, from 12th February, 1839.

To be lieutenants.

John Weems, from the 22d December, 1833.

Charles S. Ridgely, from 22d December, 1833.

Robert E. Johnson, from 12th February, 1839.

To be pursers.

Hugh W. Greene, from 25th February, 1839.

Marine corps.

Benjamin E. Brooke, to be a 1st lieutenant from 7th February, 1839.
Richard Douglas, to be a captain from 24th February, 1839.

John C. Rich, to be a 1st lieutenant from 4th February, 1839.

Wm. L. Shuttleworth, to be a 2d lieutenant from 25th February, 1839.

James Maguire, to be a 2d lieutenant from 23th February, 1839.
Robert D. Taylor, to be a 2d lieutenant from 3d March, 1839.

From the Globe of the 8th inst.

BY THE PRESIDENT.

Charles J. F. Allen, appraiser of goods for the port of Boston, Massachusetts, vice Levi R. Lincoln, removed.

Thomas H. Kennedy, receiver of public moneys for the district of lands subject to sale at New Orleans, vice Richard M. Carter, resigned.

From the Globe of the 15th inst.

William Marvin, of Florida, to be judge for the southern district of Florida, in the place of James Webb, resigned.

William Milburn, of Missouri, to be surveyor general of public lands in Illinois and Missouri, in the place of Daniel Dankin, resigned.

EXPLORING EXPEDITION.

Extract from a letter to the secretary of the navy, from lieutenant Charles Wilkes, commanding the United States South sea surveying and exploring expedition, dated on board the United States sloop Vincennes, harbor of Rio Janeiro, November 27, 1833.

I proceeded with the squadron for Madeira. We continued our cruise with light, favorable winds, without any occurrence of importance until the 6th of September; when, being near a shoal, laid down on the chart as St. Anne's shoal, I deemed it fulfilling instructions to delay sufficiently for the purpose of examining the same; and having fully explored the locality in and near its supposed neighborhood, by spreading the vessels of the squadron to embrace a large circumference of the ocean, nothing of it was discovered. A few hours, however, after leaving this vicinity, we fell in with a large cotton wool tree, 120 feet in length and 15 feet in circumference, which was at first reported as a shoal; and if the sea had been at all rough, it might, in passing, have been mistaken for one.

I have little doubt but similar trees have occasioned the frequent reports of vigias or shoals being in existence hereabouts. Our position at this time was in latitude 32° 03' 37" north, and longitude 40° 41' 54" west, and where any floating bodies were in the gulf stream would probably have been deposited, as there is little or no current, and that variable.

We arrived at Funchall, in the island of Madeira, on the 16th of September, after a pleasant passage of twenty-nine days.

I directed a party of officers to make an excursion to Pico Ricivo, the highest point in Madeira, for the purpose of ascertaining its barometrical measurement, in regard to which doubts have existed, owing to a disagreement of those who have preceded us.

Our observations were conducted with great care, and the barometers used were of the best manufacture of Thouglton and Simus. Simultaneous observations were made at the residence of the American consul at Funchall, who was kind enough to afford us every means within his reach to facilitate our various duties.

The party remained on the summit of the mountain over four hours, which afforded us an opportunity of making a number of simultaneous observations, the result of which, in giving the height of Pico Ricivo, was as follows:

The highest point of the peak above the consul's garden, was 6,181 feet.

The cistern of the barometer at the garden above half tide carefully levelled, was 56-6237 feet.

I feel much confidence in our result, although, from the high standing of captain Sabine, R. A. I feel some hesitation in putting it forth; but the fact of my being supported by such high authority as Dr. Bowditch and Dr. Heineker, with whom we have differed only seventy-three feet, and one hundred and sixty-three feet, induced me to believe that some accidental error must have occurred in captain Sabine's observations, or that he was misled by his guides, and stopped short of the summit of the mountain as they attempted with our party.

It appears, also, that the different results made at three separate periods, and by different persons, approaching so near each other, would be more correct than that of captain Sabine, who makes a difference of nearly seven hundred feet.

We made, also, a series of magnetical observations on shore for dips and intensity, and established the rates of our chronometers by a portable transit. We made by them the longitude of the consulate at Funchall, in 16° 54' 11" west, and found the latitude by observation to be 32° 33' 11" north, all which assured me that our chronometers had been performing well since our departure from the United States.

On the 25th September, having completed all that was deemed necessary, we sailed from Madeira, and stood to the southward, intending to pass over and search for the different shoals and vigias laid down on our track. After passing the latitude of the Canary islands, we experienced a northeasterly current of about half a mile an hour, until we reached the latitude of Bonavista, one of the Cape de Verdes, which sets in an opposite direction to the current said to prevail between these islands, in the longitude from 19 to 21° west. We have too, and tried the current morning and evening, and always found the same result. The current flow was two knots, with a distance line of five fathoms between them, the lower one being just loaded sufficiently to sink the air light one under the surface of the water, with the usual log line attached to the centre of the distance line, precluding the possibility of its being a surface current; besides which, the dead reckoning of the ship, and our observations gave the same result.

On the 29th of September we passed into colored water, quite as green in appearance as that of fifty fathoms in depth, on soundings. On entering it, the temperature decreased one and a half degrees, and rose two degrees on leaving it.

We continued in it until the 2d of October, having run a distance of four hundred and fifty miles. The vessels of the squadron repeatedly sounded with from one to three hundred fathoms of line, but no bottom was found.

The first reported shoal laid down on our route upon the charts was the Maria rock, in latitude 19° 47' north, and longitude 20° 50' west, which we stood for, and bore very near the position, until we had ascertained our position correctly, by careful observations. The vessels were then spread, and the course marked to run directly over the spot, the surface of the ocean visible at the time from the squadron, was not less than sixty miles in circumference, with every opportunity which the clear weather could afford, and sufficient swell of the sea on, to have caused breakers on any shoal within fifteen feet of the surface. Nothing, however, was discovered, and no bottom could be found with three hundred fathoms of line.

The next position examined, was Bona Felix shoal, said to be within thirty miles of Maria rock; this we searched for in the same manner, but were equally unsuccessful.

We then stood for the place assigned the Bonetta shoal to the eastward of Bonavista, said to be in latitude 16° 32' north, and in longitude 20° 37' west. We, in like manner, hunted for this, and, after exploring the locality of its position on the chart, I steered on the course of its reported bearing east by north from Bonavista until nearly up with the Hart reef, lying in sight of Bonavista, which has, without doubt, been taken for and reported as the small cille Bonetta.

Our inquiries at St. Juan assured me that the Madeline (the vessel last wrecked) was cast away on the Hart reef, which they have reported as the Bonetta shoal.

I am well satisfied that the positions assigned the above three shoals on the chart, and their vicinity, are free from all dangers.

I am of opinion, also, that the particular and indefatigable search made by capt. Bartholomew, of her majesty's ship *Leven*, and the opportunities afforded me of covering, with the squadron of five vessels, so large a space, at the same time, ought to be sufficient evidence that no such dangers exist as are laid down in those positions, and should cause them to be obliterated from the charts.

From Port Praya, we steered for Patty's overfalls, as laid down in the chart, in latitude 11° north, and longitude 24° 30' west, and had a good opportunity of examining their locality. A few reefs were observed within a degree of the situation assigned them, but little or no current was found; and I feel confident in asserting that no danger exists in this vicinity, as we were becalmed in the position, and in close proximity to it for forty-eight hours, the squadron, as usual, being spread apart, and having a broad expanse of ocean under view.

Owing to light contrary winds, it was some days before we reached Warley's shoal, said to be in latitude 5° 4' north, and longitude 21° 25' west. This point was also carefully examined, but no shoal or appearance of shoal water, or any danger discovered.

Our next examination was of French shoal, said to be (as laid down) in latitude 4° 5' north, and longitude 20° 35' west. This was also examined, and no danger or appearance of shoal discovered.

From this point, I took advantage of the south easterly wind, and proceeded east; which, according to the position assigned the shoal by the French hydrographers, to enable me to cross the equator eastward of the seventeenth degree of west longitude.

We succeeded in crossing the equator in that longitude on the 5th of November, and then stood for Triton's bank, said to be in latitude 00° 32' south, and longitude 17° 46' west. When within a short distance of its position, the squadron hove to for the purpose of ascertaining our position accurately; after which a course was steered nearly west. Being at the time well to the eastward, we ran on a line the east and west over it; the vessel of the squadron being spread about three miles apart, on a line north and south. We did not, however, find it in our progress, or any bottom or indications of soundings; no discoloration of water was visible, or change of temperature, although the line extended thirty miles east and west of its reported position; after which we again stood to the north, and ran over a vigia as laid down on the charts, but none such was found in existence.

Our next examination was for Bonert's Sandy island, which was in like manner carefully searched after, in and around its position as laid down on the charts, but our search was equally unsuccessful.

Finally, search was made in and about latitude 2° 43' south, and longitude 20° 35' west. Extending to the north, northwest of this point a distance of thirty miles herabouts, having been reported as the situation of the submarine volcano assigned by Minira Krusinstien, which it was supposed might have left a shoal. This locality was twice run over in different directions, and carefully examined with the squadron in open order, but none such was found in existence.

Lieutenant Hudson, of the *Peacock*, having separated from me on the 16th of October, proceeded on a different course in search of the same shoals which we were looking for, but was equally unsuccessful in finding any, as appears by the following extract from his report to me, which affords further evidence, if it were needed, of their non-existence.

"Having separated from you on the 16th of October, I was not until the 23d that I had worked up to directly on the spot where it was laid down on the chart. We placed good lookouts, and kept our patent lead going for fifty miles before reaching the location of this shoal as laid down on the chart; also observing our drift at night, in hopes of sweeping over it at early daylight.

"I continued cruising in this vicinity various directions, getting casts of lead in from 50 to 100 fathoms, without finding bottom.

"I now continued my examination, and after having swept over a circle of 40 or 50 miles in different directions, am perfectly satisfied that Warley's shoal exists nowhere in the neighborhood laid down on the chart.

"I then proceeded for the French shoal with the wind ahead, (south by west,) where I arrived on the 25th of October, and continued cruising all the following day, with a fine breeze, immediately over the location of the shoal as laid down, and in every direction for miles in its vicinity. I then threw the anchor, searching the English shoal, and directed my course for the French position, seventy six miles distant, making nearly an east course, with lookouts, and the lead going, until I had run immediately over and around the spot, sailing in various directions, a distance of forty miles, without effect.

"I then made the best of my way for the Triton bank, with the wind veering and hailing from south southwest, to south southeast, and passed the equator on the night of the 3d of November, in longitude 17° 40' west, and continued over and around the locality of that bank, until the morning of the 5th, getting casts of the lead during the time in from fifty to two hundred and fifty fathoms, up and down, without finding bottom.

"I have, in our search, fully satisfied myself, and hope our examination will prove equally so to you, and all others, that these shoals do not exist."

Thus, sir, we have effected the examination of the supposed position of eleven shoals or dangers, which have occupied their places on the charts, much to the alarm of navigators. And I sincerely trust that the result of our endeavors and diligent search, with the exertions heretofore made by others, will be sufficient to cause them to be obliterated from the charts, as there are already real dangers sufficient to awaken the watchfulness of the navigator without his being harassed with imaginary ones.

LATEST FROM MEXICO.

From the *New Orleans Commercial Bulletin*, Feb. 28.

From *Matamoros*. The U. S. sloop of war *Vandalia*, Urah P. Levy, commander, arrived at the southwest pass on the morning of the 26th instant, from *Matamoros*.

Several of the officers of the *Vandalia*, with money, and twelve Mexican passengers, have come to town in the towboat *Tiger*.

The *Vandalia* sailed from *Matamoros* on the 21st instant. The city was garrisoned by the government troops under gen. Cavalizo, and was strongly fortified. An army of 700 federalists were encamped near, awaiting the arrival of gen. Urea with a large reinforcement of federal troops. His arrival would be the signal for the commencement of hostilities. Regular siege would then be laid to *Matamoros*, and vigorously prosecuted till the garrison surrendered or the assailants were repulsed. From the interior, no news had been received, communication having been interrupted by the turbulent state of the country.

We are under obligations to the politeness of Captain Nicholas, of the United States government packet *Woodbury*, (arrived last late evening at the southwest pass, seven days from *Matamoros*.) for files of the *Diario del Gobierno*, Mexico, and *El Telgrafista*, Tampico. Their contents are of varied interest, but not particularly important, the same

dates having been previously received. In the *Diario* it is gravely affirmed that the lifting of the blockade from the port of Tampico is the result of the conduct of general Urea in favor of the French. Serious apprehensions, it appears, were entertained by some that the holders of Mexican bonds in London had some idea of taking possession of the public domain. To this, however, there are undoubted objections.

A commercial house in this city had the kindness to favor us with the perusal of several very interesting letters from Mexico. We give the following extract:

"Vera Cruz, Feb. 7.

"The same state of affairs continues; nothing is known positively, but, for the last four days, an opinion is gaining ground that matters will soon be arranged, at least so as to allow the discharge of the cargoes now in port. Santa Anna, by a process, it is said, not unprecedented in his political career, has suddenly declared for peace, and says the government can accept the plan proposed by Mr. Pakenham. They await his approval. He has started for Mexico, and says that within three days after his arrival there, a decision will be come to. About thirty merchant vessels are lying in the harbor and at Sacrificios. Vera Cruz is still deserted, although a number of foreigners have returned. I do not suppose there are 500 souls inside the walls."

From the *New Orleans Courier*, Feb. 28.

Later intelligence from Mexico was received in this city yesterday. It appears that Mr. Pakenham, the English minister, is exerting himself to induce the Mexican government to make peace with France, and on the 12th of February it was believed in the capital he would succeed.

In the mean time, we are told of the march of troops in various directions; and the federal party seem determined to strain every nerve to put down their opponents. The wretched manner in which Bustamante has conducted the war with France, and the embarrassments occasioned by the blockade, will weaken the influence of the central party; but we still think they will finally triumph, as the priests and old Spaniards are opposed to the federalists, and in the capital and many other parts of Mexico their influence is irresistible. The most that can result from the efforts of Urea, Mexico, and others, may be the separation of one or two states from the central government. The good understanding between general Urea and the French admiral, and the disposition evinced by the latter to meddle in the intestine quarrels of Mexico, are not calculated to make either very popular with the thinking and patriotic portion of the Mexicans.

In a month's time we may expect to have something definitive from Mexico. An arrangement of the dispute with France seems very probable, and we hope will take place. Her internal harmony could then be left to purge themselves, without interfering with or interrupting the trade and business of other people.

DOCUMENTS RELATIVE TO MEXICO.

From the *Louisianian*, March 1.

The following documents have been placed in our hands for publication. The first is an interesting letter from admiral Baudin to the generals Urea and Mexico; the second is worthy of perusal, at affording a faithful description of the present condition of Vera Cruz and the country round about. All its statements may be implicitly relied on:

His majesty's frigate the Neride.

Anton Lizardo, January 15, 1839.

EXCELLENCIES: I received yesterday your letter which I had the honor to address to me the date of the 6th of this month, accrediting to me the commandant Reiband, of the national Mexican navy.

I had great satisfaction repeating verbally to commandant Reiband what I had already the honor of making known to his excellency, general Don Jos Urea, to wit: that France is not hostile to whomsoever is not hostile to her.

So soon as I was informed that the French brig *Fanny*, detained in the river Pannco, was released and that the decree of expulsion issued against the French by the government of Mexico had not been promulgated within the limits of the states which have declared in favor of the federal constitution, that, on the contrary, my countrymen found security, kindness, and justice in these states, I hastened to give orders to my cruizers to leave the entrance into Tampico unobscured.

I am disposed to do the same thing by all the ports of the Mexican states which shall adopt the same principles and pursue the same conduct.

Your excellencies will no doubt understand that in order to complete the generosity and equity o

your system, it will be proper to admit the French flag, like all others, into the ports which acknowledge the federal government.

There is no war, in fact, existing between the Mexican and the French nations. The inconceivable obstinacy and the evident bad faith of the cabinet that direct the affairs at Mexico last month, forced me to take as a pledge the fortress of San Juan de Ulloa, and to disarm Vera Cruz. But I now de- clare, as I did when I arrived on this coast two months and a half ago, that France never entertain- ed the slightest intention to oppress or insult the Mexican people—never had a thought in mind of the independence of Mexico and the integrity of her territory. The jealous and hateful passions, the interests of cupidity and ambition, which now ex- cite and agitate the insidious intrigues and decep- tion in the Mexican nation, and excite to war, against France by the most infamous falsehoods, are precisely the interests and passions most op- posed to the prosperity and honor of Mexico: con- trary to her prosperity, because they ruin the re- sources of the country by augmenting beyond mea- sure its expenses; contrary to its honor, because nothing could be more honorable to Mexico than frankly to acknowledge the wrongs she has done, and to repair them in such manner as to prevent all motives of complaint in future. The day is not distant, I trust, when reason and truth will triumph over imposture; when the Mexican people will see how greatly they have been deceived, and for the promotion of what projects of despotism they have been kept in the dark. They will find that, notwith- standing temporary disputes, they have no more sincere and disinterested friends than my country- men. I am happy in believing that this opinion is concurred in by your excellencies, and that you will exert your kind influence to diffuse it among the Mexican people. In the mean time, I present to your excellencies the assurance of my high con- sideration.

Rear-admiral commanding the naval forces of France in the Gulf of Mexico:

CHARLES BAUDIN.

Vera Cruz, January 14.

A fact which shows that government is an enemy to truth is, that the Mexican general Arista, who is now a prisoner in the French squadron, having written to some of his aids de camp and to pre- sident Bustamante himself to make known to them what took place on the 5th December, and to open their eyes to the true intentions of France, his let- ters were sent back to write no more of the same kind for the future.

The admiral thought that general Arista would be glad in his captivity to receive visits from some of his friends, and transmitted a safe conduct to those among them who should choose to see him. The boats of the squadron were placed at their dis- posal to receive them at the port of Anton Lizardo and take them back to the shore. General Arista made a party and preparations to receive the visits of his countrymen, but the government formally prohibited them from going to see him. In this, the govern ment probably acted under the influence of Santa Anna, who fears, above all other things, that a ray of truth should be thrown upon the events of the 5th December, to destroy the popularity which he has acquired by means of the falsehoods which have intoxicated the Mexican people. He calculates on that popularity to open the way to supreme power through the overthrow of Bustamante.

Mr. Pakenham, minister plenipotentiary of Eng- land, who lately landed at Vera Cruz, visited Santa Anna, whose plantation is situate on the road to Mexico. He spent there three hours, and was so shocked at the ambition, the vanity, and the pre- sumption of Santa Anna, that he could hardly (as it is said) restrain himself from expressing his disgust.

One of the principal aims of Mr. Pakenham's visit was to prevail on Santa Anna not to oppose the benevolent views of Admiral C. Baudin, who proposed to sail north into Vera Cruz, and to make it a neutral port, until the differences between France and Mexico should be arranged. That measure forms no part of Santa Anna's plan. He wishes to wait till his wounds shall be suffi- ciently healed to permit his reaching the supreme power. He will then put his creatures in office, in order to enrich himself with the custom-house duties on the cargoes which are now prohibited. It is by means like these that he has amassed his large fortune. So long as he is not pressed to his help, he will do every thing in his power to prevent others from profiting by a source of riches which will be opened the moment that the commercial re- lations of Mexico with foreign nations shall be established. In no hands like these have fallen the destinies of this unfortunate country!

You cannot imagine the dreadful misery that afflicts a population of 6,000 or 7,000 inhabitants, who have emigrated from Vera Cruz and its vil- lages, all of whom have sought refuge in small vil- lages, at the distance of three or four leagues from this place. Their cabins of reeds, exposed to the heat of the sun and to the burning sands, can hardly be used to protect them. The greater part of them contain the half of their families in the shade of trees, exposed to the diseases and insects which abound on this coast. But this is not all. The means of existence are waiting to these unfortunate emigrants. The whole population of Vera Cruz depended on commerce, and those of the environs depended on Vera Cruz. You will easily under- stand how much want and distress will be produced in a country where economy is wholly unknown, from the ordinary ease of gaining a livelihood. Some courageous Mexicans having gone to expose these evils to Santa Anna, in order that he might re-open Vera Cruz, he basely answered, *never!* that re was no concern of his, and that he could do noth- ing else than execute the orders of the govern- ment.

The government ordered him to destroy Vera Cruz and in fact they have already begun to blow up all the forts; but here again behold the barbarous ignorance of these people! They know not even how to perform this work of destruction.

I have just been informed by several of my friends returned from Medellen, three or four leagues from this place, that the greater part of the people who had begun to feel the weight of misery, and who had begun to complain both of the government and Santa Anna, as many of them begin to understand that their misfortunes are not owing to the French, and express themselves openly.

COMMODORES PORTER AND ELLIOTT.

From the National Gazette of the 25th ult.

The following communication, explanatory of the part taken by the signers in the dispute between commodore Porter and commodore Elliott, has been handed to us for publication:

To the editors of the National Gazette:

We observed that the *nota bene* to the publication at Baltimore, on the dispute between commodore Elliott and the late commodore Porter, does not contain any facts in relation to the part taken in it as heard by us, as the advisers of commodore Elliott. The notice of Justice assigns all the prominent ob- jects we gave for our advice. It may have been ob- served in the course of the discussion by some one of us, as a reason for the moderation which ought to control commodore Elliott on the occasion, that it were proper that the infirmities and bad health of commodore Porter may have had a deleterious effect on his mind, so far as to induce his course towards commodore Elliott; as they were not, from their former knowledge of commodore Porter, that he would be amongst the last to depart himself unjustly, or give credence to reports which might prove groundless.

So far from any one of us having asserted that commodore Porter was not in his proper mind, even were it the case, it could not have been known to us; one of us never having seen commodore Porter, and another not within the last nine years. Con- sequently we could not give a certificate, or assert a fact unknown to us. We give below a correct copy of our letter to commodore Elliott, which com- prises in it all the occasion required, as had been promised him.

CHARLES STEWART,
W. C. BOLTON,
J. B. QUINCY.

Philadelphia, 25th Feb., 1839.

Philadelphia, 15th Feb., 1839.

Sir: In reply to your note of the 15th instant, I state that, under date of the 27th December, com- modore Porter, then at Chester, addressed a let- ter to you, then at Washington, asking, as a favor, to be regarded "as a stranger," &c.

Under date of the 29th December, a copy of said letter was sent by you to me, *in haste*, to deliver with a challenge to the fleet, to be executed accompanied by commodore Porter; and an injury to any terms of com- bat, that I was to accept promptly any terms of com- bat, and that commodore Porter might indi- cate, by your letter to me, and a copy of the challenge, any possession.

I thought that the affair was one of great respon- sibility, and that it admitted of delay; and that should the challenge be persisted in after my seeing you, such delay would not change your attitude; consequently, I deferred taking any decisive step until I could have a conference with you; for which purpose I wrote to you to come to Philadelphia, and you did so immediately.

I felt myself to be the personal friend both of

commodore Porter and yourself, and did not deem a result to the "ultima ratio;" as applicable to the case, level amount or offence. This conclusion was approved of by the opinions of commodore Stewart and J. B. Quincy, esq. They and myself, upon full consideration of the whole subject, on which we bestowed the deepest attention, advised that your letter of the 2d January should be substituted for the challenge.

I am, sir, very respectfully,

W. C. BOLTON.

Commodore Elliott.

We corroborate the foregoing statement.

CHAS. STEWART,
J. B. QUINCY.

MADAME AMERICA VESPUCCI.

From the Globe.

This lady, it is well known, presented a petition to congress, asking two things—*first*, to be admitted to the rights of citizenship in the United States, and *secondly*, to be given a "corner of land" out of the public domain of the country which bears the name of her ancestor. The committee to whom her petition was referred, reported against both ap- plications, but on grounds in no way personal to the petitioner. The citizenship could not be granted, because, under the constitution of the United States, congress can only make general and uniform rules of naturalization, applicable to all persons alike, and not to any one in particular. The "corner of land" could not be granted, because there was no personal service from the petitioner, for which it could be a compensation.

In reporting against her application, the committee on the public lands did justice to the per- sonal character of madame Vespucci, her intell ec- tual and moral qualities, her liberal principles, and her descent from the celebrated American Vespucci; and recommended her to the American peo- ple for that asylum and establishment which it was not in the power of congress to grant. The follow- ing are extracts from the report:

"A descendant of Americans is now here; a young, interesting, dignified, and accomplished lady, with a mind of the highest intellectual class, and a heart beating with all our own enthusiasm in the cause of American and of human liberty. She feels that the name she bears is a prouder title than any that earthly mortals can bestow, and she comes before us as a small corner of American soil where she may pass the remainder of her days in this the land of her adop- tion. She comes here as an exile, separated forever from her family and friends, a stranger, without a country and without a home, except in the hearts of the free institutions, and an ardent desire for the es- tablishment of her country's freedom. That she is indeed worthy of the name of America; that her heart is in- deed imbued with American principles and a fervent love of human liberty, is proved, in her case, by toils and perils, and sacrificial labors, and by her own ex- perience, when the Roman and the Spaniards were ever ready to surrender life itself in their country's service."

"The petitioner desires the donation to her of a small tract of land by congress. With every feeling of respect and kindness for the memorialist, a majority of the committee deem it impossible for them to consent to make the grant. They think such a grant would be a precedent, and that it would violate the spirit of those compact by which the public domain was ceded to this government. It is the unanimous and anxious desire of the committee that the petitioner should receive all the benefits and recognition that this government can bestow. What this government can do for her is to give her the power of the American people. They feel at least an equal pride and glory with us in the name of Ameri- ca. Throughout our wide extended country, among all classes, this feeling is universal; and in the humblest cottage the poorest American feels that this name, the name of his beloved country, is a prouder title than any that adorning his brow, or adorning his robe, or adorning his property, his name, with all its great and glorious associations with the past, and hopes for the future, is an all-sufficient heritage to transmit to his chil- dren. This generous, patriotic, and enlightened peo- ple will take into their own hands the care of America Vespucci. They will procure for her that home which she desires, and they will do all that congress is authorized to do, and infinitely more than she asks or desires, and to demonstrate to the world that the name of America—our country's name—is dear to us all, and shall be honored, respected, and cherished in the per- son of the interesting exile from whose ancestor we derive the great and glorious title."

Immediately after the report was read in the senate, a national subscription was commenced for the bene- fit of madame Vespucci, and a resolution passed pro- curing her a home, and support in the United States, \$5000 from every quarter of the union subscribed. The amount was received by Mr. Haight, the ser- vant-at-arms of the senate, and presented to her. Many others placed in the hands of Mr. Haight other sums to be presented to her; among whom

we have heard the names of the judges of the supreme court, several members of the house of representatives, and some citizens. This is the commencement of the address which I recommended by the report of the committee on public lands, and which, we presume, is now open to all citizens who, in the language of the report, may wish to aid in procuring that home which Madame Vespucci desires among us, and which congress could not grant.

BILL FOR THE RELIEF OF PE FERBARGY.

When Mr. Cambreleng moved, in Saturday night's sitting, that the house go into committee of the whole on the bill of the union, to take up certain appropriation bills:

Mr. Chambers asked him to withdraw the motion to enable him, (Mr. C.) to make a statement; and Mr. Cambreleng having withdrawn his motion, Mr. Chambers said the statement he wished to make related to a mother affecting himself, in some degree, and would therefore barely submit it to the house to do in the matter what might seem right and proper. He said he had for some weeks past, and during the last session, been waylaid about the roads, and on the stairs and passage of the capitol, by a lean, hungry, starved-looking man, who met him at every turn, and the vision of whose ghastly face haunted him even in his hours of rest. This man had been one of the *real laboring men*—a sub-contractor—who had macadamized the beautiful avenue immediately in front of the capitol, during a period of deep calamity and distress in the city, when the cholera prevailed. The superintendent of the work having reserved the right to abrogate the contract for any delay or suspension of the work, refused to permit the contractor to suspend it, but sent physicians among the laborers to alleviate them not to work early in the morning or late in the evening, and not to work hard at any time. Disease, death, and alarm dispersed the greater part of the operative force, the contractor was ruined, and the sub-contractor was involved in all the worst consequences of the failure, and in debt for a great part of the labor. He had repeatedly been imprisoned for debt, and separated from an interesting family for want of bread to feed them; disease had followed, and the man was now, and had been, for many months here soliciting justice at the hands of the government, in a state of actual suffering for the comforts of life, while this government owed him upwards of five thousand dollars, which for years he had been *begging for*—yes, *begging for justice*—for he is broken in spirit, and suffering has almost made him mad. The senate, (Mr. C. said,) had at last passed a bill for his relief, and this day, while the house was in session, the committee over which he had the honor to preside, (and it was a high honor to preside over that committee, for they earned their daily bread,) had examined the bill, and ordered him to ask leave to report it without amendment, and ask a departure from all the rules which might obstruct its commitment to a committee of the whole; and he would even ask that it should go to the committee of the whole on the state of the union.

Mr. C. begged leave to add that he had some doubt whether this man had not to day committed a breach of the privileges of the house, for when the committee of claims emerged from their room, the poor fellow, as usual, was in waiting at the door in fear and trembling, and on being told the committee had decided to recommend to the house to pass his bill, and that every effort would be made to get it through, his yellow face turned pale as death, and the fontanelles of his eyes overflowed, and the members of the committee, without exception, though not greatly given to "the melting mood," joined in the poor fellow's undigested expression of feeling. He, unfortunately man, again saw in prospect his suffering wife and little ones assembled around him, and himself free from the danger of a return to his prison—it depended upon the house whether it should be so or not.

[The good feeling of the house was manifested by a general cry of "have, leave." The bill was afterwards specially taken up in committee, reported to the house, and passed after four o'clock in the morning.]

MAINE BOUNDARY.

OFFICIAL PAPERS OF THE MAINE BORDER SUBJECT.
Letter from the secretary of state to the governor of

Department of state,
Washington, February 26, 1839.

SIR: In acknowledging, by direction of the president, your communications to him of the 15th and 19th instant, on the subject of recent occurrences in the disputed territory, and the proceedings of the

authorities of Maine and New Brunswick growing out of them, I have the honor to communicate to your excellency copies of a message this day transmitted by the president to congress, and of a note from the British minister, with my answer.

From the last mentioned paper, it will be perceived that the president entirely concurs with your excellency in denying the existence of any such agreement between the United States and Great Britain as that appealed to on behalf of the latter, and supposed to give her, pending the boundary question, exclusive jurisdiction over the territory in dispute. It is hoped that, in consequence of the representations upon this head, conveyed through my note to Mr. Fox, to the authorities of New Brunswick, any further advance of British troops towards or into the territory will be suspended; that this will be the signal for the cessation of all military array and movements on both sides of the line, and for the simultaneous release of the agents of the respective parties now in custody; and that the renewed efforts now making to effect an amicable adjustment of the principal difference, will at an early day be successful.

If, unfortunately, the president should be disappointed in this expectation, your excellency may rest assured of the disposition and readiness of the executive branch of the government of the United States to perform such further duties as may be imposed upon him by circumstances.

Looking, in the mean time, to a satisfactory termination of present difficulties, the president intimates an express to your excellency the expediency of a mutual understanding between the authorities of Maine and those of New Brunswick, for the prevention of further encroachments upon the territory in dispute. Such an understanding, dictated by a proper spirit of forbearance, and the mutual desire for the preservation of peace which is supposed to prevail on both sides of the line, might, it is believed, be easily effected, with an express reservation that it should not be so construed as to impair the right of the parties, whether to the actual proprietary title or the temporary jurisdiction of either over the disputed territory, or any portion of it. No objection is perceived to this course. Should the governor of New Brunswick be disposed to acquiesce, it may be, as to its duration, until the decision of the British government in the matter can be obtained; and if, for reasons which cannot be apprehended, an arrangement of the character referred to should prove impracticable with the local authorities, the president, on being informed thereof, will use endeavors to make such an arrangement with the government of Great Britain. It would be lamentable, indeed, and presents a singular spectacle, if, while the parties to whom it belongs to adjust the main point in controversy are engaged in discussions with a sincere desire to bring them to a satisfactory result, the peace of the country, and the real and best interests of the people more directly concerned, were to be involved by disagreements between the local authorities upon points of secondary importance, and susceptible, as well is believed, of being easily reconciled. It would produce consequences which the nation at large could not but deplore, and which the president believes, the government and people of Maine are as anxious as he is to use every effort to avert.

I have the honor to be, sir,

Your obedient servant,

JOHN FORSYTH.

His excellency John Fairfeld,
Governor of Maine, Augusta.

Mr. Fox to Mr. Forsyth.

Washington, February 23, 1839.

SIR: I have this day received a despatch from major general sir John Harvey, lieutenant governor of the province of New Brunswick, containing the enclosed proclamation, issued by his excellency on the 13th instant, and conveying to me the information of an unjustifiable incursion into a part of the disputed territory, situated on the Restook river, by an armed body of militia from the state of Maine, acting, to all appearance, under the authority of the government of the state.

The professed object of this incursion is stated to be to capture or drive away a party of persons who are alleged to be trespassing and cutting timber on lands in the neighborhood of the Restook river. But it is well known that all that part of the disputed territory is placed under the exclusive jurisdiction of her majesty's authority, and that it is bound to remain so, by explicit agreement between the governments of Great Britain and the United States, until the final settlement of the question of the northeastern boundary.

Her majesty's officers, therefore, cannot permit any act of authority, such as is now attempted by the state of Maine, to be exercised within the ter-

ritory in question; and it will be become the bounden duty of the lieutenant governor of New Brunswick to resist the attempt, and to expel by force the militia of Maine, if the present incursion be persisted in.

Under these circumstances, I invoke the immediate interference of the general government of the United States, to prevent the threatened collision, by causing the authorities of Maine to withdraw voluntarily their militia force, and to desist, in obedience to the agreement subsisting between the two nations, from their present unwarrantable proceeding.

I avail myself of this occasion to renew to you the assurance of my high respect and consideration.

H. S. FOX.

Mr. Forsyth to Mr. Fox.

Department of state,

Washington, Feb. 25, 1839.

SIR: Your letter of the 23rd instant, calling upon the general government to interpose to prevent a collision between the governments of New Brunswick and the state of Maine, which you apprehend will be the consequence of a recent attempt made by the state authorities to expel trespassers upon the public lands in the territory in dispute between the governments of the United States and her Britannic majesty, has been laid before the president, who, after a careful examination of its contents, has instructed me to reply, in your own name, and the proclamation of sir John Harvey, the lieutenant governor of New Brunswick, which was sent with it, have been both prepared under erroneous impressions as to the facts of the transaction to which they relate.

Communications from the government of Maine enable me to state to you, that the recent movement in the disputed territory was founded upon a resolution of the legislature, a copy of which is herewith enclosed. You will perceive that no military occupation of the territory was contemplated, the sole object having been to remove trespassers, who, in violation of the right of property, to whomsoever it may belong, and the declared intentions of both governments, were gradually and adroitly diminishing its value. From the authority given to the agents of the state of Maine, and from information of undoubted authenticity, it is known that the persons engaged in this affair, although armed, from an apprehension of resistance from the large body of armed lawless aggressors on the public domain, were not detailed from the militia of the state for that purpose, but were employed by the kind agent of Maine and one of her sheriffs, who were to direct and control all their movements. Had the sole and avowed object been accomplished, the party would have immediately withdrawn, leaving the territory in all other respects in the condition in which it was found by them. This termination of the enterprise has been thus far suspended by the unexpected seizure and detention of the kind agent of Maine, who was arrested by the trespassers when in the act of putting himself in communication with the agent of the government of New Brunswick, appointed by the government to watch the trespassers, and had thus far been directed to arrest or drive off. Her majesty's government cannot be surprised, however, much as it may regret, with the president, that Maine had thought herself compelled to adopt some decisive movement on the subject, when it is recollected that, as long ago as the year 1829, Mr. Clay, then secretary of state, apprised the British minister, sir Charles Vaughan, on the occurrence of similar but less extensive violations of the property in question, alleged to have been authorized by the colonial government, that if such trespassers were authorized or countenanced on the disputed territory, it was not to be expected that the state of Maine would abstain from the adoption of preventive measures. It is true that, in the present instance, the trespassers were not believed to have been either countenanced or authorized by her majesty's colonial government; but that circumstances would itself lead to some course at the discretion produced by an act equally required by the interests of both nations. Sir John Harvey has, indeed, subsequently taken measures which prove his own conviction of the necessity of interference on the part of one or both governments to arrest a systematized plundering of the public domain. The president hopes, therefore, that as you will perceive that there was no military occupation attempted, that the object in view was perfectly lawful, the necessity of it being acknowledged by the act of sir John Harvey; that as soon as the purpose is accomplished, the agent and his assistants will, as heretofore on like occasions, be withdrawn, that you will not find it difficult to satisfy the colonial authorities that there can be no occasion for collision with Maine, growing out of this renewed exercise, on her

part, of an oft asserted right due to herself, and useful, in this instance, to her majesty's government, whatever may be the result of the pending negotiation, especially on the supposition that the territory in question should be hereafter found to belong to the British provinces.

In that event, the president persuades himself, from the known disposition and long tried forbearance of the state authorities, that he will find it easy to prevent any military array on the territory on the part of Maine, or procure the voluntary abandonment of any militia that may have been brought together from the apprehension of a collision with the Great Britain. The propriety of the prompt release, on each side, of the agents of the state and colonial governments who have been arrested, as the president believes, under a mutual misapprehension, is so obvious, that he takes it for granted they will be respectively set at liberty, if that has not been already done.

It would give me pleasure to be able to conclude this communication without further remark; but there is another error in your letter, of so grave a character, that, to avoid all possibility of misapprehension, the president has made it incumbent upon me to call it to your especial notice. It is the assertion that "the title to the territory in question is placed under the exclusive jurisdiction of her majesty's authority; and that it is bound to remain so, by explicit agreement between the governments of Great Britain and the United States, until the final settlement of the question of the northwestern boundary." That Great Britain has sought, on several occasions, to prove, argumentatively, that the exclusive jurisdiction rested with her until the final settlement of the question, I shall not controvert; but the question of title and of the right of jurisdiction as consequent thereon, or as resulting from the previous exercise thereof, has been a subject of continued controversy between the two governments, in respect to which neither has released or waived its claims. So far from any relinquishment of right of jurisdiction having been made, or any agreement, either express or implied, entered into on the part of the government of the United States, of the nature alleged by the lieutenant governor of New Brunswick, and affirmed also in your note of the 23d instant, it will appear from the whole course of the correspondence between the two governments, extending through a series of years, that that of the United States has throughout, and on frequent occasions, solemnly protested as well against the existence of the right of the exclusive possession and jurisdiction, as to the exercise thereof; and has, upon every proper occasion, asserted that both belonged to Maine and to the United States. The assertion now made, therefore, appears to your president to be so extraordinary, that I am instructed to ask from you a full explanation of the ground upon which it is placed, as the president owes it in duty to the general and state governments that the error may be traced to its source, and that the two governments may know distinctly, and without delay, the true extent of their understanding on this point, that no unfortunate or fatal consequences shall spring from any misconception on either side in respect to it. In the present state of the intercourse between Great Britain and the American continent, and the rapidity with which her majesty's government can be consulted on all questions arising with this government, or in her majesty's possessions, the president believes that this state of the question should, of itself, furnish an amply sufficient reason to prevent any hasty action on the part of the colonial governments which may lead to results fatal to the good understanding, and eminently harmful to the prosperity of the two countries.

I cannot take leave of this subject without adverting to the delay of her majesty's government, in making some decisive proposition to advance the final settlement of the question of boundary, thus exposing the two governments, as the present condition of things on the frontier too clearly shows, to consequences which neither can look to without pain, and full of mortification to that one to whom any unnecessary procrastination may be justly attributable.

I avail myself of the occasion to offer you assurances of the high respect and consideration, with which I have the honor to be, your obedient servant,
JOHN FORSYTH.

Mr. Fox to Mr. Forsyth.
Washington, February 25, 1839.

SIR: I have the honor to acknowledge the receipt of your letter of this day's date, written in reply to a communication which I addressed to you on the 23d instant, upon the subject of the dispute that has arisen between the governments of New Brunswick and Maine.

With reference to that portion of your letter which treats of the question of the actual jurisdiction, pending the negotiation for the settlement of the disputed boundary, I deeply regret to find that the government of the United States is now placed directly at variance with the government of her majesty, in its understanding of that question.

I shall lose no time in transmitting your letter to her majesty's government, in order that I may be able to convey to you, if necessary, a full knowledge of the views and intentions of Great Britain upon this part of the subject. I confine myself, for the present, to protesting, in the most formal manner, against the views set forth in that part of your letter to which I am referring. I adopted this course, in preference to entering at once into a detailed discussion of the matter, because, in the first place, I shall best be able to do so after a direct communication with my government; and, in the second place, because I entertain the hope that an early settlement of the general question of the disputed territory may render this subordinate point of no importance of little moment.

I avail myself of this occasion to renew to you the assurance of my high respect and consideration.
H. S. FOX.

The hon. John Forsyth, &c. &c. &c.

THE MAINE CONTROVERSY.

In senate, February 27, 1839.

A message from the president of the United States, with a memorandum of a specific character, signed by the secretary of state and the British minister. (The former of which was published in page 14, and the latter in page 16, of the "REGISTER"), together with various other documents on the subject of the Maine and New Brunswick difficulties, having been received and read in the senate—

Mr. Williams, of Maine, spoke for some time, but in a voice so low, and accompanied with so much noise, that the reporter could understand almost nothing of what he said. He especially insisted that, however much the consequences that might be apprehended were to be deplored, still the rights of Maine were in no case to be sacrificed.

Mr. Preston said that he would not allow himself to participate in the despondency with which the senator (Mr. Williams) regarded the condition of affairs on the Maine frontier, or to believe that the recommendations suggested in the memorandum signed by Mr. Forsyth and Mr. Fox would be inefficacious in suspending the hostile proceedings in the disputed territory. We have been suddenly and unexpectedly hurried into an attitude menacing the most serious results, and placing us at once, without any previous action of this government, upon the very edge of war. Indeed, nothing could have been more unexpected to the public mind, or to the constituted authorities of this government, than the startling events which have attended us for the last few days. We may well judge from our own excitement how much more intensely agitated are the feelings of those who are in the immediate presence of those events, and participants in them. It is, therefore, most desirable that there should be a moment of pause allowed for our own deliberations, and some time given to the angry parties on the frontier to consider of their position, and to right themselves, if, in a moment of heat, either has fallen into error. The moment of heat, either has fallen into error. The moment of heat, either has fallen into error. Messrs. Forsyth and Fox seems to have in view, and if received by the governors of Maine and New Brunswick in a corresponding spirit, will leave the adjustment of their differences to the dispassionate discussion of the governments of the United States and Great Britain, to whom properly and exclusively belongs the decision of the great question of war or peace.

Nothing could be more improper in every point of view, or more to be deplored, than that a foreign war should be superinduced by a precipitate collision of countermining authorities, superseding the cautious deliberations of the great nations whose destiny will be so deeply implicated in the result. The question of foreign war belongs to this government, and I being assured the honorable senator that, wherever the interest or honor of his state shall, in the opinion of this government, make an appeal to arms necessary for their vindication, I, and I believe the state of South Carolina, will as freely take them up in her defence as if the affront or injury had been suffered by ourselves. I know, sir, that the state of Maine has been subjected to much justly calculated to agrieve and excite her, and I cannot forbear to add that, in my judgment, the negotiations for her relief have not been urged with sufficient earnestness, or her rights insisted on in a tone as pre-emptory as their unequivocal character fully justified. Her title to the disputed territory is unquestionable, and obtained, at the last session, the unanimous

sanction of this body, after a most careful examination. It is would have authorized the most decisive demands if in our government had not been urged, Maine may have cause of complaint. But as her claims were the subject of actual negotiation, and her territory, in regard to which that negotiation was pending, was subject to provisional arrangement by an understanding between the governments, it is certainly due to this government that it be consulted, if possible, upon any matters affecting these relations; or, if this was not deemed proper, I could have wished, at all events, that it had been thought advisable by that state to have notified the British authorities of the trespass of which she complains, and of the mode in which she intended to court it. This might have produced mutual explanations, and perhaps co-operation in the correction of any error; or, if not, the British authorities, by their contenance of the marauders, would have been placed flagrantly in the wrong. That this was possible, may, in some degree, be inferred from the prompt and high tone of the British correspondence, and from the preposterous assertion of the claim to exclusive jurisdiction over the disputed territory.

This unwarrantable and most extraordinary assumption in regard to exclusive jurisdiction, may perhaps itself furnish the grounds of a future amicable adjustment of these offences. Sir John Harvey is clearly mistaken. His government, it may be hoped, will correct his error, and avow that he has misunderstood the orders of the British government, and will not have the harshness to set up such a pretension; and as the military operations of Sir John are founded on this mistake, it is clearly the part of wisdom to pause until his government has an opportunity to rectify it.

However this may be, the recommendatory convention before us is calculated to put the parties in the condition in which they occupied before the occurrence of these untoward events; to put the rights of Maine again in the keeping of this government, where the constitution and the progress of the negotiation deposited them; and, above all, to leave upon the two governments themselves the high responsibility of peace or war.

I cannot, Mr. President, refrain from commending, in emphatic terms, the spirit of moderation and fairness which has characterized the conduct of the administration in the difficult emergency upon which we have been thrown. It has my hearty approbation, and I cannot but hope, as I most ardently wish, that a policy commenced under such favorable auspices may eventuate in the re-establishment and consolidation of pacific relations. But if, unhappily, it should be otherwise, why then I pledge myself to the senator from Maine, and to the country, that I will not stop to count the cost when duty and patriotic demand, as they will then demand, a solemn appeal to the last reason of nations.

Mr. Davis said: I believe, Mr. President, I feel as much on this subject as the senator from South Carolina, who has just exerted to the utterance, patience, and to bearance, on this question shall be addressed. But I wish to call the attention of the senator for a moment to some portions of the history of this negotiation, that we may see where we now stand. The proposition for a mutual understanding was, that the two parties should remain as they were, and that each should continue to hold jurisdiction and possession of the disputed territory just so far as they had already been obtained by the parties, respectively. And now, what is our attitude in regard to this whole business? I took some pains, in the course of the discussion at the last session, to examine this matter through, to see what was the true condition of our diplomatic arrangements, and it will be found that this must be the result of the whole: That Great Britain, on her part, has decisively refused to comply with a demand for a negotiation on the question as to where was the boundary by the treaty of 1783. The government of the United States has again and again urged that certain marks, monuments, and boundaries, pointed out by that treaty, were to be ascertained; but she says the negotiation on that topic is exhausted, and, though she is willing to negotiate for a conventional line, she will not negotiate in regard to the line of that treaty. Here the matter rested, and Maine was consulted by the United States government, whether she was willing to have the question settled by determining on a conventional line. To this proposition Maine gave a flat refusal. She would not, in any case, consent to a conventional line, but she was willing in any way, to determine and settle the line of the treaty. The United States government was determined that, unless Maine would consent, they had no power to negotiate away any portion of Maine. That is where the diplomatic correspondence places it, as it then showed by letters of Mr. Vaughan, Mr. Forsyth, and

of the 2d march convened in the negotiation; and Mr. Forsyth declared, in regard to the negotiation, that it was perfectly useless to renew it, because the British government had again and again said that they would not negotiate on the treaty of 1783, which was the only one which Maine would agree to; and whoever will examine the correspondence will see that I am borne out in these statements.

Sir, I am not about to oppose this proposition, or any propositions which may be presented of a pacific character, and which are merely to bring Maine and New Brunswick back to where they stood. But, without regard to that proposition, I will proceed to one conclusion further. Although the plan now proposed may put off, for a time, the evil day; although it may relieve our present embarrassments, and may place us for the time out of the beligerent attitude, yet, I ask, what is the prospect that we will bring this matter to a close, and that we shall see:—an ultimate collision? Suppose the two countries now go back to this confining jurisdiction, and proceed in the manner in which they have heretofore proceeded, as I have already said, the conflict there grows directly out of this dispute about jurisdiction. These conflicting jurisdictions run into each other; they have no ascertained boundaries or limits, and hence it is that citizens of Maine have again and again been arrested and dragged to New Brunswick by her civil authorities, and there convicted, and pardoned, and sent back. Through all this it has happened that, whenever it was necessary to preserve the peace of the country, the United States government has stepped in as a mediator, the citizens of Maine have been released, and peace and harmony for the time restored as far as they could be. In that course things have gone on till they have created a public feeling, a sense of wrong and indignity which, I think, cannot much longer be endured. Sir, they cannot go forward in the present state of things. If the two governments think that they can maintain peace and harmony without great zeal and energy, in settling this question, they flatter themselves with hopes that will prove vain and groundless.

I have risen, Mr. President, to make these remarks, and to present this piece of diplomatic history, to show the senate that, if the proposition now before us is not followed up by speedy and efficient measures for a final settlement of the question, we should be just as well off without that protocol (the memorandum) as with it. The conflict must come, and these difficulties cannot be adjusted unless the main question is finally settled. The only desire by which I have now been actuated is, that the senate should be acquainted with these facts, and when they comprehend them, I am fully persuaded that they will arrive at the same result at which I have arrived. I concur fully with the senator from Maine, who preceded me, that unless something effectual should be done in the settlement of the principal question of territory, the citizens of Maine cannot be quieted, and such an arrangement as that now before us can never preserve the peace of the country.

Ruzzles said Maine could have no inducement to rush herself, or to draw the country needlessly into a war; for it is evident that she would herself receive the first, the second, the third, and the last blow in such a conflict. She was on the very frontier that was menaced, and the war would be chiefly on her own borders. Her commerce and all her interests on the ocean would be destroyed at once on the declaration of war. It was impossible to conceive the extent of the mischief that would be done to her interests; and could it, therefore, be supposed that she had set herself in such a position as she now occupied without great consideration, or without being compelled to take it for the preservation of her honor and her rights?

Sir, (said Mr. R.) what is the aspect of this matter as it now stands? Maine claims the jurisdiction over that portion of the country which is now the scene of the contest; not over the whole disputed territory, but over that particular part of it; or, if she does not claim exclusive jurisdiction, at least, she claims a right to that sort of jurisdiction which she has held for many years past, and of which she has never been dispossessed. In maintaining that sort of jurisdiction she found it necessary to arrest a band of depredators, for the purpose of preventing the destruction of her property. In this attempt she was resisted by them, and by them her agent was seized and carried away; and this act of violence on their part was ratified by the New Brunswick authorities, by whom, also, the demand was made that the exclusive jurisdiction over the territory should be conceded to Great Britain. The demand cannot be complied with unless yielding a right of Maine which this government has recognized; that is a right to a mixed jurisdiction, or the

right to be there, at least, to protect the property in dispute from ravages by a third party. Sir, she has done no more, but has exercised her authority precisely as she had done before, for on several occasions she has driven our depredators from this territory. Maine, therefore, cannot consent, on such a demand as has been made, to withdraw her forces. Yet it seems that the government is now prepared to require it of her; and by what right do they require it? Sir John Harvey is now declaring that he will, by a military force, arrest every person that he may find in that territory, and bring them to punishment. Is there any authority for this from this government? The government of Maine now calls on this government to aid her in defending territory rightfully belonging to Maine; and I ask if this is not a case when we may ask the president to call out the forces of the country to repel invasion? That is precisely what the governor of Maine has done. But the president appears not to apprehend that that case has arisen in which he is to defend the territory of Maine, though he has done so if New Brunswick persists in asserting that she has a right to exclusive jurisdiction, he would then consider it an occasion in which he would be required to repel invasion. Sir, this is not to recover a territory, but the object is to repel invasion; or, now that invasion is loudly threatened, it ought to be to go against the territory being invaded at all.

As it respects what the president now proposes, I do not know but it may be regarded as a wise measure. Maine is anxious that the whole question should be settled, and she has again and again urged it on this government. Her citizens in the mean time have been often arrested and imprisoned, her property has been destroyed, and she is now required still to submit to the outrages. If there was any probability that the question would be brought to an adjustment in any reasonable time by negotiation, Maine would not have assumed her present attitude. But it is because she has no confidence in negotiation, that she has at last found it necessary to take the remedy into her own hands; and I now ask, will this government require her to withdraw her troops after all that state has endured, and the people have been roused to a just sense of their rights and wrongs? And I ask further, whether this government has a right to call on Maine to withdraw her troops? I do not know but this right may be claimed as within the constitutional powers of this government to control a state in respect to the necessary order of territory. But it is on record that this territory belongs to Maine, by a unanimous vote of this senate, and from this I believe the executive does not differ; I believe the whole country are united on this point; I do not know of an individual who has the least doubt that the right to the territory is in Maine. And, yet, when we undertake to maintain our rights alone, we are requested to withdraw our troops under a threat. If they can be withdrawn, and the honor and the rights of Maine be sufficiently respected, I am willing that it should be done.

I am this moment informed (said Mr. R. with much concern) that there has been an actual collision in the disputed territory, and that bloodshed has taken place. News has arrived that a battle has been fought, and that 500 of the Maine men have been killed, and 90 of the English.

[Great sensation and silence for some moments.]
 Genl. Webster said: I hope, Mr. President, that this rumor will turn out to be incorrect. It would be melancholy, indeed, if it should be true that a hostile meeting has taken place, followed by such consequences as have been stated. But not under the influence of any impression from that rumor, I will make a few remarks on the general subject, and on this communication from the executive government; and painful as it is, I must say that I cannot approve of the conduct of the executive on this important measure since the last session. I will even go a little beyond that, and say what I did not mean to say till the certainty should be ascertained whether there would be any collision between the two parties, because I do not desire to make this controversy with England a matter of party. At the last session, and whenever there was an occasion, I endeavored to sustain the right to the territory as our own, and not to complain of any administration for the manner in which that right had been either neglected or enforced. But there are two or three things that ought to be stated; and without going at this time further back than the last session, I wish to know what reason has been assigned to congress why this negotiation has not been pressed to some practical result, or finally broken off. As to the expression of the opinions of congress in both its branches, nothing could be more desirable than a resolution of the last year. And what do we learn to have been done in consequence of those resolutions? I ask if there has any thing

been communicated to congress at this session in the form of a report of a reason why this matter has not been brought to some sort of a conclusion, or made some degree of progress? When we ask what onward steps have been taken, the answer given to the question is, that nothing has been done; but why, we are not informed. And while nothing has been done here or in London, Maine has undertaken to examine the question whether the lines of the treaty of 1783 are an ascertainable boundary. She has explored the territory by commissioners, and her commissioners come back and tell us that there is no more difficulty in running that line than any others which run due north from a given point. They have found the treaty lines (the highlands) to be as visible and tangible as the Allegheny mountains, or any other highlands, though, of course, less elevated; so that the boundaries of Maine are as clear and as easily ascertained as other lines of division in the country. And yet a negotiation has been going on, year after year; and when we ask what has yet been done, even down to this hour, we learn that nothing has been accomplished; that, to all appearances, the dispute is as far from a termination as ever.

And now what Maine has done is to supersede, New Brunswick and Maine are to withdraw, and all things are to return to the state in which they were *ante bellum*, and then we are again assured there is to be a speedy settlement of the controversy by negotiation! And so said Spain on a certain occasion, when she did not settle the question for fifty years. Sir, this important matter cannot go on, or rather it cannot stand still, in this manner. Maine cannot be kept, and ought not to be kept, thus in a state of dissatisfaction and neglect.

Sir, I think this matter must be settled, and that it will not permit delay; and I must say that a strong administration here, and another in England, might long ago have brought it to a close.

The time must come when, if the controversy cannot be terminated by some sort of negotiation, it must be settled otherwise. I believe our right is clear; and although I am willing to concede much for peace and good neighborhood, I am not willing to delay a final adjustment indefinitely, or at the hazard or in the face of the certainty of border conflicts. I do not wish that Maine should take possession of the territory. The territory is ours. But if this negotiation is to be prolonged and delayed, postponed and put off, without reasonable prospect of ever seeing an end of it, then I am for ascertaining the treaty boundary by an examination of our own, and, if we are satisfied we are right, for that that boundary be the line of our possession, and seeing whether we can hold it. When negotiation becomes procrastination, and serious dangers in the mean time are impending, a more decided course ought to be assumed. Depend upon it, the peace of the country is more endangered by these unnecessary and unjustifiable postponements and delays, than it would be by holding a more decisive language, and manifesting a more resolute spirit. I do not believe there has yet been collision; I hope there will be none. But I do not wish to see Maine humiliated or disgraced. I believe that if something of her own spirit and feeling had pervaded us here, we should have now been through the controversy. There is yet, I have no doubt, time for pacific adjustment; but England must learn that she has nothing to gain by delay. Delay, while it can be of neither party, every day endangers the peace of both.

I only wish further to say, in regard to Maine, that she did obtain from congress, at the last session, a unanimous concurrence of opinion in both branches strongly in her favor, on the question of her right to the territory. Further negotiation, however, was still contemplated; and now, at the end of another year, she finds that not one single step not an inch of progress has been made. I do not blame her for being both dissatisfied and excited.

It is to be considered also that, in the mean time, Maine has established, to her own entire conviction, the truth of what we have been contending for, that is, the perfect practicability of ascertaining the treaty boundary.

Sir, there is no motion before the senate but that of referring the message and documents, which will be done of course. I devoutly hope that nothing has transpired to prevent a settlement of the question without a resort to arms; and I hope that what has occurred will lead the two governments, instead of contriving how to put it off by a system of *shuflage*, to meet it at once, and to decide it; or else the time must certainly come when we shall be obliged to act upon our own conviction of our rights, to take possession of what we think belongs to us, and leave to those to dispossess us who think they have the right and the power.

Mr. Brown said he could not agree with the senator from Massachusetts, that there had been any fault or omission of duty in this matter on the part of the president, or that he had been endeavoring to procrastinate the negotiation in which he had been engaged; but, on the contrary, he had made every effort to bring it to a successful issue which he could make consistently with a pacific attitude. What could the executive do? He could have taken possession of the territory, but that would have been an act of war. At the last session of congress, if this step ought to have been taken, gentlemen ought to have brought forward a proposition authorizing him to take possession of the disputed territory. The senator had intimated that there was not nerve enough in the administration. But Mr. B. thought there had been complaint of rather too much nerve in this administration; at least in the case of our difficulties with France and Mexico, there was no accusation brought against them that they had not nerve enough. But Mr. B. would say that if the president could not, by pacific measures, maintain the rights of the United States, there was no one more ready than he to adopt such measures as would be effectual.

Mr. Webster said he would only ask the senator, since he had spoken of consent, in regard to the present administration, could he tell of one individual step taken in this negotiation since the last session of congress?

Mr. Brown said the administration had taken no step, for the very obvious reason that Great Britain had declined further negotiation, and therefore no step could be taken, unless it was that of war.

Mr. Walker said he trusted this would not be made a party question, but one in which the whole country would be united. If there must be a contest with a foreign power, he trusted that, instead of finding fault with what had been done, they would endeavor to be unanimous in both houses of congress, and that there would be no division of the people of the United States.

Without therefore entering into the discussion of any of what ought to have been done by the administration, there was one thing in which Mr. W. most heartily concurred with the senator from Massachusetts; that the time was soon to come when a power here ought to be assumed to settle this question, as Great Britain had declined further negotiation as to the only point really at issue, which was to ascertain what was the boundary of the treaty of 1783. Then have we not, said Mr. W., already avowed what must be the consequences, when we asserted the right of Maine to this territory by the unanimous voice of the congress of the country? And it becomes us now to declare that, if Great Britain will not negotiate on paper, it is our duty to negotiate on the field of our cannon, and by the authority of the two houses of congress.

In regard to the withdrawal of the troops from this territory, it is precisely what Great Britain desires, for this Maine will be kept out of this country, and, so long as that is the case, Great Britain will not negotiate. But if Maine continue in actual possession, as I trust she will, then Great Britain will be compelled to negotiate, or determine whether she will yield or assert her right to a portion of one of the states of this union by force of arms.

Sir, I hope this will be no party question, but one which will command the power and result in the honor of the whole country.

Mr. Williams, of Maine, said he was happy to say that the rumor which had alarmed the senate a few minutes before was without foundation. But Mr. W. would not now have risen but for the remarks of the senator from South Carolina, (Mr. Preston,) who seemed to suppose that this arrangement, (of Messrs. Fox and Forsyth,) would be sufficient. Mr. W. now read and commented on various parts of this arrangement, and came to the conclusion that, as Maine should have withdrawn her troops, she would not be authorized by the arrangement to remove trespassers from the disputed territory, which was a right that she would not be likely to surrender.

Mr. Calhoun said he did not think this was an occasion to look at the past, or to declare what ought to have been done, but what was to be done or three propositions on which all would agree, and one was, that a war between this country and Great Britain would be among the greatest calamities that could befall either us or them, or the civilized world. The next was, that it ought to be avoided if possible. And the third was, that, if it must come, it should come after full deliberation, and a cautious exercise of judgment, both as to the time and as to the consequences. And now, what was our condition? We were on the very edge of a war; and how should they remove the present difficulty? If Mr. C. might express an opinion, he would say that the executive, in whatever respect he might or might not be blamed

in regard to his other proceedings, had, in this emergency, manifested great judgment, prudence, and discretion. Mr. C. did not think this arrangement could be permanent; but it would get them out of a condition in which they might be compelled to a war without being willing. Mr. C. believed that of this itself would be an advantage; for he did not believe that this country or Great Britain desired a war. But Mr. C. would consent to one for the present, and he would refer the whole case to the committee without a single word more; and giving this arrangement the sanction and that of the senate, he trusted these difficulties would be brought to a peaceful termination, to the benefit of our country and of the civilized world.

Mr. Kuggles adduced further evidence that the rumor mentioned in the course of the debate was unfounded, and that 1,800 of the troops of Maine were on the Aroostook.

The message and documents were referred to the committee on foreign relations, and 5,000 extra copies of them were ordered to be printed.

TWENTY-FIFTH CONGRESS.—3d SESSION.

HOUSE OF REPRESENTATIVES

Saturday, March 2. The following are the proceedings of this day, in continuation of those inserted on page 22.

The bill reported by the committee of foreign relations in connexion with the existing difficulties in relation to the northeastern boundary, being under consideration, the section which authorizes the president to accept the services of 50,000 volunteers, was concurred in, by yeas and nays, as follows:

YEAS—Messrs. Adams, J. W. Allen, Anderson, Andrews, Arelston, Daniels, Beatty, Brevint, B. Carey, Beckwith, Bridell, Jordan, Broadhead, Brown, Buchanan, Byrum, Cambreleng, William B. Campbell, J. H. Campbell, Carter, Casey, Chaney, Chapman, Cheatham, Clarke, Coles, Connor, Cray, Curtis, Cushing, Cushman, Darlington, Dawson, Daver, De Graff, Dromgoole, Duncan, Dunn, Edwards, Elmore, Evans, Eckford, Ferguson, Field, Elliott, Ellsworth, Fry, Gallup, J. G. Grant, G. G. G. Grant, W. Graham, Grandison, G. ant, Graves, Gray, Grennell, Haley, H. Ised, Hammond, Harter, Harrison, Hastings, Hawkins, Henry, Herod, Hoffman, Holt, Hopkins, Howard, William H. Hunter, Robert M. T. Hunter, Kephau, Thomas B. Jackson, Jenifer, Henry Johnson, Joseph Jones, Nathaniel Jones, John W. Jones, John Kemble, Kennedy, Kingessmith, Leadbetter, Lewis I. Logan, L. Lewis, Malloy, James M. Mason, Martin, Maury, McKay, Robert McClellan, Abraham McClellan, M. Clare, McKean, Menefee, Miller, Montgomery, M. Morgan, Sumner, W. M. Morris, Conway, Harris, May, John, Noyes, Ogle, O'Connell, Palmer, Parker, Parmenter, Parris, Payner, Pearce, Pennypacker, Perkin, Plumer, Pope, Pratt, John H. Prentiss, Reidy, Ridgway, Rives, Robinson, Rams, J. Sawyer, Sergeus, Seffler, Augustine H. Shepherd, Shepler, Smith, Southey, Spooner, Smet, Stone, Taylor, Thomas, Tins, Thibault, Towner, Lewis, Martin, Jones, N. J. Wells, Albert S. White, Whiteley, Sierrod Williams, Jared W. Williams, Joseph L. Williams, Wortington, Yell—153.

NAYS—Messrs. Ayer, G. B. Biddle, Bond, Briggs, William B. Calhoun, Carver, Crabb, Cranston, Crockett, Davies, Deberry, Everett, Rice Grand, Griffin, Hall, Hays, John Jay, Leane, Lewis, Martin, Sumner, M. P. Moxey, Mercer, Milligan, Mitchell, Peck, Pickens, Potts, Rarient, Randolph, Reed, Rencher, Robertson, Russell, Sabotstall, Shields, Slade, Stratton, Tahiefer, Tillinghast, John White, Lewis Williams, Christopher H. Williams, Wise, Word, Y. Rice—47.

The remaining amendments of the committee having been concurred in, Mr. Grand demanded the yeas and nays question. It was seconded by the house—yeas 102. The previous question being then put, Mr. Wise demanded the yeas and nays; but the house refused to order them. And the previous question was agreed to, (cutting off all further amendments.) The main question then recurring, on the engrossment of the bill, it was decided in the affirmative by yeas and nays, as follows: yeas 201, nays 6. viz. Messrs. Cranston, Davies, Giddings, Maxwell, Stratton, and Wise.

The bill was thereupon read a third time, (by its title,) passed, and sent to the senate for concurrence.

Mr. Adams moved that when the house adjourn, (the senate concurring,) both houses meet to-morrow, (Sunday,) at 10 o'clock, A. M. He said that this was far better than continuing to sit, as the house otherwise would, till 8 or 9 o'clock. If it was a breach of the Sabbath, it would be as great in the one case as in the other, and the business would be half done, in the night, instead of being done understandingly and properly, after necessary rest. Mr. Crockett demanded the yeas and nays, which were ordered; and, being taken, stood—yeas 89, nays 91. So the motion was negative. The rules having been suspended for that purpose, the defence bill was sent to the senate.

Mr. Shields made a strenuous effort to get up the Tennessee land bill, (to issue warrants and grant titles for certain unoccupied lands in that state.)

Objections being made, he moved to suspend the rules, and demanded the yeas and nays; which were taken, and resulted as follows: yeas 80, nays 61. There not being two-thirds, the rules were not suspended.

Mr. Cambreleng moved that the house go into committee of the whole on the state of the union with a view to consider the senate's amendments to the appropriation bills still pending, viz. to the navy bill, the civil list bill, the army bill, and the Indian bill. Mr. McKean moved to amend the motion by adding the Cumberland road bill, and asked the yeas and nays on this motion. Mr. Dromgoole moved the previous question on Mr. McKean's motion. The Chair (occupied by Mr. Ingham) at first pronounced this out of order. Mr. Elmore appealed, and the house got into very great confusion. The Chair subsequently reviewed the decision and reversed it.

The call for the previous question was seconded by the house—yeas 67, nays 60.

The previous question was then put and carried, (cutting off Mr. McKean's amendment,) and the main question being on going into committee, it was carried, and the house thereupon went into committee of the whole on the state of the union, (Mr. Briggs, of Massachusetts, in the chair,) and took up the senate's amendments to the navy appropriation bill.

Mr. Mercer addressed the house in vindication of captain Tho. as pay Catesby Jones from the charges preferred against him when this bill was in the house. He quoted Mr. Ingham's speech, and then sent to the clerk's table a letter from captain Jones, which was read.

The amendments of the senate were all concurred in.

The committee next considered the amendments to the civil and diplomatic appropriation bill.

Mr. Bond moved to disagree to the senate's amendment proposing to strike out the clause of the bill which requires the public printing for the executive department to be done on proposals and let out to the lowest bidder; and he spoke with earnestness against the existing practice of giving it at printing at extravagant prices as a job to favorites, &c.

Mr. Cambreleng ridiculed the idea of issuing proposals for every separate piece of printing which the departments might need done. The amendment of the senate was negative.

The committee also concurred in an amendment appropriating \$6,000 for the salary of a resident minister at Constantinople in place of a charge, as at present.

Another amendment of the senate struck out the appropriation of five or six thousand dollars to comply with the contract of the government with M. St. Clair Clark and Peter Force, for the publication of their documentary history of the United States, and the item for distributing copies of that work to members not supplied therewith.

Mr. Pettin moved that the house non-concur in this amendment. There was a contract; the books were published and must be paid for. They lay rotting in the secretary of state's office, and ought to be distributed. The motion prevailed. So the house refused to concur in striking out this item of the bill. The committee next proceeded to consider the amendments to the army appropriation bill.

There were three sections added to the bill by the senate: one to pay for lost horses of the Louisiana volunteers; one to allow the claims of the state of New Hampshire for the pay of militia; and a third respecting similar claims of Massachusetts.

[What action was had upon them the reporter was unable to hear, the noise and movement in the house being very great. His impression is they were disagreed to.]

Another amendment had been made by the senate, inserting the substance of the fortification bill, appropriating sums of money to complete various forts.

These amendments were concurred in; but not until a very warm debate had taken place on expending \$10,000 on the fort at the Pea Patch, below Philadelphia, pending a suit by a private individual who claimed the island on which that fortification stood as his own property. Messrs. Brancher and Rendolph opposed, and Mr. Naylor advocating the appropriation. It was agreed to: yeas 83.

On motion of Mr. Cambreleng, the committee now rose and reported the naval appropriation bill and the civil and diplomatic appropriation bill to the house, with the amendments of the committee.

In the house, the amendments to the naval bill were all concurred in. The civil and diplomatic

bill then coming up, Mr. Bond called for the yeas and nays on concurring with the amendment striking out the item for doing the piloting of the departments under proposals. Mr. Harlan and Mr. Smith opposed concurrence. Mr. Cumberleg advocated it, and the question was decided by yeas and nays as follows: yeas 73, nays 99. So the amendment was not concurred in.

The house concurred in the committee's disagreement to striking out the item for Clarke & Force's diplomatic history. Mr. Tillghust proposed a recess till 10 o'clock in the morning, but it was rejected.

Mr. Elmore now moved the following vote of approbation of the course of the speaker:

Resolved, That the thanks of this house be presented to the hon. Jas. K. Polk, for the able, impartial and dignified manner in which he has presided over its deliberations, and performed the arduous and important duties of the chair.

On this resolution a long and excited debate arose, in which Messrs. *Elmore*, *Bell*, *McKeanan*, *Carlin*, *Prentiss*, *Wise*, and *Gray* took part, and which was terminated by a demand by Mr. Gray for the previous question; it was seconded by the house, and carried by yeas and nays: yeas, 92 nays 73.

The main question then recurring on the adoption of the resolution, it was decided by yeas and nays, as follows:

YEAS—Messrs. Anderson, Andrews, Atherton, Banks, Brady, Berne, Bickell, Birdsall, Bouldin, Briggs, Broadhead, Bronson, Buchanan, Bryant, Canby, Child, John Campbell, Casey, Chaney, Chapin, J. C. Clegg, Connor, Fry, Cushman, J. Dawson, Daves, Elmore, Farrington, Fay, Giddup, James Garland, Grant, Gray, Griffin, H. H. Hammond, Hauser, Harrison, Hawkins, Howard, William H. Hunter, L. L. Hunt, Taos, B. Jackson, Joseph Johnson, N. Jones, J. W. Jones, Keane, Kenley, Kingensmith, Knapp, Lester, Lewis, Long, L. L. Lyons, Lloyd, J. M. Mason, Martin, M. Kay, Robert McClellan, Abraham McClellan, M. Cline, Miller, Montgomery, Moore, Morgan, Samuel W. Morris, Murray, Noble, Parker, Parmenter, Paris, Payater, Pearson, Peckins, Pugh, Pratt, John H. Penton, Poindexter, Kelly, Rives, Saffers, Spencer, S. Swearingen, Taylor, Lewis, E. Vance, Rice Garland, T. G. Tamm, William T. Wagner, Webster, Whiteley, Jared W. Williams, Worthington, Yell—94.

NAYS—Messrs. Adams, J. W. Allen, Ayer, B. Bell, Bond, W. B. Caldwell, John Caldwell, W. B. Campbell, Custer, C. Chambers, Cheaden, Giddis, Clark, Corwin, Crab, Craighton, Crockett, Cress, Darlington, Dym, Evans, E. V. King, Rice Garland, L. Goble, William Graham, Graves, Greenell, Halsted, Herold, William C. Johnson, Kennedy, S. Mason, M. McKeanan, Mercer, Mercer, Selway, Mrs. Naylor, Ozle, Peck, Pope, Sergeant S. Prentiss, Renden, Randolph, Reed, Ridgeway, Robertson, Russell, Salmonsall, Augustine H. Seward, Sibler, S. Smith, John W. Smith, W. L. Williams, Christopher H. Williams, Wise, Ward—57.

So the resolution was agreed to.

The house then went again into committee of the whole on the state of the union, (Mr. Briggs in the chair,) and resumed the consideration of the army appropriation bill.

The noise was great, the efforts of the chairman to preserve order incessant, but in a great degree ineffectual, and it was difficult to tell what was and what was not done by the committee. The reporter made out the following motions:

Mr. Atchey moved to concur in the appropriation for Fortress Monroe, (Old Point Comfort,) and made a speech in support of the motion, but it was negatived. Mr. Yell moved an appropriation for Fort Smith, on the western frontier of Arkansas; but it was pronounced out of order, as inserting another bill into an appropriation bill contrary to the rule which forbids that to be done. Mr. Galtup moved a similar appropriation for some work in New York, which shared the like fate. Mr. Ewing moved to strike out the amendment for the fortifications in Charleston harbor, and went into a speech of very great duration in support of the motion; in which he took occasion to retort with severity on Mr. Elmore, who had always opposed the Cumberland road, and who, he contended, was bound, by his own principles, equally to oppose the work in his own state. The amendment was agreed to. Mr. Petrikin moved to strike out the appropriation for the pay of the visitors to West Point Academy. Lost. Mr. Campbell, of Tennessee, moved to strike out the whole appropriation for the military academy. Lost. The committee then took up the section respecting the pay for lost horses of the Louisiana volunteers, which, after a desultory debate, was concurred in.

The section providing for the payment of the New Hampshire claims for militia services, was debated by Messrs. *Cushman*, *Atherton*, *Reed*, and *Smith* in favor, and by Messrs. *Thomas* and *Cumberleg* against the allowance; when it was rejected, yeas 81.

The section respecting the Massachusetts claim for militia services, came next in order. Mr. Lincoln went at length into a speech in support of concurrence; after which, the committee, on motion of Mr. Lincoln, rose and reported. It being now half past three o'clock in the morning, a motion was made to adjourn, but negatived.

The senate having insisted on its rejection of interest in the bill for the relief of the Springfield Manufacturing Company, Mr. Dromgole moved that the house insist on retaining it in the bill. Lost. On motion of Mr. Calhoun, of Massachusetts, the bill was laid on the table.

The house concurred in the amendments to sundry private bills, and also in a joint resolution of the two houses to adjourn at 10 o'clock.

And then, a little before 4 o'clock on Sunday morning, adjourned to meet again at 10 o'clock.

Sunday, March 3. On leave, the Speaker laid before the house several executive communications.

Mr. Lincoln, (leave having been denied,) moved a suspension of the rule, for the purpose of taking up, on its final passage, the bill providing for the erection of a fireproof building for the use of the post office department. Mr. Cumberleg hoped that the house would pass the appropriation bills and adjourn; and the house having divided, no quorum voted. Mr. Lincoln said, if there was not a quorum for this bill, there was for no other. Another division took place, and still no quorum voted. Mr. Crabb demanded the yeas and nays on the motion to suspend; which were not ordered. The Chair suggested that the count be taken by yeas; which was ordered; and there appeared yeas 93, nays 35; for the house, some remarks followed from Messrs. *Crabb* and *Tulliferro*; when Mr. Cumberleg moved the previous question; which was seconded. Mr. Crabb moved to lay the bill on the table; which motion was rejected. And the main question was ordered to be now taken; and, being taken, the bill was passed.

Mr. Lincoln moved a suspension of the 16th joint rule, so far as related to the above bill; which motion was agreed to.

The house took up the bill for the suppression of Indian hostilities in Florida; which had been returned from the senate with certain amendments. The first amendment proposed by the senate was to strike out the appropriation of \$5,000 for holding a treaty with the Seminole Indians; and the question being on concurrence, Mr. Robertson demanded the yeas and nays; which were refused; and the question being taken by tellers, there appeared yeas 51, nays not counted; so the amendment was not concurred in; and the other amendment was concurred in. The house then took up the general appropriation bill, which had been returned from the senate a second time with certain amendments. The senate having insisted on their amendment striking out so much of the said bill as provides that the printing, &c. of the executive departments shall be let out by contract, Mr. Bond moved that the house adhere to its disagreement to the amendment of the senate. The Speaker explained the effect of this motion to be, that if both houses adhered, the bill would be lost. Mr. Bond said he was aware of the effect of the motion. After some desultory conversation between Messrs. *Petrikin*, *McKeanan*, *Lewis Williams*, *Rice Garland*, *Tillghust*, *Killmore*, *Rives*, and the Speaker, on the effect of the various parliamentary motions applicable to this case, Mr. Rives moved that the house recede from its disagreement to the amendment of the senate; which motion the Speaker said was in order. Mr. Bond, (at the suggestion of Mr. Bell,) so modified his motion as to insist on its disagreement without a conference. The Speaker decided that the motion to recede had the priority; and explained that if this prevailed, the effect would be that the amendment of the senate would be concurred in.

Mr. Harlan called upon all gentlemen opposed to quorum, to all together vote against the motion to recede. Mr. Fillmore demanded the yeas and nays, which were ordered, and, being taken, were yeas 80, nays 93; so the house refused to recede. A motion was made to amend that motion, so as to ask a conference; which amendment was rejected; and the motion to insist was agreed to. The senate having struck out from this bill the amendment of the house in relation to copies of the documentary history of the United States, and the house having disagreed, and the senate having insisted, Mr. Toucey moved that the house recede; which motion was rejected. Mr. Petrikin moved that the house insist on its disagreement; which motion was agreed to. On motion of Mr. Cumberleg, the house resolved itself into committee of the

whole on the state of the union, (Mr. Briggs in the chair.) Some discussion followed as to the business entitled to priority. The Chairman decided that the unfinished business was the consideration of the army appropriation bill. Mr. McKeanan appealed from the decision, but, to avoid debate, withdrew the appeal.

The committee then proceeded with the consideration of the army bill, the pending question being on concurring in the amendment of the senate, making an appropriation to pay the militia claims of the state of Massachusetts. Mr. Lincoln resumed and concluded his remarks, during which he yielded the floor incidentally to explanations from Messrs. *Tulliferro*, *Ingham*, and *Greenell*. (The committee here rose and received a message from the senate, (amongst other things) announced that the senate insisted on its disagreeing vote on the general appropriation bill, and asked a conference. And a committee was appointed accordingly.)

The house then again went into committee, and the debate on the Massachusetts claim was continued by Messrs. *Cotes*, *Greenell*, (in explanation,) and *Evans*. Mr. W. C. Johnson moved to amend the amendment so as to authorize an adjustment of the claims of Maryland on account of money advanced to the general government during the last war; which motion was rejected; and the question on concurring with the senate in the amendment was then taken, (by tellers,) and decided in the negative—yeas 64, nays 73; so the amendment was not concurred in. The committee then took up the Indian appropriation bill, which had been returned from the senate with certain amendments. Mr. Bell moved to amend the amendments by providing that the warriors of the Cherokee nation who were wounded during the last war with Great Britain, should be placed on the pension roll; which was agreed to. Mr. Everett moved to amend the amendments by adding an appropriation of \$10,000 for surveying and marking the territory west of the Mississippi. Agreed to. Some debate ensued on the items of appropriation inserted as amendments by the senate, in which Messrs. *Bell*, *R. Garland*, *Petrikin*, *Harlan* and *Cumberleg* participated. Mr. Bell explained that most of these items were to fulfil treaty stipulations, and that they were based on estimates from the war department. The debate on the various items was continued by Messrs. *R. Garland*, *D. H. Lewis*, *Bell*, *Everett*, *Cumberleg*, *Harlan*, *Dunson*, *Wm. C. Johnson*, *Towns*, and *Murray*. When, without going through with the items, the committee, on motion of Mr. Cumberleg, rose and reported the army bill to the house.

The house agreed with the committee in their concurrence with certain amendments of the senate in the said bill.

And the house concurred with the committee in striking out other amendments of the senate.

The bill was not disposed of when, at 3 o'clock, the house took a recess.

EVENING SESSION.

On motion of Mr. Williams of Kentucky, a resolution was adopted to give the little boys an extra compensation of \$250 for their services during the last three months. Sundry other resolutions of a similar character were offered, some of which were agreed to, and others rejected. Mr. Lyon moved the house to take up the bill for the benefit of the Selma and Tennessee railroad company. He stated that he would not ask the favor, but, though he had been in the house all day, indisposition would compel him to leave the hall.

Mr. Lincoln objecting, Mr. Lyon moved a suspension of the rules, but it was ineffectual.

The question was then taken on concurring with the committee of the whole in their non concurrence with the senate in the provision to the army bill to appropriate \$272,716 to liquidate the Massachusetts militia claims, and resulted in the affirmative—yeas 83, nays 63.

So the house disagreed to the amendment of the senate.

Mr. Downing asked leave of the house to present a communication from the governor of Florida in relation to the barbarous murders recently perpetrated in that territory. Mr. D. also asked leave to make a statement on the subject. He said it was very important, for the houses were in flames from the depredations of the Indians within ten miles of the seat of government. Objection being made, Mr. D. moved a suspension of the rules; but it was ineffectual—yeas 88, nays 54, not two-thirds. On motion of Mr. Cumberleg, the house then went into committee on the union, (Mr. Briggs in the chair,) and resumed the consideration of the bill providing for the payment of Indian annuities and other Indian affairs. Mr. Downing read an extract from a letter of the governor of Florida, setting

forth that the condition of that territory was worse than it had been at any period during the war, and that the regular troops afforded no protection at all.

The amendment of the senate providing for the Seneca treaty, was non-concurred in. Mr. Everett moved to non-concur in the section repealing the second section of the act of 1830, which authorizes the president to exchange lands owned by Indians east of the Mississippi, who wish to emigrate, for lands west of the Mississippi. Mr. Bell fully concurred in the amendment, which would have the effect of preventing the multiplying of Indian treaties, and put an end to making these interminable Indian treaties. Mr. Everett withdrew his objection, though he could not flatter himself that the amendment would arrest the evil. The amendment was agreed to; and all the amendments of the senate having been acted on, Mr. W. Cost Johnson moved an additional clause to authorize the president of the United States to accept the services of volunteers, not to exceed five thousand in number, for Florida, and that _____ dollars be appropriated therefor. The Chair, however, ruled the amendment out of order, on the ground that it was an appropriation for which there was no existing law.

On motion of Mr. Cambreleng, the committee then rose and reported the above bill and amendments to the house.

The report of the committee on all the amendments was concurred in, and the bill sent to the senate for concurrence.

Mr. Rariden then moved that the house go into committee on the union or the Cumberland Road bill; upon which motion, Mr. Petrick demanded the yeas and nays; which, being ordered, were taken. Before the vote was announced, Mr. Dawson rose, and called the attention of the house to the fact that names were recorded who were not in the list. Among these were Messrs. Thompson, Worthington, and Mason of Ohio; all of whom had left the city, and all voted in the affirmative. These votes were ascertained, if counted, would take up the bill; if omitted, the majority would be in the negative. The Chair suggested that the roll be called again, and the difficulty put an end to. Mr. McKennan objected to this.

The vote was then announced; yeas 74; noes 77.

So the house refused to go into committee on the bill.

On motion of Mr. Rencher, the house took up the joint resolution from the senate, to authorize the purchase of the Pea Patch Island in the Delaware river, and for other purposes, which, having been read a second time, was committed, and Mr. B. moved that the house go into committee on the union, thereon, which was agreed to.

The house accordingly went into committee, Mr. Howard in the chair, and the above joint resolution was taken up and discussed by Messrs. Milligan and Harlan, when the latter gentleman moved so to amend it as to substitute the "president of the United States" for the "secretary of war," and to limit the price to \$50,000, subject to the approval of congress.

After a few words from Mr. Kemble, the first amendment was disagreed to—yeas 51, noes not counted.

The second amendment was discussed by Messrs. Hoffman, Pope, Mercer, Naylor, McKay, Graves, and Curtis, when Mr. Lewis Williams moved to limit the sum to \$25,000.

This proposition was also discussed by the mover and Messrs. Thomas, Harrison, Kenble, Petrick, Graves, Cambreleng, and Bell, when it was rejected. Mr. Thomas then moved to strike out \$50,000, and leave the sum indefinite, subject to the ratification or approval of congress; which was disagreed to—yeas 45, noes not counted. Mr. Harlan's amendment was then agreed to, without a division.

The resolution was then laid aside to be reported. The committee then took up the senate bill entitled, "An act in addition to the act to promote the progress of the useful arts;" but before which progress was made in it, on motion of Mr. Bell, the committee rose, and reported the joint resolution, leaving the bill in committee. The house concurred in the amendment to the joint resolution—yeas 82, noes not counted.

Mr. McKay moved a further amendment, which was agreed to.

Mr. Harlan renewed his first amendment, but it was rejected without a division. The resolution was then ordered to a third reading, read a third time, and passed.

On the question of going into committee again on the bill on patents, Mr. Boutin moved to include the bill providing for the building of a jail in the District of Columbia. Agreed to.

Mr. Lewis moved the Florida occupation bill. Rejected.

Mr. Bell moved the bill to continue the Choctaw commission. Rejected.

The house then went into committee, and resumed the consideration of the bill amendatory of the law organizing the patent office. Mr. Petrick moved to strike out the provision for a board of examiners. Rejected. Several other amendments were submitted and rejected. Mr. Petrick moved to strike out the enacting clause; and upon that motion, proceeded to state his objections to several provisions of the bill, the same withdrawing the motion. The bill was then laid aside to be reported.

The committee then took up the amendments of the senate to the bill providing for the erection of a new jail in the city of Washington; and they being agreed to, the committee rose and reported the two foregoing bills to the house. The first bill was ordered to a third reading, read a third time, and passed. The house then concurred in the amendments of the senate to the bill to provide for the construction of a new jail in the city of Washington.

The house concurred in the amendments of the senate to the bill to provide for taking the sixth census.

The house took up the senate's amendments to the army appropriation bill, and, on motion of Mr. Cambreleng, concurred therein, the house receding therefrom.

The amendments of the senate to the Indian bill were taken up. The house, in the morning, had disagreed to several of the amendments, but insisted upon one of them.

On motion of Mr. Cambreleng, the house now receded from their disagreement; and thus the bill was finally passed. Mr. Lewis moved that the house go into committee upon several bills granting right of way to certain railroad companies. Mr. Bell moved to include the bill to continue the Choctaw commission, but he was not agreed to as a modification. This motion, which was then agreed to only so far as regards the Selma and Tennessee railroad company.

The house then went into committee on various bills.

The bill for the benefit of the Selma and Tennessee railroad company [granting them right of pre-emption to alternate sections, with six years' credit] was taken up, when Mr. Lincoln was proceeding to oppose it; when Mr. Cusey suggested that the gentleman move that the committee rise; for if this bill was to be debated, nothing more could be done. Mr. Lincoln accordingly made the motion, but he did it suspended for suggestions, and then renewing it, the motion prevailed. The Speaker having resumed the chair, Mr. Graves moved that the Tennessee land bill be taken up. Objections were made all over the house, and Mr. G. moved a suspension of the rules. Mr. Lewis Williams demanded the yeas and nays; which being ordered, were—yeas 81, noes 49. So the rules were not suspended, requiring two-thirds. On motion of Mr. Johnson, of Louisiana, the bill to change the times of holding the federal courts in Louisiana was taken out of committee of the whole, brought into the house, and put on its third reading. Mr. Hoffman moved an amendment in reference to the courts in New York, which was agreed to. Mr. Bronson moved a further amendment, which was agreed to. The bill was then passed.

The amendment of the senate to the joint resolution for the purchase of Pea Patch Island was concurred in by the house receding from so much of its amendment as the senate disagreed to—yeas 109, noes not counted.

Mr. Cushman offered the usual resolution for a joint committee to wait on the president of the United States, and inform him that the two houses were ready to adjourn. Mr. Wise said he should object, for the house had not completed its business. The resolution was agreed to without a division.

Mr. Wise moved to go into committee on the union, on the bill to increase the pay of the sailing masters of the navy. [Cries of "no!" "no!" in terminology with others of "agreed!" "agreed!"] The motion was disagreed to. Mr. Wise asked leave to submit a resolution to pay the clerk of the select committee on defalcations certain extra compensation for his services. Objection being made, Mr. W. moved a suspension of the rule, and the tellers having announced, yeas 77, noes 45, not two thirds, Mr. Wise called for the yeas and nays, but they were refused; and the motion to suspend was rejected without a division. Mr. S. W. Morris asked leave, as a member of the committee of accounts, to make a statement in relation to this matter; but it was refused.

On motion of Mr. Briggs, the usual order was adopted to send a message to the senate notifying that body that the house, having concluded the business before it, was ready to adjourn.

Several resolutions were offered again to give the clerks, messengers, stable-keeper, &c. extra pay, but they were all rejected. Mr. Harlan moved a suspension of the rules, to enable him to submit a resolution that the secretary of the treasury prepare a statement of the defaulters from 1829, and that it be printed during the recess. Mr. H. asked for the yeas and nays on his motion, which, being ordered, were—yeas 64, noes 33.

So the rules were not suspended.

The house concurred in the resolution of the senate to suspend the 16th and 17th joint rules of the house, so as to pass a joint resolution to provide for the distribution, in part, of the Madison papers.

The joint resolution was soon after received, and, having been read twice, Mr. Wise briefly supported it. Mr. Petrick was not opposed to the resolution, but he would take that occasion to remark that the charge brought by Mr. Bell against the senate was now proven to be unfounded. The resolution was then put on its third reading, and the question being on its passage, Mr. Dromgoole called for the yeas and nays; but they were refused, and the resolution was passed without a division. Mr. Cushman, from the joint committee appointed to wait on the president of the United States, and inform him that, unless he had further communications to make, both houses were ready to close the present session, reported that they had performed that duty, and were informed by the president that he had no further communication, but he wished the members all a safe and happy return to their homes. Mr. Cannon then moved that the house adjourn sine die, which was agreed to.

The Speaker rose and addressed the house as follows:

Gentlemen of the house of representatives :

In taking leave of this body, in all probability for ever, emotions are excited which no language can adequately convey. As I look back to the period when I first took my seat in this house, and then look around me for those who were at that time my associates here, I find but few, very few, remaining. But five members who were here with me fourteen years ago, continue to be members of this body. My service here has been constant and laborious. I can, perhaps, say what but few others, if any, can—that I have not failed to attend the daily sittings of this house a single day since I have been a member of it, save on a single occasion, when prevented for a short time by indisposition. In my intercourse with the members of this body, when I occupied a place upon the floor, though occasionally engaged in debates upon interesting public questions, and on an exciting character, it is a source of unmingled gratification to me to recur to the fact, that on no occasion was there the slightest personal or unpleasant collision with any of its members. Maintaining, and at all times expressing, my own opinions frankly, the same right was fully conceded to others. Our discussions were at that time conducted with that courtesy and decorum, and respect for the opinion of others, which ought ever to prevail in a deliberative assembly. For four years past the station I have occupied, and a sense of propriety, in the divided and unusually excited state of public opinion and feeling, which has existed both in this house and the country, have precluded me from participating in your debates. Our duties were assigned me.

The high office of speaker, to which it has been twice the pleasure of this house to elevate me, has been at all times one of labor and high responsibility. Its difficult, and often delicate, duties have been fully appreciated and freely expressed by all my predecessors. They have all borne testimony to the difficulty, nay, impossibility, of discharging its duties with entire satisfaction to all, especially in seasons of high political or party excitement. Whilst they have borne this testimony, I think I may truly affirm that none of them have had a severer ordeal to pass than has fallen to my lot. Frequent have been the occasions when, but for the indulgent and liberal support at all times given to me by this house, I should have been utterly unable to preserve the order and decorum which should ever attend the deliberations of the representatives of the people. It has been made my duty to decide more questions of parliamentary law and of order, many of them of a complex and difficult character, arising often in the midst of high excitement in the course of our proceedings, than had been decided, it is believed, by all my predecessors, from the foundation of this government. This house has uniformly sustained me, without distinction of the political parties of which it has been composed. Our records will show, that upon the numerous appeals which have been taken to the house, I have been sustained by both political parties, and often by decided and large majorities. Though doubtless

I may often have fallen into error in promptly deciding novel questions, suddenly raised, I trust it was not on points material, and I know it was never intended. I return to this house to thank for their constant support in the discharge of the arduous and difficult duties I have had to perform.

But, gentlemen, my acknowledgments are especially due to the majority of this house for the high and sterling evidence they have given me of their approbation of my conduct as the presiding officer of the house, by the resolution you have been pleased to pass. I regard this as the highest and most valued testimonial I have ever received from this house, because I know that the circumstances under which it has passed has made it matter of substance and not a mere form. I regard it as of infinitely more value than if it had been the common matter of course and customary resolution, which, in the courtesy usually prevailing between the presiding officer and the members of any deliberative assembly, is always passed at the close of their deliberations. That is unmeaning—is indistinctly conferred—is a mere act of courtesy, and possesses, comparatively, but little value. I return to the majority of this house, with I sincerely feel, my grateful thanks for this high evidence of their approbation and regard, given, as it has been, at a time of high party excitement, which, in the accomplishment of party and political objects, too often disregards all other considerations. I shall bear it in grateful remembrance to the latest hour of my life.

I trust this high office may in future times be filled, as doubtless it will be, by able men. I cannot, I know, be filled by any one who will devote himself with more zeal and untiring industry to do his whole duty than I have done.

We are now about to separate, many of us, never again to meet. I wish you, gentlemen, a safe return to your families and friends; and whatever our respective future destinies may be, my prayer to a beneficent and overruling Providence is, that our future lives may be useful and happy.

The Speaker then announced that the house stood adjourned without day.

CHRONICLE.

Connecticut. The democratic convention for the nomination of state officers, recently held at Hartford, have nominated the hon. John M. Niles as a candidate for governor, and John Stewart for lieutenant governor.

Louisiana. The senatorial branch of the Louisiana legislature, by a vote of 9 to 5, has passed a resolution declaring that "a national bank, properly constructed, (the regard being had to the rights of the states,) cannot fail to be an important auxiliary in carrying into effect the power of congress to create and regulate a currency of equal value, credit and use, wherever it may circulate, and to facilitate the fiscal operations of the general government."

Mississippi. The bill for the suppression of tiling houses, has passed the lower house of the legislature of this state by a decided majority.

A resolution authorizing the new Union Bank to issue one and two years post note, bearing five per cent interest is passed both houses of the legislature.

The senate of Kentucky, by a vote of 19 to 13, passed the bill to establish the Chesapeake and Ohio Railroad Bank, but it was again defeated in the house, for the third time, the vote being 49 to 49.

Missouri. The senate of Missouri has, by a vote of 16 to 14, repealed the bill which had passed the lower house, prohibiting the circulation of bank notes issued by banks within the limits of the state.

It is a sad that forty-four of the Mormons are now confined in prison for various crimes in Missouri. During the three years the Mormons resided in Caldwell county, more property has been used there by them than had been made in fifteen years in any other county of the state. Some of the fields belonging to them contain a thousand acres in dry fire cultivation. They are now removing into Illinois. [Nat. Gazette.]

Iowa. A correspondent of the Buffalo Journal says that taking into consideration the soil, the timber, the water, and the climate of Iowa territory may be considered the best part of the Mississippi valley. The Indians consider it, as appears from the name which they gave it. Fort it is said that the Sioux and Fox Indians, on beholding the exceeding beauties of this region, held up their hands, and exclaimed in an ecstasy of delight and amazement, I O W A—which in the Fox language means, "this is the land."

Tales of the Wabash. The Torrebaute (La) Courier states that ninety thousand hogs were slaughtered on the Wabash during the late season, for the southern market. I increase quantities of corn are also shipped from that region for the same market.

A statue to Washington. A bill has been introduced into the legislature of Mississippi authorizing the governor to purchase, at an expense of \$25,000, a marble statue of Washington, to be placed in the rotunda of the capitol.

A bill to encourage the culture of silk has passed the Ohio house of representatives by a vote of 31 to 20.

Spring. The Boston Transcript says: "the vanguard of the army of wild geese passed over the city on Thursday evening, about eight o'clock, on their annual northern journey."

Peach, nectarine and plum trees were in bloom in New Orleans on the 21st ultimo.

The Cincinnati papers announce the death of Morgan Neville a pioneer of the west, and a gentleman of learning, a merry taste, and much private worth, and one of the most estimable citizens of Cincinnati. He died on the 1st of March, in the 55th year of his age.

A special minister. The National Gazette names Robert Walsh as a suitable person for a special minister to England, in relation to the Maine boundary question. Such a selection could scarcely fail to give satisfaction. Mr. Adams, moreover, would also prove an excellent appointment—certainly the most experienced man in the country on such a question. Whatever his opinions or prejudices on other questions—he is as true to the honor and interests of his country, and of human nature.

Novel sale. A gentleman of Buffalo has just sold his real estate there for \$120,000, payable in instalments, without interest, at the rate of one dollar an hour. The Advertiser remarks, "according to these terms the purchaser will have 14 years 34 days and 20 hours to pay it in, at the rate of \$3,760 per a hour."

The peace of our city. Blank returns were made to the high police this morning by the 1st, second and third ward districts, comprising the city east of the Bayou below Livingston street, and all below Hester Canal and North Moore streets. Yesterday morning the three other districts, viz: third, fourth and fifth, made similar returns to the upper police. [N. Y. paper.]

A recent writer on the subject of the probable increase of the population of the United States, comes to this conclusion—"that in 1810, we shall have a population of at least 17,153,333—in 1833, a population of 33,000,000—in 1856, that of 50,493,380—in 1870, that of 74,065,840—and in 1893, that of 95,213,420. Thus, to be sure, is coming up pretty well, but is all very probable, if the union and the world holds together till that period."

The last of the Cherokees. The Little Rock Times of the 4th ult. says: "On Saturday last 223 emigrating Cherokees arrived at this place, on the steamer Victoria, under the charge of Capt. Drew, on their way west. These are the last of the Cherokee emigrants. Most of them are those who were unable to go by land, and nine deaths have occurred since the commencement of their journey; but in general they look well and enjoy good health. In the company is the celebrated chief, John Ross, who buried his wife in this city on Sunday." [Louisville paper.]

A righteous wrong. In the court of common pleas yesterday, before Judge Livingston, William H. Miller recovered \$140 damages and costs, from Abraham Brover, proprietor of one of the Broadway omnibus lines. One of Mr. B's drivers ran against Mr. E's cart in Broadway, damaged the cart very much, injured the horse, and inflicted some wounds on Mr. E, for all of which the jury awarded him the above sum.

The jury in the case of Philip Ulter vs. the Baltimore and Ohio rail road company, tried in Baltimore county court, rendered a verdict of 500 dollars damages, the expenses sustained by the plaintiff's wife which resulted in death.

Deadly weapons. The legislature of Alabama has just enacted a law against the detestable practice of carrying deadly weapons about the person. It provides that "if any person shall carry concealed about his person any species of fire arms, or any Bowie knife, Arkansas tomahawk, or any other knife of the like kind, dirk, or any other deadly weapon, the person so offending shall, on conviction thereof, before any court having independent jurisdiction, pay a fine of not less than fifty, nor more than five hundred dollars, to be assessed by the jury trying the case; and be imprisoned for a term not exceeding three months, at the discretion of the judge of said court."

U. S. troops. The Little Rock (Ark.) Times of the 18th ult., mentions the arrival here of the steamer "Independence," lately taken out of the dry dock at Nashville, ordered from Tennessee to garrison Fort Gibson, in place of the 7th regiment, which is ordered to Florida.

Naval. It appears by our last advices from South America, that the U. S. Corvette to Fairfield, is now commanded by Lieut. Mackenzie; and the enquiry is often made, "who is lieutenant Mackenzie?" He is no less a person than Alexander S. Siddell, well known in the navy as an excellent officer, and well known in this country and Europe as an elegant writer. He went out in the Independence as first lieutenant of that ship—and soon after it was announced that his name had been changed by act of legislature, for purposes best known to himself, from Alexander Siddell to Alexandria Siddell Mackenzie. Lieut. Siddell is therefore no longer in being. [Boston Journal.]

The Boston Transcript states that when the frigate "Constitution" was lately taken into the dry dock at Charlestown, her bottom was entirely encrusted with a coat of oysters from stem to stern, the average size of which was about equal to those that are usually sold for half a cent.

List of officers of the U. S. ship Fairfield, Buenos Ayres, 16th Dec., 1833.

- Lieut. commandant—B. S. Mackenzie.
- Lieutenants—E. G. Talon, O. S. Glisson, Samuel Larkin, jr., Wm. Lewis Herndon.
- Purser—Andrew Jackson Watson.
- Surgeon—Benjamin Franklin Bache.
- Master—Joseph M. Orchard.
- Passed midshipmen—Na. Daniel G. Bay, R. I. Tilghman.

Midshipmen—Ripley, Gantt and Morris. All well.

List of officers attached to the U. S. brig Dolphin, 20th December, 1838.

- Lieut. commandant—H. S. Purviance.
- Lieutenants—Francis Huger, Wm. W. Plucker.
- Purser—A. E. Va son.
- Assistant surgeon—A. J. Bowie.
- Passed midshipman—Charles E. L. Griffin, (acting master.)

Midshipmen—C. R. P. Rodgers, Andrew Weir, J. S. K. To, Henry Rodgers.

Letters from the United States Frigate Columbia, and also from John Adams, written at Bombay, up to the 10th of November last, have reached this city; at that time the crews were well. Commodore Read and several of the officers had dined with the governor, there being present a large and brilliant party of ladies and gentlemen. Sir John Keck, who is in command of the frigate about to go against the Persians, and who was one of the British generals at New Orleans, had extended his hospitality to the squadron. Commodore Read had invited the governor, the general, and many other distinguished officers, to dine on board of the Columbia. We take pleasure in mentioning this interchange of civilities among public men in distant parts, as the best testimony of harmony and good feeling between friendly nations are thus preserved and strengthened. [Nat. Gazette.]

The U. S. ship Alexandre. We learn from the Newport Herald of the Times, that last Sunday's mail from New York, brought letters from Dr. Grouard, at Brest, consul of France for Newport. The prediction of Doct. G. that piracy and murder had been committed on board the Alexandre, it seems has been verified beyond all question, by the confession of the boy Bailly before the court-martial officer.

Arrival of the mutineers. The New York Commercial of Thursday says: "The barque Shepherds arrived this morning from Hamburg via Cowes, having on board the mutineers of the late brig Braganza. Their names are Frans Knudson, Cornelius Williams, of Denmark, James Burgess, of England, and Joseph Verberger of Anwerp. The latter is the one who attacked the patron of the Braganza."

Patrons V. Somebody writing to the Linchburg Virginian speaks of the relations of patron and editr—"whereupon the editor of the Virginian very promptly and properly replies—"We know of no such relation. We do not conceive the man who subscribes and pays for our paper, the more a patron than he who buys and pays for our money or coin. We labor to make our paper profitable, that we may charge for it, and when we expect him to use his pleasure."

Great mortality is said to prevail at Jamaica among the officers and men of the British West India squadron—the yellow fever having proved more fatal than for many years before.

Judge James Webb, formerly of Florida, has been appointed secretary of state of Texas, in the place of Bernard E. Bee, appointed minister to the United States.

A venerable consul. Miss Hall in her "Rambles in Europe," at a very interesting work by the way, in 1836, alluded at Leghona was waited upon by the American consul at that port. He holds his office by the appointment and under the hand of Washington. If still living, he is doubtless the only man in existence who can exhibit the signature of the immortal father of his country as the seal of his office. In 1786, according to Miss Hall, his form was erect and his face was slightly wrinkled. "He was old," she says, "and passed upon fifty-five or sixty, and he must be verging upon ninety. It is more than a half century since he has looked upon his native land."

Lace caps. A new and important manufacture has lately arisen in the lousery trade, in making lace caps from the stocking-frame by the aid of the jacks-kicker machine. This machine has been lately applied to the making of laces in breadth, and with such brilliant success as to astonish even the oldest workmen.

[Nuttingham Jour.]

An example for white sovereigns. By late advices from the Spanish colonies, up to September 8, we perceive that King Kaimeha III. has totally interdicted the admission of all spirituous and distilled liquors after January 1, 1839. Vessels that left the United States February 1, 1839, with such liquors, may be exempted. Wines to pay a duty of half a dollar a gallon. No alcoholic liquors to be purchased, except by physicians for medical purposes.

Necessity of repetition. "I remember," says the celebrated W. in hearing my father say to my mother, "how could you have the patience to tell that blockhead the same thing twenty times over?" "Why," said she, "if I had told him but nineteen times, I should have lost all my labor!"

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WASHINGTON CITY, MARCH 23, 1839.

[VOL. LVI.—WHOLE No. 1,434

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE

☞—The stock market has been in a state of great depression for some days past, and at the last advices still had a downward tendency. The last sale of United States bank stock in New York was made at 115½.

☞—The packet ship *Poconchos* has arrived at Philadelphia from Liverpool, bringing papers from London to the 9th, and from Liverpool to the 11th ult. They contain but little political news of interest.

☞—Lord Glenelg has ceased to be secretary of the colonies.

☞—In the London Morning Chronicle, of February 9th, it is stated in the letter of a correspondent, dated from Constantinople, that news had been received in that city, stating that Meh-met Ali Pacha, sovereign of Egypt, with the principal members of his court, had been drowned in the river Nile, by the upsetting of an iron steamboat. No further particulars.

FROM FLORIDA. We have received additional intelligence from Florida of a most melancholy character.

An extra from the office of the Savannah Georgian brings a letter from Gary's ferry, dated March 13th. It contains an account of the murder by the Indians of another brave officer, captain S. L. Russell, of the 2d infantry, and the death of the gallant major Noel, from the wound received by the accidental discharge of his own pistol. The letter states that captain Russell was descending the Miami river on the 28th ultimo on his way to fort Dallas, with a part of his company in open boats—the savages, in ambush on the river bank, waited until he arrived within gunshot, when the boats received a volley from the Indians, who, being on an eminence, fired over them, and no one was injured. Captain R. immediately struck for the opposite shore, and, on reaching it, leaped out on the ground, and, turning round to address a few words to his men, was instantly fired at by several rifles, three of which took effect, two in his body, and one just above the temple, producing instantaneous death. Lieutenant Woodruff, captain R.'s subaltern, who was some distance behind, heard the firing, and hastened to the succor of his captain, engaged the Indians for nearly an hour, when he forced them to retreat. He then collected his boats, and, having obtained possession of his captain's body, proceeded to fort Dallas. The Indians were pursued, but, as usual, their perfect knowledge of the country enabled them to escape. Capt. Russell was clad in the dress uniform of the infantry, and it was to this that may probably be attributed his death, as but one man of the company besides himself was touched. The loss of the Indians was not known. Their number was much greater than has fought together for a long while. The remains of captain R. were interred with military honors on the 1st instant.

We learn from the Army and Navy Chronicle that Gen. Maunob left Washington on Thursday last to take the chief direction of affairs in Florida. His stay there will depend upon circumstances, which cannot be known, until after his arrival in the territory. Gen. Taylor will still remain there on duty.

AWFUL EXPLOSION OF A COAL PIT. The Richmond Compiler states that news reached that city, on Monday, that an awful and fatal explosion had taken place early in the morning, in the Black Heath coal pits, in Chesterfield, by which there was a considerable destruction of human life. The explosion was what is known as a "fire damp explosion," from want of proper precaution. Between 50 and 60 pit laborers and two overseers had previously gone down. Three men at the mouth of the pit were instantly killed. The fate of those who went down is not known; but it is supposed few, if any e-escaped death. They had not been reached, according to the last accounts.

In a postscript the Compiler states that a gentleman from the pit, reports that between thirty and forty had gone below before the explosion—four of them had been gotten out, who, it was supposed, would recover—two others were seen dead; and cries and groans were distinctly heard from some who had not been reached. So great was the consternation and dismay that the accuracy of details could not be relied on; and so great was the terror among all in the vicinity that the proper efforts could not be promptly made to get out the

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unfortunate laborers. One of the three at the mouth of the pit, alluded to above, is living with both legs broken. The other two were immediately killed. The shaft and engine are but little injured.

Up to 4 o'clock on Tuesday only four bodies had been gotten out. They were lifeless, and in a very mutilated condition, having been taken from beneath a great bulk of coal.

One of the four gotten out alive on Monday has since died. Mr. Beverly Heth, with his assistants, is causing every possible exertion to get out the bodies. There is but little hope that any more of them will be taken out alive. The explosion took place at 6 o'clock on Monday morning, and thirty-four hours had elapsed, when we last heard from the pits, in which time, if any had escaped death from the very violent explosion, they must have died of suffocation; the structures for conducting air in the shaft being so much injured.

The air below was so impure that great caution was necessary to preserve the lives of those who descended to succor the unfortunate beings.

There is still uncertainty as to the number of laborers who had gone down before the explosion. The superintendents say that forty is about the number.

MEXICO. In another page we have given some recent intelligence from this country; since it was in type, we have seen a letter published in the New Orleans Courier stating that Mr. Langdon, the American consul at Laguna, a small Mexican port, has been murdered, with the sanction of the Mexican authorities, and under circumstances of barbarous cruelty. The editor of the Courier declares that the letter is addressed to one of the most respectable mercantile houses of New Orleans from undoubted authority. The cause or pretext of this murder is not given, but the account states that he had been cruelly treated, thrust into a dungeon where he remained three nights with condemned criminals, that he succeeded in effecting his escape with his wife to a small village near Campechy, where he died of wounds, previously inflicted upon him by a negro under the sanction of one of the justices.

FROM GUATEMALA. We have news from Guatemala, on the 22d of January. Carrera's insurrection was drawing to a close. His cause may have been considered as desperate since his defeat at Villanueva, where, we have already mentioned, colonel Galindo was wounded, at the head of the division of Old Guatemala.

A convention of the state of Guatemala was about to meet at that city. The marquis of Ayacuena (long a resident in the United States) is elected a member for Caban, col. Galindo for Reten, and Dr. Galea for Cajabon.

The new constitution for Nicaragua has been promulgated. It claims for the commonwealth the coasts of the Caribbean from Point Patook to the principal mouth of the river San Juan. The governor of the state has the title of Father. The governor of *Honson's* term of presidency expires in March, 1839. At the date of advices he was in the city of Cutumala.

LATEST FROM SOUTH AMERICA. By the ship *Courier*, captain Wolf, at New York, from Montevideo, papers of that city to the 11th January, and by the barque Douglas, captain Boore, from Rio de Janeiro, accounts from thence to 21st of the same month, have been received.

Intelligence had been received at Montevideo, that gen. Santa Cruz had taken possession of Lima with a victorious army of 16,000 men; that in Callao his authority had been proclaimed; and that the remains of the Peruvian army had retired.

The blockade of Buenos Ayres by the French squadron still continued.

The opening of the 16th legislature of Buenos Ayres took place January 1st. Gov. Rosas' message is contained in the British packet of the 5th. In respect to the difficulty with France, it states nothing new or important, except the following:

The government has subsequently been put in possession of sufficient proof that the British cabinet has recently offered to H. M. the king of the French, its good offices in the differences which exists between the republic and France. It is to be hoped that they will accelerate the termination

of the question, conciliating the interests and honor of both nations.

NORTHEASTERN BOUNDARY. We have received a copy of governor Fairfield's message to the legislature transmitting copies of the agreement between Messrs. Fox and Forsyth, which we will publish in our next. Immediately upon the reception of the message, Mr. Whidder moved the following resolutions, which disposition was made of them is not stated.

Resolved, That no new state of affairs has taken place since the passage of the resolves, passed January 24, 1839, and February 20, 1839, which should cause the legislature to recede from the position taken in those resolves, and that the measures contemplated by those resolves should be carried into effect.

Resolved, That the measures of the executive of this state in carrying into effect the resolves herein referred to, should be sustained by the legislature.

On the 14th inst., Mr. Cole, of Paris, from the committee on the northeastern boundary, to whom the governor's message was referred, reported the following resolve, which was read once, and Monday next assigned for its further consideration—on which day it was recommitted without debate.

Resolved, That, whenever the governor of this state shall be fully satisfied, either by the declarations of the lieutenant governor of the province of New Brunswick, or otherwise, that he has abandoned all idea of occupying the disputed territory with a military force, or of attempting an expulsion of the civil force sent there under our land agent, that then the governor of this state be authorized to withdraw our military force, leaving the land agent with a sufficient posse, armed or unarmed, as the case may require, to drive out or arrest the trespassers, and to preserve and protect the timber from the depredatees.

The last advices confirm the pacific disposition on the part of Maine, and we have strong hopes that the prudent conduct of general Scott will arrest all hostile movements, and put the question in a train for amicable adjustment.

The intelligent correspondent of the Boston Atlas says:

I understand general Scott last evening received a letter from sir John Harvey of a highly pacific character; there is but little doubt entertained here that our present difficulties with the provincial government will be amicably settled.

A letter from Bangor, March 15, reports Mr. Jarvis to have said:

There is no doubt that the letter from sir John Harvey to general Scott, of which I spoke in my last, is in reply to one which the general had written to him a few days since, representing in a very able, interesting and forcible manner, the wishes, feelings and intentions of Maine and the United States, in relation to the present troubles. When the contents of that answer transpire, he thinks we shall be better able to form an opinion as to the result—at least we shall ascertain whether sir John will give the evidence, which it is understood will be satisfactory to Maine, of his abandonment of any intention to hold jurisdiction or expel our men, viz: by withdrawing his troops.

The Bangor Whig, 1 o'clock, P. M., March 14, in a postscript, announces an express passing through Bangor to Augusta, with a letter from sir John Harvey to general Scott. Mr. English, the messenger of sir John, on his return from Augusta to Frederickton, remarked that he thought governor Fairfield's propositions would not be satisfactory to the provincial government.

Col. or Mr. Jarvis, of the armed constabulary force, has returned to the Aroostook.

The Portland Courier, of Friday, says: "there is a rumor in town, supported by very respectable authority, that governor Fairfield and his council have united in a recommendation to the president to appoint the honorable Daniel Webster the special minister to England.

The following resolutions reported by the committee to which gov. Everett's message was referred, were almost unanimously adopted in the house of representatives of the Massachusetts legislature on Friday the 12th inst.

Resolved, That the state of affairs in relation to the northeastern boundary, furnishes a strong

reason for again asserting our rights, and for re-affirming the positions heretofore assumed by the legislature of this state against the unwarrantable claims of Great Britain, and in favor of strong and vigorous measures by the government of the United States, for a speedy adjustment of the existing difficulties, in such a manner, as shall protect Massachusetts and Maine in the possession of the tract of territory guaranteed to them by the treaty of peace of 1783.

Resolved, That the active measures authorised by a resolve of the legislature of the state of Maine passed January 24th, 1839, for the prevention of depredations upon the land of Massachusetts and Maine, were required by the exigencies of the case and a wise regard for the preservation of their interests in those lands, and were similar in character to measures adopted by the land agents of Massachusetts and Maine in October last, and recognized and approved, through their agents, by the government of the province of New Brunswick.

Resolved, That the claims of Great Britain to the exclusive possession and jurisdiction of the whole of the disputed territory, as recently asserted by the governor of New Brunswick, and his avowal of the determination to maintain that claim by a military force, and his denial of the right of the state of Maine to protect from the lawless depredations of trespassers, the lands which have long been in the actual possession of Massachusetts and Maine, call loudly for the immediate interference of the federal government; and that the honor of the nation has demanded the adoption of decisive measures for the protection of the citizens and the preservation of the rights and interests of two of the members of our confederacy.

Resolved, That this commonwealth will co-operate with the state of Maine to all necessary and constitutional measures for the preservation of the interests of both states in the lands in the disputed territory, and for the speedy adjustment of the existing controversies.

Resolved, That his excellency the governor be requested to transmit a copy of these resolutions to the executive of the United States and of the state of Maine, to the executive of the several states of the union, and to each of our senators and representatives in congress.

THE SUPREME COURT OF THE UNITED STATES terminated its annual session on Saturday the 9th inst., on which day chief justice Taney, who had been confined to his lodgings by indisposition, was again on the bench.

Among the cases, decided at this term was the case from Illinois, familiarly known, as the *Beaubien case*, in which the court decided in favor of the United States, and upon such principles says the *Intelligencer*, as to be conclusive against the opposition party in the case. Also the great appeal case from the district court of Alabama, in which the judgments rendered by that court are *reversed*. The opinion of a majority of the court was read by the chief justice, and we understand it as maintaining these propositions:

1. That, by the comity of nations, corporations can *contract*, as well as *sue*, in other nations as well as in that in which they exist, or by whose government they are created.
2. That this comity exists, in a still stronger degree, between states connected together as are the states of this union.
3. That the constitution and laws of Alabama establish no such *policy* as is infringed by the purchase and sale of bills of exchange within her limits by the agents of foreign corporations.
4. An admission that there are some rights of citizens of other states, not of the constitution, of which a state cannot divest them. This was not the ground of the decision, but was intended, as we suppose, to be, in legal phrase, the *exclusion of a conclusion*.

Mr. Justice Baldwin gave a separate and very elaborate opinion in favor of reversal, but putting his judgment on the rights of the parties, under the constitution of the United States.

Mr. Justice McKinley adhered to the opinions expressed by him in the court below.

Mr. Webster's argument in the above appeal case, is of great interest, and we will publish it next week, as reported in the "Intelligencer."

MORE INDIAN MURDERS. *Tallahassee, March 10, 1839.* We learn from Monticello that on Friday evening last, the dwelling of Edmond Gray, esq. of Jefferson county, within nine miles of Monticello, was attacked by a party of Indians, and that he, together with two of his children, were murdered, another child severely wounded, his house burned to the ground, and his plantation plundered. They made the attack about an hour after dark, shot Mr.

Gray and one of his smallest children while in the house, another shot about forty paces from it, while endeavoring to escape. A third child was knocked down with the butt end of a rifle, and stabbed in several places very badly, and left by the savages senseless as for dead in the yard. A fourth child, comprising all his white family, being about 12 years old, fortunately escaped by flight in the dark, although pursued some distance, and shot at several times. She was the eldest of the children.

We predict this is not the last by many of the outrages to be perpetrated by the savages in Middle Florida this summer. East Florida is desolated. There is no incentive for attack there. The Indians want provisions. The stock in East Florida is all destroyed. The presence of the regulars in large force there renders such predatory eruptions hazardous. The theatre of war is changed. Middle Florida is hereafter for several months destined to be the scene of outrage, of families murdered and scalped, of burning houses and devastated plantations.

We have confidence in our executive—our population is brave and patriotic; but he is without power, without funds, without provisions. What will be the extent of the ruin God only knows.

This horrible outrage has been committed 10 miles within the station of the frontier troops of militia and regulars, and the heart of a thick settlement. The little girl who escaped says the yard and house were full of Indians, and they fired often. The number of the party is supposed to have been about thirty. Several volunteers on the receipt of the information were raised in Monticello and its vicinity, and with capt. Rowell's company of Florida militia, went immediately in pursuit of the savages, who fled to the Ocala hammocks.

Mr. Gray was one of the most respectable, useful and worthy citizens of Jefferson. He was one of the oldest settlers, and has several years filled the office of magistrate, respectively. He was a widower and not in affluent circumstances.

MEXICO. From a New Orleans slip of the 12th inst., we have the following:

By the arrival of the schooner G. H. Wetter, capt. Delvaillie, from Vera Cruz, we have received very late news from that quarter; the most important of which is the raising of the blockade of the ports of Matamoros, Tampico, Soto la Marina, and Tuspan. The following circular addressed to all the consuls and vice consuls at Vera Cruz, by admiral Baudin, has been communicated to us by the French consul at this port.

[CIRCULAR.]
Frigate Nercede, Feb. 17, 1839.

Sir: In the present contest between Mexico and France, the government of his majesty never had, and never will have, any other desire than to insure justice and protection to Frenchmen. That justice and that protection seem to exist at present in the portions of the Mexican states which have declared in favor of the federal constitution, comprehending the ports of Matamoros, Tampico, Soto la Marina, and Tuspan, and I have raised the blockade of said ports to show that France is not hostile to those who are not hostile to her. I have the honor, sir, to request of you to communicate to the captains of vessels of your nation the assurance that no obstacle is interposed to their trade by the French cruisers in that part of the coast of the Gulf of Mexico, comprehended between the river Teclatol and the bar of Santiago, north of the river Bravo.

Should a change of circumstances oblige me to renew the blockade on any part of this coast, it will be announced with the same formalities and delays as the former.

I have the honor to be, &c.

The rear admiral, commanding the naval forces of France, in the Gulf of Mexico.

CHARLES BAGDIN.

TAMPICO. The New Orleans Louisianian says: "The consul of France has communicated to us the following official document:"

Mmanuel de Mora, administrator of the maritime custom house at Tampico.

I certify that the following order has this day been communicated to me by his excellency, the general-in-chief of the liberating army:

Whereas, the merchant vessels now in the port of Vera Cruz are insured to that place, and they run a new risk in going to another port. I hereby order that to compensate such risk, there shall be a reduction of 25 per cent. on the duties payable by each vessel coming in this manner to Tampico, provided no deduction shall be made from the one per cent. usually paid in cash. I make this known to you that you may govern yourself accordingly.

God and liberty.

JOSE UREA.

Head quarters, Jan. 17, 1839.

"THE LAST WAR." A correspondent has sent the editors of the Baltimore American for publication the following

List of British vessels of war taken by the Americans in 1812 to 1815.

Names and guns.	By whom taken.
Guernere	49 Constin ion frigate.
Macedonian	49 United S.ates.
Java	49 Constinution.
New Frigate	40 Destroyed at York.
Alert	26 Essex.
Frolic	22 Wasp.
Boxer	18 E. of prise.
Peacock	20 Hornet.
Epervier	20 Peacock.
Keinder	20 Wasp.
Avon	19 Wasp.
Feingim	21 Hornet.
Hermes	23 Destroyed at Mobile.
Cyane	34
Lewant	27 Constitution.
Dominica	16 Priv. Decatur, 7 guns.
Hightlyer	4 President frigate.
Laura	12 Priv. Diligent, 10 guns.
St. Lawrence	15 Priv. Classeur, 12 do.
Pictou	10 Constinution frigate.
Balahou	8 Priv. Perry, 6 guns.
Townsend	9 Priv. Tonn, 10 guns.
Enu	10 Holkar, privateer.
Landrail	4 Syren, do.
Morgiana	18 Saratoga, 14 do.
Lapwing	10 Fox, do.
Prince Adolphus	6 Gov. McKeon, do.
Princess Amelia	Rosse, do.
Express	Anaconda, do.
Maryann	Gov. Tompkins, do.
Ann	Yorktown, do.
Maochester	126 Herald, do.
Little Catharine	Happy, do.
Prin. Elizabeth	America, do.
Clady M. Pelham	Kemp, do.
Windsor Castle	Roger, do.
Swallow	President frigate.
Duke of Montrose	do. do.
Nocton	Essex, do.
Detroit	19
Queen Charlotte	17
Levi Frost	13
Hunter	10 Lake Erie.
Little Belt	3
Chippewa	1
Caledonia	6
Confiance	39
L'Inuet	16
Club	10 Lake Champlain.
Finch	11
Duke of Gloucester	14
Melville	14
Julia	3
Groveler	8
Nancy	2 Lake Huron.

Br. Frs. but including about 100 guns, and counting by any.

List of merchant vessels captured from the British by the Americans in 1812 to 1815.

354 ships, mounting	2500 guns.
610 brig	2400
130 schooners	600
125 sloops, few armed	
750 vessels, besides the above, (re-captured),	2500
62 National ships as above	870
2422 in all,	8570
31 ships of war were lost at sea during the above time, which may fairly come into the account	809

2453 vessels 9679 guns.
(For some interesting particulars see the "Puzzle list" published in the "REGISTER" during the last war with Great Britain.)

MASSACHUSETTS' GENERAL HOSPITAL. The annual report of the trustees of this institution, presented in finance in an embarrassed condition. The diminution of the receipts, consequent upon the unexpended difficulties of the times, "have seriously affected a portion of the property in which a portion of its funds are invested. The whole receipts of the year 1838 amounted to \$16,081, and the expenditures to \$17,506 24; excess of expenditures over and above the receipts, \$1,425 24. It is stated that there is due from the institution to the Life Insurance company, \$50,000, of which debt \$40,000 was invested to build "the Belknap Ward of the McLean asylum"—which, it is said, was absolutely necessary for the accommodation of female patients.

The report of Dr. Bell, superintendent of the McLean asylum, states that the number of patients received during the year, was 135—the total number enjoying the benefits of the asylum during the year, 224—discharged during the year, 131—remaining January 1, 1839, 93. The following table furnishes information, at once curious and interesting:

Occupants of male pupils admitted to the McLean Asylum, during the period of 20 years from the opening of the institution in October, 1815.

Painters	151	Waltchmakers,	5
Merchants,	132	Bakers,	5
Mariners,	69	Triplane workers,	4
Carpenters,	51	Glass-blows, &c.,	3
Clerks,	46	Masons,	3
Students,	42	Truckmen,	4
Shoemakers,	44	Furriers,	4
No occupation,	30	Butchers,	3
Laborers,	26	Stablers,	3
Blacksmiths,	22	Barbers,	2
Physicians,	23	Plumbers,	3
Teache s,	19	Engravers,	3
Printers,	16	Tailors,	3
Taverners,	16	Dancing masters,	2
Lawyers,	16	Sevecoires,	2
Boys,	17	Officers of U. States	4
Dyers, clothiers, &c.	12	navy and army,	4
Wheelryghts,	10	Distillers,	2
Painters,	10	Engineers,	2
Cabin-makers,	9	Upolsters,	1
Machinists,	8	Papermaker,	1
Clergymen,	10	Stage driver,	1
Manufacturers,	8	Miller,	1
Sailmakers,	8	Hatter,	1
Saddlers,	8	Rigger,	1
Coopers,	8		
Stoncutters,	6		918
Bookbinders,	2		

The report remarks—“This table demonstrates how extensively the various ranks of society have been benefited by the institution, hardly a profession, or an occupation which does not find here some representative. And it is not a little remarkable that the occupation which of all others has been deemed most healthful, and which from the absence of all causes of excitement could be less than any other, exposed to insanity, that of the farmer, furnishes the greatest number of patients for the asylum, being nearly 31 per cent. of the whole number of males admitted. [Bost. Cour.

PUBLIC WORKS OF PENNSYLVANIA. Governor Porter communicated to the two branches of the Pennsylvania legislature on Monday a message, transmitting a report of the canal commissioners, with accompanying documents, showing the actual condition of the finished lines of canal and rail road, and the amount of money which is absolutely necessary to put them in good order and repair. Shortly after the organization of the canal board, the report states that engineers of the highest standing made the most extensive experience, were appointed to make an examination of the several divisions of canal and rail road, and to estimate the amount which would be required to restore them to a sound and efficient business doing state.” The following are the estimates of the engineers, viz:—

Columbia rail road,	\$51,212 00
East-rn division,	56,857 00
Susquehanna division,	74,570 00
Juniata division,	176,000 00
Portage rail road,	48,500 00
Western division,	83,034 00
Beaver division,	47,850 00
French creek division,	236,500 00
West branch division,	102,555 00
North branch division,	178,224 00
Delaware division,	70,369 00
Total amount	\$1,125,761 00

“To these estimates” the board say, “may be added the following items of expenditures on the Columbia and Portage rail roads, required to put them into a fit condition for public use, as will appear by reference to the reports of the engineers, viz:—”

	\$531,231 00
Making altogether	\$1,676,992 00

RAIL ROADS. An examination of the rail road reports recently published by the legislature, affords some interesting facts for those who desire to make investments in such stocks, as well as the community generally. The Lowell rail road received last year from passengers, \$34,369 10—freight, \$76,23 47; and Andrew and Haverhill, \$17,996 76; Nashua, \$1,976 24; total, \$191,773 57. Expenditures, \$75,597 94—leaving a nett balance, without any reserve for disposition, of \$116,180 63. The corporation also expended, as they report, \$67,268 75 for objects not ordinary, and therefore carried to the account of construction. Dividends last year, \$90,000, or six per cent. The Boston and Providence rail road received \$195,974 73 for passengers, \$64,143 92 for freight, \$2,250 00 for the mail, and \$1,741 50 for

rents—total, \$255,115 00; they divided 8 per cent. on their capital, \$136,312 00; their expenditures were \$120,048 00, leaving a surplus of \$146,267 72. The capital is now 1,752,000 00; to make 8 per cent. on which, they must earn a nett, without any reservation for depreciation, of \$143,560 00. This road should have two tracks, which would enable them to provide for steamboat passengers; at once. The Boston and Worcester rail road earned \$212,432 00, viz: \$112,032 43 for passengers, \$94,827 31 for freight, mail, &c., \$5,465 29 for rents, &c. Their expenses now (exclusive of amounts charged to construction,) \$85,572 97; balance, \$126,742 06; they divided \$102,000 on a capital of \$1,700,000, and reserved \$15,000 for depreciation, &c. The Eastern rail road (to Salem,) expended \$831,903 30, and their receipts from August 28 to December 31, were \$37,422—exp. nes, \$17,818 19. 100,000 passengers were carried from August 28 to January 18. The Taunton Branch rail road received \$70,336 99, and expended \$34,996 05. Their capital paid in is \$249,825. [Bost. Mercantile Journal.

DEAF AND DUMB. In accordance with the requirements of their charter, the directors of the Pennsylvania institution for the deaf and dumb have presented their annual report to the legislature. The whole number of deaf and dumb in the institution is 115, sixty-two are supported wholly or in part by the commonwealth of Pennsylvania; fifteen are supported by Maryland; twelve by New Jersey; two by the institution. The remaining sixteen are supported by their friends. Of these, Pennsylvania, New York and Delaware have each one; Missouri, Louisiana, New Jersey and North Carolina, each two; and Virginia, five. *Of the Pennsylvania state pupils, fifteen are from Philadelphia. During the past year, twenty-seven have been added to, and fourteen have left the institution. Several additions have been made to the buildings, which have proved well adapted to procure comfort and health. An additional story has been added to the school room for the convenience of the department of instruction, and the arrangement and preservation of the instruction of the deaf and dumb. Paul Beck, jr. president, and James J. Barclay, secretary.

BIRTHS AND DEATHS IN PHILADELPHIA. The annual report issued by the health office gives the following statement of the births and deaths in the city and county of Philadelphia in each month of the year 1838:

	Births.	Deaths.
January	650	474
February	651	409
March	701	417
April	620	358
May	656	520
June	629	437
July	690	650
August	621	790
September	709	416
October	644	420
November	582	296
December	628	315
Total	7780	5462

Of the births 3982 were males and 3793 females; of the deaths 2969 were males and 2493 females.

NAVAL. Extracts from the report of capt. Joseph Smith of the United States ship Ohio, dated 25th of December, 1838, and transmitted to the department by com. Isaac Hull, commanding United States naval forces in the Mediterranean. “Of the state and condition of the ship’s company, I am happy to say, that perfect harmony and subordination exist, and a zeal to do their duty, each in his proper sphere, is apparent in all ranks. The officers, generally, are intelligent and competent, and evince a disposition to exert themselves to make the ship what it is desirable she should be. The men are well behaved and subordinate, and, with but few exceptions, are efficient.” * * * “The ship accommodates her officers and crew as well as ships of her class can, as far as I am able to judge. I have, with commander Stockton, made inquiry of the officers occupying rooms on the orlop deck, as to their convenience and comfort, and they stated that their apartments had been quite comfortable, and much more so than they had expected to find them. “Thus far that deck has proved extremely comfortable to all whose berths are there, and much more so, in my opinion than any other deck could have been made, for all its occupants. The consumption of oil and candles is an objection here, as it is in all ships below, but certainly not more so in this than in any other ship.

“The orlop deck can be, and has been, kept clean and dry, and well ventilated by windails, and I have perceived no ill effects, and, as far as I have learned, I believe no instance of ill health is attributable to, or exists in consequence of, sleeping or dressing on that deck.”

CRUISE OF THE BOSTON. The U. S. sloop of war Boston arrived at Pensacola the 22d ultimo, after a cruise of 149 days among the Keys, and along the coast of Florida and Cuba, having passed inside the Florida reefs from Sombrero Key to the dry Tortugas, a passage never before performed by a sloop of war. The Gazette of Pensacola states that the Boston had been detained much longer than her appointed time, in consequence of the active part taken by her commander in relation to the difficulties arising between the masters of some American vessels and the authorities of Havana, involving questions of much importance.

Before leaving Havana, a memorial from American citizens resident therein, and masters of vessels in port at the time, was presented to capt. Babbin, expressive of their thanks for the able and zealous manner in which he had espoused their cause, and also their gratitude for the benefit which had accrued to them from the protection afforded by his presence. The officers of the Boston contradict a statement that has appeared in the American papers, reporting that a marked slight or affront had been offered to the officers of the Boston by those of a British sloop of war at the Havana. So far from this being the case, it is asserted that the most friendly intercourse existed between them. Compliments of the most cordial character have been interchanged, not only with the English, but the French squadron also—the ball given by the prince de Joinville having been attended by all the officers that could be spared from duty.

BENJAMIN FRANKLIN. The following characteristic letter of Dr. Franklin has never before been published, so far as we have been able to ascertain. The original is in the possession of a venerable gentleman of this city, who numbers four score years. It is conclusive against the often asserted declaration that Franklin was inclined to infidelity. We should be glad to know if the town of Franklin ever received the books, and if they were the foundation of a parochial library. [Boston Trans.

Passy, March 13, 1755. “My dear friend: I by my nephew, Mr. Williams, will have the honor of delivering you this line. It is to request from you a few good books, to the value of about £25, such as are most proper to inculcate principles of sound religion, and just government. A new town in the state of Massachusetts having done me the honor of naming itself after me, and proposing to build a steeple to their meeting house if I would give them a bell, I have advised the sparing themselves the expense of a steeple at present, and that they would accept books instead of a bell, *sense being preferable to sound.* These are, therefore, intended as the commencement of a little parochial library for the use of a society of intelligent farmers, such as our country people generally consist of. Besides your own works, I would mention, on recommendation of my sister, ‘Stuart’s Discourses on Personal Religion,’ which may be one book of the number, if you know it. With the highest esteem and respect, I am ever, my dear friend, yours most affectionately. [Rev. Dr. Price.” “B. FRANKLIN.”

HON. B. C. HOWARD. We find the following note in the Boston Atlas, to the editor of which paper it was addressed:— “Dear sir: Perceiving a suggestion in the Atlas as to the authorship of the report of the committee on foreign affairs concerning the late events in Maine, I beg leave to state that the report was wholly written by Mr. Howard, of Maryland, the chairman of the committee; and as the report is highly creditable to his ability and patriotism, it is proper the part he has acted in this emergency should be universally understood, especially in Massachusetts and Maine. I am, yours respectfully, Richard Houghton, esq. C. CUSHING.

MAJOR WINSTON. The chief happiness of this old soldier’s life, was his association with his military companions—and it was his dying request that he should be buried with military honors. We understand that the scene at the grave was most imposing. The knapsack the major had worn at Yorktown, and his canteen, were exhibited precious to consigning them to the grave with him, according to his request. The knapsack was of coarse canvas, and the canteen of wood, indicative of the toils and privations our fathers of the revolution endured for liberty’s sake.

A few days before his death, he observed, that for the last twenty-eight years, he had never failed upon the twenty-second of February, and fourth of July, to have on his "regimentals" in honor of those days. He expressed a wish to be able to appear in the dress of the soldier on the 22d. On the 22d he was almost in an insensible state, but the firing of the morning guns filled him with evident and strong emotion. The day was bright and beautiful, but his companions passed on to their usual festivities without him. And it was not more than an hour or two after the evening guns had told the day was gone, that his spirit bade them all farewell forever.

[Richmond (Va.) Compiler.]

MR. ADAM ECKFELD. The Pennsylvanian contains a beautiful tribute of respect to Mr. Adam Eckfeld, who has recently resigned his post as chief coiner of the mint, in consequence of old age, after having devoted more than forty years to his duties, during which period not the slightest suspicion rested upon his integrity. He was appointed to office by Washington, and has left behind him in the mint many lasting monuments of his skill and genius as a mechanic, and of his devotion to his country's interest.

ONE DAY LATER FROM ENGLAND.

The packet ship North America brings London papers of the 6th, and Liverpool of the 7th February.

The London papers of the 6th are chiefly filled with the discussion on the addresses in the two houses of parliament in answer to the queen's speech.

Accounts from Paris say that the announcement of the dissolution of the French chambers had produced no public expression of disapprobation.

The French corps of observation on the Belgian frontier was nearly complete. Prussia was making counter movements, and had called out the war reserves in the Rhenish provinces.

The North America has been for fifteen days west of the Grand Bank, during which she has experienced very heavy westerly gales, by which considerable damage was done to the sails. When in lat. 46, lon. 43 W. on the 4th inst., the ship was surrounded by several large islands of ice, the sea, far as the eye-sight could reach, being completely covered with it.

As of the greatest immediate interest, we give those passages of several speeches relating to the affairs of Canada. The Duke of Wellington said:

My lords: I now come to the last part of the speech, to which I have listened with the utmost anxiety, and I am happy to find in this speech what was thought necessary on a former occasion, namely, a declaration on the part of her majesty of her firm determination to maintain her sovereignty over her provinces in North America. My lords, I could wish that this declaration of her majesty had been accompanied by corresponding efforts to enable her majesty to carry these intentions into effect.

It is a trifling insurrection, and confined to one part of the country; but it has been accompanied by an invasion and an attack upon the persons and property of her majesty's peaceable subjects on all parts of the frontier adjoining the United States, by inhabitants of the United States, and for no reason whatever but because her majesty's subjects are obedient and loyal to her majesty [hear! and cheer.]

Certainly, my lords, I should wish to see a corresponding preparation made, and measures adopted, with a view of carrying into execution the intentions which her majesty has declared, of maintaining her sovereignty over these provinces. [Cheers.] My lords, the system of private war which prevails on that frontier is unknown in any other part of the world. We read of such things in the history of barbarian nations—we read of such a system carried on against the Austrian monarchy, which lasted from century to century. All these were wars of barbarism against civilization. Never were there any instances of such wars between civilized nations except in the case before us.

I trust noble lords and the other house of parliament will look a little further into this very important subject, and draw the attention of government closely to it; for it appears to me eminently necessary that some measure should be taken to induce the government of the United States to put into operation some effectual steps for the suppression of these outrageous proceedings. [Hear, hear.]

Let them consider closely the consequences of that invasion, for it seems to me, that if any steps are not speedily taken on the part of her majesty to enforce that passage of the royal speech of which I approve so highly, we shall find our province of Upper Canada treated much in the same way in which the province of Texas has been treated.

[Hear, hear, hear.] This is a point to which I beg to draw the particular attention of her majesty's government.

I entreat of them to consider this war as a great national war; [hear, hear!] to remember that the highest national interests are involved in it, and that we must proceed on a large scale of action, if we wish to bring it to an early and satisfactory period. [hear, hear.]

I have no doubt of the intentions of the president of the United States in the matter, but, at the same time, I cannot but feel regret when I see American subjects coming armed into our territory, armed and provided, too, with cannon taken from the United States and belonging to the United States, [hear, hear!] I cannot, I say, but feel deep regret and much surprise, when I see these American subjects publicly invading our territories, and am told that it cannot be prevented by the government of the United States [hear, hear.]

There can, I conceive, be no doubt but that the civil government of any country is capable at any time of preventing the collection of bodies of troops within its territory, and their invasion of neighboring states. [Hear, hear, hear.] But here we see the United States sitting down quietly, and taking hardly any notice whatever of the invasion by its subjects of the British provinces. [hear, hear.]

Lord Melbourne—in alluding to another part of the speech, the subject of which it is impossible to regard without considerable uneasiness and vexation—I refer to the state of Canada—the noble duke, while he appears to approve of that part of the speech, states that he could have wished to see some corresponding measures of vigor adopted by the government, in order to carry that determination into elective operation.

It is quite clear that a state of things does exist on the North American frontier greatly to be deplored; yet, when we remember the disposition exhibited by the various states there to interfere with each other's affairs, and the tendency to private warfare with each other, not greatly to be wondered at. When, however, the noble duke so strongly expresses his regret at not seeing a vigorous demonstration made on our Canadian frontier, in order to enable our subjects there to repel the outrageous aggressions upon them, I am somewhat at a loss to understand what he has to complain of in this respect.

There is in that country a very large regular establishment, besides a very considerable militia force, together forming an army powerful enough to laugh to scorn any attempt which may be made by the sympathisers. When, however, we consider the character of the country, its innumerable and extensive lakes, forests, morasses, it would be quite impossible to keep up such a force as utterly to prevent all sudden aggressions and predatory excursions.

Therefore I know not, with reference to this province itself, what stronger measure you could adopt, with respect to the government of the United States. I agree with the noble duke that every means should be taken to do that which is the duty of every government to do, namely, to keep its subjects within its own frontier, and prevent bodies of men, the subjects of one state, making attacks on their neighbors in another.

There is no reason, I apprehend, to doubt the sincerity of the government of the United States as to its wish to carry into effect the stipulations binding on it as regards its duties to its neighbors; but, considering the nature of the country—considering the vast extent of the frontier—considering the comparative wildness of those districts—and also considering the character of the government—it must be admitted that it has serious difficulties to contend with in carrying this object into effect.

Every exertion, however, has been used, and every representation has been made, in order to induce the government of the United States to exert itself for this object. [hear, hear!] I therefore trust that these exertions will be successful, and, above all, when it is known what has been the result in our provinces, where every attempt that has been made at invasion has been completely discomfited. I trust, therefore, that an end will be put to this wild spirit, which is as dangerous to their neighbors as it is discredit to those citizens of the United States. [hear, hear.]

Lord Melbourne was followed by the same effect, by Lord Brougham.

The territory, said his lordship, which bounded the American states toward Canada was wild, barren, and in many places uninhabited for a considerable distance; the frontier could be easily passed over, and there was little or no impediment to going from the territory of one state to that of the other. The noble duke said that the feeling which induced the parties to engage in the attempt on Canada did

not arise from any wish to aid the rebellion, but that they were influenced by a worse feeling.

The noble duke said that if this predatory system continued—if it were persevered in—all the powers of the English government in Canada, would not be able to prevent retaliations by the people of Canada on the United States.

Were they to be told that all the powers of the government—which was more solidly established and much more vigorous in its character than the government of the United States could be—were they to be told that our government, with 12,000 regular troops, besides a large militia force, even when backed by the bulk of the people—was unable to do that which Mr. President Van Buren with very slender means—with the people not taking part with him, but with the people against him, not having a regular army and a strong militia to back him—was strongly censured for not doing.

How readily and how justly could Mr. Van Buren put forward this excuse when he heard it said, on the authority of the noble duke, that even our own government, with a much larger force and much more firmly established, could not prevent reprisals? We were also told that these proceedings were chiefly arose from the intensity of the feeling of dislike to the British government.

Admitting, however, that the intensity of this feeling was as great as was represented, still he thought that there was little doubt as to the sincerity of the American president, as regarded the English government. He felt, for his own part very strongly with respect to any attack on the American people or government, which might put a stop to the peace that happily existed between this country and the United States, which he looked upon as of the greatest possible importance to England as well as to America, and indeed, to the peace and civilization of the whole world.

Looking, therefore, in the one scale of the balance, at the continuance of these pacific relations and of the unbroken harmony that now prevailed while in the other scale the value of the whole of the Canadian possessions of the crown, the latter would most certainly, in his opinion, kick the beam. On the subject of the corn laws lord Melbourne said:—

The corn laws have been ever since the formation of the present government an entirely open question—a question on which all the various members of the administration had formed their own distinct opinions, and have ever acted according to those opinions. [hear!] Unquestionably, my lords, I believe that the majority of these gentlemen are favorable to a change in the present system. [hear, hear, hear!]—but if the noble lord infers his opinion from the speech which has been heard from the throne, I beg leave to tell him that he infers the opinion erroneously. [hear, hear.] I am not willing to go into any debate on the corn laws—the present occasion to state my individual opinion has no reference to state my individual opinion on the corn laws; and this, my lords, is that which I stated in the few observations which I made last year; observations which attracted considerable notice, more of course from the eminent station which the individual who delivered them happened to possess, than from any intrinsic force of their own.

The opinion, my lords, which I then expressed and to which I now distinctly adhere, is, that though I am not prepared to pledge or bind myself to the maintenance of the present system as the best possible, I am not at the same time prepared, either as member of the government, or as a member of parliament, to pledge myself, from any information which I have, to a change or alteration of the law as it stands. [hear, hear.]

In the house of commons Mr. Villiers gave notice that on the 15th he would offer a motion for taking evidence at the bar of the house, in support of a petition for the repeal of the corn laws.

Mr. E. Bulwer moved the address in answer to the speech, which was seconded by Mr. G. W. Wood.

Mr. J. Duncombe moved an amendment, to the effect that the reform bill had disappointed the people—that it was not and could not be a final measure—and that it was the duty of the house to take immediate steps for farther improvement. He supported his amendment in a long speech, bearing very hard upon the ministers; his motion was seconded by the earl of Enston, and supported in very long speech by Mr. Hume.

Sir Robert Peel commented at length and with great severity on the recent movements in Canada and Quebec, of which we read in the United States, concluding, however, with saying that

It was his duty, therefore, as a member of the British parliament, to make an appeal to the United States against the injustice of such a course [hear!]

The honorable baronet almost committed himself in favor of the existing corn laws.

On the affairs of Canada, lord John Russel was explicit enough, declaring that the supremacy of England must be maintained in North America, at all hazards, and that whether the expense was great or small, ministers were ready to encounter it. He declared, however, that no suspicion of bad faith could attach to the government of the United States, and that it had done every thing that could be expected of it.

On the subject of the corn law he said that He, (lord John Russel,) had certainly been of opinion in 1828 that a modified fixed scale of duties would be better than a fluctuating scale; but at the same time he thought the new law a great improvement upon the former system, and therefore he gave it his support. But he now thought, however, that the time had arrived when it should be considered whether that law had acted beneficially or not. [Hear, hear!]

He was not prepared at the present moment to enter into a discussion of the subject; but he thought that the respectability and importance of the interests calling for the repeal of these laws entitled them, not perhaps to be heard at the bar of the house, but to the most patient investigation on the part of the house of any facts which they might bring forward, so that it should not go forth that the house had shown itself indifferent to any subject so deeply affecting the interests and welfare of the people at large; (cheers.)

Liverpool, Feb. 7th. There has been a more general demand for cotton than day, and 5,000 bales have been sold—Bowed, 7 1/2, S. 1.4—Orleans, 6 3/4, for very ordinary—and 50 bales 10 a 10 1/4—Mobile 7 1/4 to 9.

Liverpool, Feb. 6. Cotton—The sales on Tuesday were 3,300 bags; 1,500 on speculation; and to-day, 5,000, 2,000 on speculation. There has been a fair demand since last week; in prices a decline of 1-2d to 1-4d per lb. in Brazils has taken place, but American continues steady. The import of the week amounts to 11,633 bags.

MR. WEBSTER AND THE BOUNDARY QUESTION.

From the *New York American*, March 14.
In explanation of certain expressions imputed to Mr. Webster, on the floor of the senate, which seemed to imply a warlike spirit or tendency, we are gratified to have it in our power to refer to the annexed correspondence, communicated to us for publication. It proves that Mr. Webster desires and expects a peaceful issue to the Maine question:

New York, March 9, 1839.
My dear sir: I find our community in a very excited temper with respect to the border controversy, which, in the opinion of many, threatens inevitable and early hostilities between England and the United States. Such an event seems to me so improbable, that I take every occasion to express my disbeliever in it; but I am constantly answered, that you have yourself commended these alarms, and a declaration on the floor of the senate is ascribed to you, that if E. gland did not settle this matter by the 4th of July next, the disputed territory should be seized by the United States. This statement is so much unlike all that I heard from you while we were together recently in Washington, and is so entirely at variance with the cool, statesmanlike views which characterize your public career, that I cannot believe in its accuracy. I therefore take the liberty of inquiring what were the opinions expressed by you on the occasion referred to; and, also, what are your views in respect to the termination of our present difficulties with England.

With great respect, yours,
DAVID B. OGDEN.
Hon. D. Webster, Washington city.

Washington, March 11, 1839.
My dear sir: I should be very sorry, indeed, to be thought to have become heated on this important subject of the northeastern boundary, or to have used expressions either leading to war, or manifesting a conviction, on my part, that war was inevitable. You know what I have said on this subject, at different times, through the winter. I have never seen the account of my remarks in the senate to which you refer. I am certainly of opinion that the controversy should be settled; but I have never contemplated it as a probable event, that two great nations would go to war, to the inevitable sacrifice of so many great interests, and to the agitation of the whole commercial world, on such a question. I have never expected such a result, and do not expect it now. What I meant to say, on the occasion referred to, by you, and to say strongly, was this—that it was high time for the two governments to adjust this controversy; but that it had been too long bandied be-

tween them as the subject of formal and procrustian diplomacy; that its condition was every day growing worse and worse, and more and more dangerous to the peace of both nations; that Maine, having explored the country by commissioners, and having ascertained, as she thought, the perfect practicability of finding and making the true original treaty line, was naturally becoming more and more dissatisfied; that negotiation should now be tried with something of a more earnest spirit; and if, unfortunately all amicable attempts should ultimately fail—if the two governments, much as it was to be desired and hoped, should be able to do nothing jointly, to ascertain or fix the boundary, a time must come, of necessity, when the United States must perform that duty for themselves, that they ought in that case, to explore the country, and to examine the question carefully; and if it should turn out, as I believe it would, that the treaty line could be easily and certainly found, then the United States, in the event above mentioned, ought to mark it and assume it as the true line, and to take possession accordingly; and in this connexion, I mentioned the 4th of July as a day in the year of which we often speak as suited to important political decisions. But certainly I could not have intended to say that our government ought to take possession of the disputed territory on the 4th day of July next, as I was, at the time, favoring a proposition for sending a special minister to England, who could hardly be expected to reach London much before that time.

It may be hoped, my dear sir, that what has occurred, and is still occurring, may have been the effect of bringing about an early, satisfactory, and final adjustment of the whole difficult—a result which no one can desire more sincerely than myself.

Yours, with respectful regard,
DANIEL WEBSTER.
D. B. Ogden, esq., New York.

LETTER FROM MR. UNDERWOOD.

From the *National Intelligencer*.
TO THE EDITORS.

March 16, 1839.
GENTLEMEN: My attention was called, by a friend, on Wednesday morning last, to a paragraph in the *Globe* of the preceding evening, in which, by a misstatement of facts and erroneous inferences, I am exhibited to the public as either a very inefficient or a very faithless accountant in the first auditor's office. I immediately wrote a brief statement of the *real facts* of the case, and sent it to the editors for insertion in their paper. The day following, one of them called at the auditor's office, and, after full explanation in the presence of the auditor, promised to make the necessary correction. I have waited two days longer without a fulfillment of the promise, and, fearing that it was being entirely forgotten, or that non-performance will be so long delayed as to be nearly equivalent to an *indefinite postponement*, I request the favor of you to publish the statement which I gave him. It will be perceived that I confine myself entirely to *facts*, and those which relate *exclusively to myself*. I do not attempt to disturb the inferences he has drawn from his own premises, that "it was through this man's eyes alone, under the supervision of the auditor and controller, that the secretary could know any thing of the vouchers and items of Swartwout's accounts;" or that, "while this good *uhig clerk*, who, from the beginning to the end, adjusted Swartwout's business, is praised in the discrimination which enabled him to discover nothing amiss, and whose reasons for the failure are adjudged entirely satisfactory, the secretary who had nothing before him but what came second-hand, and in a hump, is made the sixth and final cause of the delinquency." I say, as regards this course of reasoning, it is not my purpose to say any thing, my subject being to maintain the character which I have ever sustained, of an honest, faithful, and, I trust, an efficient accountant in the first auditor's office.

To enable your readers to understand the case, it will be necessary to publish the paragraph to which the statement applies, and which is as follows:

"Mr. Underwood, whom the committee extol as one who, 'with equal care and propriety,' 'discriminates between the accounts of Mr. Swartwout,' &c. is the very clerk who, from first to last, has had the settlement of Mr. Swartwout's accounts in the auditor's office. He passed upon all the vouchers, and summed up all the statements of the New York collector. He saw that all was fair, and the committee impute no negligence—no want of vigilance, in him for failing to detect the deficit. It was through this man's eyes alone, under the supervision of the auditor and controller, that the secretary could know

* The editor of the "*Globe*," in his paper of the 18th inst. states, that he intended in the evening's semi-weekly "*Globe*" for that day, to give Mr. Underwood's note to him.

any thing of the vouchers and items of Swartwout's accounts. But while this good *uhig clerk*, who, from the beginning to the end, adjusted Swartwout's business, is praised for the discrimination which enabled him to discover nothing amiss, and whose reasons for the failure are adjudged entirely satisfactory, the secretary who had nothing before him but what came second-hand, and in the hump, is made the sixth and final cause of the delinquency."

The following is the statement which I requested the editors of the *Globe* to publish:

"Messrs. Blair and Rives—Gentlemen: I beg leave respectfully to state that I am not 'the very clerk who, from first to last, has had the settlement of Mr. Swartwout's accounts in the office of the first auditor,' as represented in your paper of last evening; but, on the contrary, that I never settled any account of Mr. Swartwout prior to that of third quarter of 1837; that I was engaged on said accounts only during the sickness of the clerk whose proper duty it was to adjust them; and that the delinquency, not ascertained in the bonds during the time the accounts were examined by me, occurred in the third and fourth quarters of 1837, amounting to only \$7,746 19."

It may also be added, that the clerk who stated the accounts of New York in the first auditor's office could not, with any propriety, be held responsible for the accuracy of the bond accounts, as by a regulation adopted in the office in 1822, the duty of examining them was assigned to another clerk, to whom the same were delivered as soon as they reached the office.

"I am, very respectfully, your obedient servant,
JNO. UNDERWOOD.
"March 13, 1839."

INTERNAL IMPROVEMENTS.

The Baltimore *American*, under the appropriate caption of "Hints for Maryland," contains the following interesting notes of appropriations for works of internal improvement in several states.

The annexed items reached us simultaneously in the papers of the last mails, and we place them together for the purpose of showing at a glance what other states are doing, and as hints to Maryland to "go and do likewise." We ask particular attention to the efforts which Pennsylvania has made, and is still making, to push her communications from her principal city to the west, while we have been literally standing still. Her lines of rail road already reach to Chambersburg, and before the year expires will be extended south to the Potomac. In the meantime the extension of the rail road westward to Pittsburg is seriously contemplated, and can only be averted by the prompt adoption on the part of Maryland, of such measures as will leave no doubt of her determination to push the Baltimore and Ohio rail road to the western waters with the utmost vigor.

Pennsylvania. The Harrisburg Reporter of Friday says:—"The bill authorising the governor to subscribe stock to the Franklin rail road company to the amount of one hundred thousand dollars, has passed both houses, and only awaits the signature of the governor to become a law. This is a highly important work, connecting the Columbia rail road, by means of the Lancaster and Harrisburg, and Chambersburg rail roads with the great national road. We understand that the subscription authorized by the state, will enable the company to complete the road during the present summer. The Franklin rail road commences at Chambersburg, and runs south through Hagerstown to Williamsport, on the Potomac. In the Philadelphia Commercial List of Saturday, we find the following paragraph which has a close connection with the foregoing:

Cumberland Valley railway. The Chambersburg Repository gives a gratifying account of the amount of produce and merchandise transported on this road. A large quantity of goods are daily despatched from Chambersburg to Pittsburg, by wagons. Supplies from the west are also coming in freely. Among other articles, the quantity of flour forwarded to this city for some weeks past, has averaged three hundred barrels per day. Formerly this flour was sent to Baltimore, and was among the best for sale on Howard street.

Chambersburg and Pittsburg rail road. We learn from the Harrisburg Keystone of Friday, that the bill reported to the lower house of the legislature, making appropriations for works of internal improvement, has the following items:

For the construction of a rail road from Chambersburg to Pittsburg, three hundred thousand dollars to be expended on the western end of said road, commencing at Pittsburg, and extending eastwardly, and the canal commissioners are hereby authorized to locate said road from Pittsburg to Ligonier, and place thirty miles of the same under contract during the present year.

The canal commissioners are also authorized and required to employ an experienced and competent engineer, whose duty it shall be to make a thorough examination and survey with a view to form a connection between Chambersburg and Pittsburg, by means of a continuous rail road or graded Macadamized road, as the case may be, and to report as to which may be deemed the most advisable, for which the sum of twelve thousand dollars is hereby specifically appropriated.

Missachusetts. The Boston Atlas of Friday says—"We congratulate the people of the commonwealth upon the passage by the house of representatives of the bill granting the credit of the state to raise an additional loan of \$1,200,000 for the completion of the western rail road.

This sum will complete the rail road from Worcester to the New York line, and thus open a complete rail road communication between Boston and the North river.

Tennessee. A bill has passed the lower house of the legislature providing for a subscription on the part of the state of \$1,250,000 to the stock of the Nashville and New Orleans rail road. This sum will secure the extension of the work as far as the state line of Mississippi.

Georgia. The legislature of this state has authorized the loan of one and a half millions of dollars, for the purpose of completing the Georgia rail road to the Tennessee river.

Virginia. In the house of delegates on Thursday last, a bill was passed 70 to 36, granting a further loan to the James river and Kanawha canal company.

PENNSYLVANIA.

GOVERNOR'S MESSAGE IN RELATION TO THE PERMANENT LOAN, &c.

To the senate and house of representatives of the commonwealth of Pennsylvania.

GENTLEMEN: In pursuance of the act of the general assembly of this commonwealth, passed the 26th January last, entitled "an act authorising a loan," public notice was given by the secretary of the commonwealth on the 4th day of February last, that proposals would be received at his office until two o'clock, P. M., of Tuesday the 5th day of March, 1839, for loaning one million two hundred thousand dollars to the commonwealth for the purposes set forth in said act, reimbursable at any time after twenty years from the 1st day of July next, and bearing an interest not exceeding five per cent per annum, payable semi-annually. A copy of which notice is herewith communicated.

I regret to say that no proposals have been received in pursuance of this invitation, and thus too at a time when it is conceded that money is not scarce, and the credit of the state is unimpaired.

How long the representatives of a free people will submit to a state of things manifestly brought about by a combination among the institutions of their own creation, it is for the legislature to determine, but there is certainly a manifest impropriety in permitting the monied resources of the commonwealth to be used for her own injury. She owns of the capital stock of the bank of Pennsylvania 3,750 shares at \$400, amount at their par value to \$1,500,000, 5,233 shares in the Philadelphia bank at

(\$10)	523,300
1,703 shares in the Farmers and Mechanics bank at \$50	85,400

Amount in the whole to \$2,108,700. And which are believed to be worth a considerable advance. Every day's experience strengthens me in the opinion long since formed, that all connection should be dissolved between the commonwealth and the banks in which she holds stock, and thus relieve her from the humiliating attitudes she occupies of being the holder of three fifths of the whole capital stock in one of said banks, and unable to control the direction of a single dollar of its loans. Believing finally that such a divorce will be beneficial to the interest of the commonwealth, I earnestly recommend the passage of a law authorizing the sale of bank stock held by the commonwealth as afore-

said. This administration has been but a little over a month in power, and has been obliged to ask loans to pay off engagements which it had no hand in contracting, and finds itself embarrassed in its outset for want of means to meet the engagements of the commonwealth. So far as it has the ability, its exertions will continue to be steadily directed to discharge the public liabilities, and maintain unshaken the public faith. If in its efforts so to do, difficulties are interposed by attempts at combination among monied men and monied institutions, they most assuredly will discover, that so long as the executive power remains in the hands in which it is now placed, they shall never control either its political or fis-

cal operations; but that 'till this great commonwealth must, and will rise superior to all such attempts.

All experience goes to show that the evils anticipated, by many of the best and most sagacious statesmen, from the grants of corporate powers to monied institutions, have been more than realized, and should admonish us to be cautious in continuing to make such unrestricted grants.

With no desire to create distrust or alarm, I cannot but feel that it is the misuse and abuse of the powers thus committed to such institutions that have more than once led to the embarrassments in the monetary concerns of the country. I cannot close this communication without appealing to the legislature, and calling upon them by every principle of patriotism, to take such action in this matter as will enable the state to vindicate her character and credit, and to take immediate measures for separating the state from all connection with a set of institutions that have so repeatedly disappointed the just expectations of the public, and on which no reliance can be placed when the exigencies of the state may require a call upon them.

DAVID R. PORTER.

Executive chamber, March 7, 1839.

POLITICS OF THE DAY.

From the *Harrisburg Patriot*.

HON. SILAS WRIGHT.

The democratic members of the legislature having understood that the hon. Silas Wright had arrived at the seat of government, on his return from Washington city, immediately held a meeting, and resolved to tender him a public dinner, as an evidence of the high regard they entertain for him as a statesman and republican. The engagements of Mr. Wright prevented him from accepting the invitation. The following is the correspondence on the subject.

Harrisburg, March 5th, 1839.

DEAR SIR: At a meeting of the democratic members of the legislature of Pennsylvania, the following preamble and resolution were unanimously adopted.

"Whereas, it is ascertained that the hon. Silas Wright is now in Harrisburg,

"Resolved, That a committee of three members of the senate and three members of the house of representatives be appointed to invite the hon. Silas Wright, a member of the United States senate, to partake of an entertainment at such time as may suit his convenience, and to make the necessary arrangements."

"Resolved, That a committee of three members of the foregoing resolution, take peculiar pleasure in carrying it into effect, and sincerely hope you will gratify them by accepting the invitation.

With sentiments of profound respect, your friends,
HENRY MYERS,
SAM. HAYS,
WM. F. COPLAN,
WM. HOPKINS,
CHARLES PRAY,
THOMAS B. McELWEE.

HON. SILAS WRIGHT.

Harrisburg, March 5, 1839.

GENTLEMEN: Your note of this morning is before me. It is not in my power to express my sense of the obligation it imposes upon me towards the democratic members of the legislature of Pennsylvania. If the invitation, you communicate had proceeded from personal associations and parties, the debt of gratitude would have been greater than I could hope to discharge; but when I realize that it has no such foundation; that there has never been even ordinary personal acquaintance, so far as I know, between myself and a single individual of those for whom you act, and that this testimonial of friendship must have been suggested from some acquaintance of my public service in the high office I hold through the purity of the democracy of my own state, the emotions excited are too deep for expression.

Could I make myself believe that any exertion on my part, as a member of the senate of the United States, had contributed, in a material degree, to the preservation and sustain the cause of the democracy of our country, I should feel, however to feel compelled to acknowledge to you that I dare not, in the face of my immediate constituents, or of yourselves, make so high a claim; and, were other objections removed, I should fear that a compliance with your too generous request would take that appearance on my part. I feel the less regret, therefore, that private considerations compel me to leave Harrisburg, at an early hour to-morrow morning, and, consequently, most respectfully to decline to make the appointment you invite.

Permit me, gentlemen, to congratulate you upon the re-establishment of a democratic administration in your powerful and controlling state. No one

event can more essentially contribute to the permanent ascendancy of the democratic party of the whole union, or to the practical establishment and diffusion of those sacred republican principles upon which alone our governments, state and national, can be administered with safety to public liberty and benefit to the people. That harmony among yourselves, and in the ranks of your democratic constituents, which achieved the late victory of the republicans of your state, will perpetuate the blessings; and that it now prevails, in an eminent degree, affords every cause for congratulation.

The public mind has been recently excited by the prospect of a foreign war, to grow out of our frontier disturbances, and the unsettled questions of boundary between the United States and the British possessions in America, and the friends of our present national administration, have naturally and properly felt deep anxiety that the discretion and wisdom of those to whom were entrusted the management of these delicate questions should be equal to the crisis. Can there be better or stronger evidence that the confidence of the democracy of the country in the president has not been misplaced, than the late almost unanimous action of congress, touching these differences? Or can republicans withdraw their support from an administration which receives such evidence of confidence from all political parties, when apprehensions of national calamity arouse a patriotism elevated far above the ordinary impulses of party strife? May we not then hope that the desperation of our political contests is yielding to a love of country, and of those republican principles, which, practically administered, have preserved us in peace through so great a portion of our national existence, and raised us to a condition of unexampled prosperity?

Be pleased, gentlemen, to communicate the substance of this hasty note to those for whom you act, and to accept my sincere acknowledgments for the kind terms in which you have made known to me their wishes.

With the highest respect, your obedient servant,
SILAS WRIGHT, Jr.,
Hon. Henry Myers, Samuel Hays, William F. Coplan, William Hopkins, Charles Pray, Thomas B. McElwee, Committee, &c.

From the *United States Gazette*.

The Philadelphia democratic whig association met on Monday evening, the 11th instant, at Corel's, but which was the throng, that it was found necessary to adjourn to the court-house, where a party only of those who wished to attend were enabled to obtain admission.

Joshua Randall, esq., president, took the chair. The hon. John Sergeant responded to a call, and with his usual eloquence, stirred up the whigs to good feelings and good resolves. We were unable to squeeze into a place of audience until near the close of the address, but found that the true feeling were animating the speaker and extending to the audience. Mr. S. urged the whigs to prepare for the June state convention, and to abide by their principles, the principles by which they had united and by which they must stand or fall. He urged them to a due consideration of means to carry out their principles, and assured them that success with the whigs would not remedy the national evils, and would be liable to be defeated. As a high-minded minority, we might prevent evils, but successful wit incompetent men, we could neither do good nor prevent wrong.

Mr. Sergeant concluded amid the hearty applause of the meeting, and the hon. W. C. Preston, United States senator from South Carolina, was loudly called for, who came forward amid the cheers of the company.

Mr. Preston expressed the high degree of pleasure which he felt in once more meeting his brethren of the city of Philadelphia. It was, he said, five years since he had visited the city on the invitation of those whom he had now the pleasure of meeting. He then stood by the side with those whose lead he was proud to follow—his distinguished colleague, a senator from Mississippi, a senator from Alabama, a senator from Mississippi, a senator from the house of representatives from his own state. Those gentlemen were now mostly estranged from him. It was unnecessary to go into causes, but they had been such as to leave him standing aloof the solitary whig member of the United States senate south of the Potomac.

But the cause which he supported was the same now that it was in 1834; he stood upon the same ground, maintained the same principles, and battled against the same abuses of power and executive usurpation now that he did then; and, by the will of God, he would maintain that ground and fight it to the last, flinch who might.

He alluded to the severe contest which the whigs in congress had been compelled to sustain. It required all their exertions to keep the ruinous measures of the administration in check; they could do little else; they had prevented much evil by defeating the sub-treasury bill; but they could do no more. Even under the defeat of that bill—its suspension, for it was not yet killed, only scotched—the country began to rise from its depressed state, and to exert her energies. But, if this were the case, when the career of the present administration has been only checked, what might not be expected when the whigs should displace the present powers that be, and be able to act efficiently, and to carry out their conservative principles? We should then see the whole country rise, and expand, and teem with prosperity. Industry would find encouragement and protection, the shackles would be removed from commerce, confidence would be restored, and no man would have cause to fear any fatal blow to his prospects from the government, which was not now the case, and had not been for many years past.

Mr. P. urged upon the whigs the necessity of being UNITED. They must sustain the broad principles of whigism, the only *ism*, he said, by which they could sustain themselves. If they were united, they might look forward to certain triumph. He as fully believed, if they stood by their principles, and pressed forward in the good cause, shoulder to shoulder, they would come off victorious, as he believed in an all-wise and overruling providence. But if they did not, defeat was certain—it was in vain to talk of victory without UNION.

James E. he said, was with us, Georgia was with us, North Carolina, Louisiana, and Mississippi were with us, and Virginia was coming, if she had not already come; and what he asked had brought them to us? The principles—the banner, the ensign, the conservative principles of whigism. These principles had sent a Wise, of Virginia, a Dawson, of Georgia, a Prentiss, of Mississippi, a Bell, of Tennessee, and a Stanley, of North Carolina, to congress, and nobly did they sustain the glorious cause.

Yes, he repeated, it is whig principles, and whig principles alone, which has brought so many of the southern states to sustain that banner, and to array themselves against this destructive administration. I implore you, then, he said, one and all, as you regard the success of these principles and this cause, to stand by them and maintain them as the last hope of the nation. Do not suffer any division; let us rally under the same banner, and, supporting the constitutional rights of all sections of the country, stand by each other. Then our success will be certain.

Mr. P. said it did not perhaps become him to speak, in this place, of *men*; but, as the whig flag could not be suspended without a hand to hold it aloft when raised, he must be indulged in a remark or two upon this subject. The flag under which we rally, he said, is a noble, a broad and expanded one, and proud we are of it; it should be placed in a hand worthy of it, and able to spread it forth upon the breeze. That hand is the hand of Henry Clay. To him, and to no other man, must our banner be entrusted, if we would see it gloriously floating aloft in proud and triumphant victory.

Mr. Clay, he said, was a noble man. He, himself, came into the senate with strong prejudices against him. He had warmly opposed him long before he knew him. In the senate he found himself by his side—he watched him with a suspicious eye—but his prejudices had gradually given way before the power of truth; and, from being a suspicious opponent, he had frankly confessed he had become an admirer of the man. It was not his eloquence—that was well known—it was not the great services which he had rendered his country, and which must be familiar to all, that won him; but it was his noble nature—his fearless support of what his judgment told him was right, regardless of consequences, that called forth his admiration. No man ever looked danger in the eye with a more determined, unblenching countenance, when in the pursuit of truth, or the sustenance of right, than Henry Clay. (*Great cheering.*) This he spoke of his own knowledge. He had seen him standing, as it were, upon the very edge of a political gulf, down which, apparently, a single step must plunge him. I have seen him (said Mr. P.) look into the gulf with a fixed, yet unblenching eye, and, with all its consequences before him, take the step which he thought duty required. Such a man is Henry Clay. (*Cheers.*)

I have heard him utter, said Mr. Preston, in his close, sentiments which, had they fallen from the lips of one of the ancients of Greece or Rome, would have been repeated with admiration to the present day. On one occasion, (continued Mr. P.) he did me the honor to send for and consult with me. It was in reference to a step he was about to

take, and which will, perhaps, come to your minds without more direct allusions. After stating what he proposed, I suggested whether there would not be danger in it, whether such a course would not injure his own prospects, as well as those of the whig party in general. His reply was, "I did not send for you to ask what might be the effect of the proposed movement on my prospects, but whether it was right; I had rather be right than be prudent."

Such sentiments as these indicate the loftiness of the man, and the high purposes of his soul; and they should call forth the admiration and the confidence of the nation. They point to him as the most worthy to wield her destinies. I avow myself, therefore, for Henry Clay. I will not say I believe the whigs will be defeated unless they rally as one man, in a solid phalanx, around him and their principles. I know it. It is inevitable. But if they do this rally, their triumph is certain. May it be my lot to contribute to what hereafter upon your victory, rather than condole with you, and mourn with the country on your defeat!

Mr. Hoffman, of New York, and Mr. Wise, of Virginia, were called for, but it did not appear that they were in the room.

We took no notes of any speeches, and occupied a position not favorable to hearing. We must not, therefore, be considered as attempting to give more than a sketch of the eloquent remarks of the two distinguished speakers.

When Mr. Preston mentioned the name of Henry Clay in connexion with the whig banner, there was an outburst of feeling that told of the hold which that great man had on the affections of the meeting. Three times they cheered, and then asked for "one more," before they allowed the speaker to proceed. It was a gratifying occasion, and will be productive of good to the country.

On motion of Mr. B. Badger, the association adjourned to meet on Saturday evening next, at seven o'clock, at the Temperance hall, Northern Liberties.

TWENTY-FIFTH CONGRESS,

THIRD SESSION—SENATE.

March 2. Mr. Hubbard presented certain joint resolutions of the legislature of New Hampshire, instructing their senators and requesting their representatives to obtain the adjustment of claims for spoiliations committed by France prior to 1800; which were read, and ordered to be printed.

Mr. Morris presented several petitions for the abolition of slavery; which he asked might be received.

On motion of Mr. Clay, of Alabama, the motion to receive was laid upon the table.

Mr. Norvell, on the committee on commerce, to which were referred several memorials on the subject of a steam revenue cutter, made a report thereon, accompanied by the following resolution:

Resolved, That the resolutions and memorials concerning the construction of steam revenue cutters, with a copy of this report, be referred to the secretary of the navy.

The resolution was considered and adopted.

Mr. Culbert, from the committee on naval affairs, to which was referred the memorial of the heirs of Robert Fulton, made a special report thereon; which was read, and ordered to be printed.

The following resolution, submitted by Mr. Benton, was considered and adopted:

Resolved, That the president of the United States be requested to cause to be laid before the senate, at the commencement of the next session of congress, reports upon the military and naval defences of the country, showing—

First. The fortifications, or other permanent defences, commenced, completed, projected, or deemed necessary. For the northern frontier, from Lake Superior to the mouth of the Missouri; for the western frontier, from Passamunquoddy bay to Cape Florida. 3. The Gulf frontier, from Cape Florida to the Sabine bay. 4. The western frontier, from the Sabine bay to lake Superior, with a conjectural estimate of the probable expense of constructing or completing such works as may not yet have been completed or commenced.

Second. The amount of the armament of the fortifications, so far as the same may be completed or commenced, with a conjectural estimate of the expense of completing the armament of all the forts which may be commenced, or deemed necessary to be constructed.

Third. The armories, arsenals, magazines, and foundries, either constructed or deemed necessary, with a conjectural estimate of the expense of constructing such establishments as may not yet be completed or commenced, but which may be deemed necessary.

Fourth. The floating, or steam batteries, or vessels which have been constructed in aid of fortifications, or may be deemed necessary to be constructed in aid of such works, with a conjectural estimate of the expense of constructing such vessels.

Fifth. The ships of war built, or under construction, or deemed necessary to be built, with a conjectural esti-

mate of the expense of building and arming the vessels not yet completed or commenced, or which may be deemed necessary within a reasonable time.

Sixth. The navy yards, docks, and naval establishments of every kind, either constructed or commenced, or deemed necessary, with the probable expense of completing the same.

With any other information or suggestions which the president may deem necessary to be communicated to congress, in order to exhibit a full view of what is necessary to be done, and the probable cost thereof, to place the United States in a proper state of defence, by land and water, and of each of the four great lines of defence which her frontier presents.

Mr. Davis ordered the following resolution, which was considered and adopted:

Resolved, That the secretary of the treasury be directed to report to the senate, at the next session of congress, whether any change in the system of marine hospitals is expedient; and, if so, what, and especially if any new hospitals are necessary, and in what manner they ought to be erected if deemed expedient, and how supported.

The bill making appropriations for the civil and diplomatic expenses of the government for the year 1839, was taken up, and the question being on the amendment proposed by the committee on finance, to strike out the appropriation for the documentary history—

Mr. Benton spoke at much length against the appropriation, and also against the distribution of the books, and read from reports of committees to justify what he said. He considered this whole business of printing books for member of congress—a practice which had grown up within a few years past—to be one of the most abominable abuses which now beset the government, and he considered this particular job as the most abominable of the whole. Taken in every way, the manner in which it was got through without the knowledge of the most attentive members—he meant others still more than himself—the enormity of the sum involved—the vast bulk and little worth of the work—and the distribution of it to the members that voted for it—and it was truly an abominable abuse. None of us knew that such a work was authorised by us. It was passed in 1833 and it was nearly a year afterwards before we discovered what we had done. He (Mr. B.) found it out from Mr. Mangum, of North Carolina, at the next session, who was a member of a committee who discovered what had been done; and then, for the first time, it was found out that an act had been passed by which upwards of half a million of dollars at the least, and possibly a million and a half, was to be given to an officer of the house of representatives, (M. St. C. Clarke, the clerk of the house,) and his partner, for printing a work to be given to those who voted the office, and his partner the money! As soon as found out, the abuse was resisted by some members, and has been resisted for six years, but without effect; for while a majority condemn and denounce it, yet they are placed under duress, and compelled to vote for the money and distribution by putting them in the appropriation bills for the support of the government, and then making it a question to lose the whole bill and stop the government, or let the distribution go on. He, for one, would vote against it, and let the government stop, if that should be the consequence; and let the people see who it was that would break up the government before they would cease voting books to themselves! Even if the vote of the books was right in itself, it would be wrong to be put into an appropriation bill; and he would not be coerced by finding it there. But the whole practice was wrong in itself, and was being an enormous abuse.

It cost for the amount of money—enormous for the principle—enormous for the frightful progress which it made—enormous for the consequences it might lead to. Every session we have jobs and distributions. A multitude of works have been printed and distributed. They multiply every session. We vote the money to the jobber—the jobber gives the books to us—and many of us sell the books instantly to Mr. Trepleman, or some other purchaser. Twenty thousand—forty thousand—sixty thousand dollars—are a common vote, and done with a rapidity which defies all description, and in a way to escape the notice of the most attentive members. But this is a case, not of twenty—or forty—or sixty thousand dollars, but of one or two millions! It is absolutely a case of millions, and may be as many as the jobbers choose to make it. It is without limits or boundaries. It is to print whatever the jobbers choose to print—for there is no earthly control over them—under the name of documentary history of the revolution. Already they inform us that the private and public libraries of America and Europe are to be explored to find either manuscript or printed matter to be published; and they are at liberty to publish all that they can find. The first computation showed it might amount to a million and a half of dollars;

then the undertakers, when the enormity of that sum startled every body, proposed to put a limit on themselves by limiting the number of volumes. They proposed to limit the volumes to twenty, and left the number of pages unlimited, to be afterwards estimated at 800 pages. The next day the pages—so named the page—and at this rate it would come to \$2,400 a volume; and twenty volumes would make \$48,000. This seemed to impose a limit, but it was all an illusion! The number of pages were unlimited, and instead of 800, the first volume—the only one printed—contains above 1,000 pages! and instead of \$20,400, the estimated, actual price is \$26,000! and by doubling the pages, the next one may be \$52,000. This bill is to pay a balance, a balance due for the first volume; and this balance is \$5,600! the estimated price of \$20,400 having been previously paid. At this rate the twenty volumes will cost \$520,000; but there is nothing to limit it to that amount; the publishers can print what they please, as many volumes as they please, and as many pages as they please in each volume, and being paid by the page, the bulk of the work, and the amount of the price, is absolutely without limit! It is also without limit as to time! It may last for centuries, and through generations; and the families of Mr. Clarke and Mr. Force may be pensioned on the federal government through successive ages. It is a personal contract with Messrs. Clarke and Force; it will descend to their representatives; it has taken six years to make one volume; and twenty volumes, even if limited to that, would require, at the same rate, one hundred and twenty years to complete the work. So slow is the tortoise going work, that we have been told on this floor—by Mr. King, of Georgia, who began the good work of opposing this business—that he was well informed that a member had sold his interest in the whole documentary history, for which we pay a million or so, for ten dollars in hand.

Mr. B. then took the ground that the whole contract ought to be set aside, for fraud; first, in the manner of getting it through congress in a way to prevent all knowledge of the magnitude of the work, and that by an officer of the house; next for want of moral or constitutional power in the congress to vote themselves such presents; third, for the manner in which the price was fixed, and fixed nearly twice too much—as he proved by reading answers to inquiries from the most eminent booksellers of Philadelphia and other cities, addressed to them by a committee of the house of representatives after the discovery of the extent of the job given to Messrs. Clarke and Force. He read from the report to show that Messrs. Clarke and Force variously fixed the price themselves by putting it into the face of the law, that they were to have at the same rate as Messrs. Blair and Rives were paid for a certain work, the price of which was fixed by Mr. Force, who was selected by Mr. Clarke and Mr. Lowry for that purpose; Clarke and Force's bill depending in congress, while Mr. Force, as a referee, was fixing the price of work which was to govern his own.

Mr. B. finished with declaring that this book printing and book distributing business had become an enormous abuse; that the attention of the country ought to be roused up to it; and if the bill for the support of the government was lost, it would ruin the country, and, in the end, save millions. For his own part, he had been resisting this business for six years without any effect, for it was growing and increasing annually. But he should go on opposing it, opposing all these jobs, great as they are. He had to encounter friends and foes, and to draw on himself censure and opposition. He was sorry for it, but he could not help it. The abuse must be stopped; and he had taken a fixed and inexorable resolution to try and stop it. He had put on his iron nerves, and should yield to neither friends nor foes.

Mr. Southard spoke in reply, insisting that this sum was due under a contract which was a law of the land; and that congress, before withholding appropriations, ought to declare that contract null and void, which no one dared to propose in direct terms, or else they ought to make a compromise, and allow Clarke and Force suitable damages.

Mr. Calhoun said he would vote for this appropriation, but a sense of duty would not allow him to vote in favor of giving books to members of congress. He agreed, however, if Clarke and Force should suffer damage on account of a failure in congress to fulfil a contract, they ought to be remunerated.

On the call of Mr. Foster, the question was divided so as to ascertain, first, whether the senate would make this appropriation; and, second, whether the books should be distributed as provided for by the bill.

The former of these questions was decided in the negative, thus striking out the appropriation of \$5,600 by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Brown, Calhoun, Clay, of Alabama, Fulton, Hubbard, Linn, Mouton, Nicholas, Niles, Norvell, Pierce, Roane, Robinson, S. Yver, Smith, of Connecticut, Walker, Williams, of Mississippi and Wright—20.

NAYS—Messrs. Bayard, Clay, of Kentucky, Clayton, Davis, Foster, Knight, Merrick, Robbins, Smith, of Indiana, Southard, Swift, Tallmadge and Webster—23.

The question on the distribution of the books was negatively by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Brown, Calhoun, Clay, of Alabama, Clay, of Kentucky, Clayton, Foster, Fulton, Hubbard, King, Knight, Merrick, Mouton, Niles, Norvell, Pierce, Roane, Robinson, Sevier, Smith, of Conn., Smith, of Ind., Swift, Walker, Wall, White, Williams, of Maine, Williams, of Miss. and Wright—23.

NAYS—Messrs. Davis, Southard and Webster—3. The amendment to strike out the proviso, which required the printing, &c. of the executive departments to be done by contract, to be given to the lowest bidder, being before the senate.

Mr. Wright said the committee had recommended this amendment, because in their view a compliance with the requisitions of the proviso was unpracticable; it amounted to a total denial to the departments of the power of having any printing done whatever. There was no obligation on the contractor to reside, or to perform the work in this city; and the departments would be compelled on every emergency in which they required a job of printing to be done, to send it perhaps to Boston to be executed. He hoped the proposed amendment of the committee would be adopted.

The amendment was agreed to, and the bill was ordered to a third reading, and, by unanimous consent, was read a third time, and passed.

This bill was subsequently returned from the house with the information that the house non-concurred in the two above principal amendments made by the senate, and was referred to the committee on finance.

Mr. W. from the committee moved that the senate insist on their first amendment striking out the provision for letting out the public printing on contract, which was agreed to.

Also, that the senate recede from the amendment striking out the appropriation for the documentary history, which was agreed to—yeas 23, nays 6.

Also, that the senate insist on their amendment striking out the provision for the distribution of these books among the members of the senate and house of representatives, which after some remarks from Mr. Webster, in opposition, was agreed to—yeas 23, nays 7, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Foster, Fulton, Hubbard, King, Lyon, Mouton, Nicholas, Niles, Norvell, Pierce, Robinson, Sevier, Smith, of Indiana, Walker, White, Williams, of Maine, Williams, of Mississippi, Wright and Young—23.

NAYS—Messrs. Davis, Ruggles, Southard, Swift, Tallmadge, Webster, Young—7.

Mr. Allen submitted the following resolution:

Resolved, That the president's message, of the 1st instant, and the accompanying letter of the postmaster general, in answer to certain resolutions of the senate adopted on the 1st instant, in relation to a communication previously made to the senate by the postmaster general, are satisfactory to the senate.

Mr. A. desired the consideration of the resolution at this time; but this requiring the unanimous consent of the senate.

Mr. Smith, of Indiana, objected.

Mr. Buchanan expressed a hope that the senator from Indiana, [Mr. Smith], would withdraw his objection. The postmaster general had expressly disclaimed all intention in respect to the senate in his former communication. He had never believed, and he had so expressed himself, that this officer intended any disrespect to the body, although, without this disavowal, his communication would fairly bear such a construction. He had now disavowed all such intention, and therefore the senate ought to express themselves satisfied.

Mr. Smith still persisting in his objection, the resolution was laid upon the table.

Mr. Allen then said that by the rules he could call up his resolution to-morrow; and that as the day would terminate at 12 o'clock, he gave notice that he would take the earliest occasion thereafter to call for its consideration.

The senate proceeded to consider the bill from the northwest for the protection of the northern and western frontiers.

Mr. Benton, from the military committee, reported various amendments to the bill, making an aggregate of \$1,240,000, viz: \$740,000 for fortifica-

tions much advanced, and \$500,000 for others not much advanced.

Mr. Ruggles moved to increase the appropriation for fortifications in Maine from \$100,000 to \$200,000.

This motion was briefly advocated by Messrs. Williams of Maine, and Ruggles, and opposed by Messrs. Wright and Clay, of Alabama, and negatively without a division.

The appropriation of \$100,000 for Maine fortifications was also negatively by yeas and nays as follows:

YEAS—Messrs. Allen, Benton, Cuthbert, Davis, Foster, Fulton, Knight, Linn, Lyon, Norvell, Pierce, Ruggles, Smith, of Conn., Tallmadge, Walker, Wall, Webster, Williams, of Me., and Young—19.

NAYS—Messrs. Bayard, Buchanan, Calhoun, Clay, of Alabama, Clayton, Hubbard, King, McKean, Merrick, Nicholas, Niles, Prentiss, Ryves, Roane, Robinson, Sevier, Smith, of Indiana, Southard, Swift, White, Williams, of Miss., and Wright—22.

The appropriation of \$80,000 for the western frontier was advocated at some length by Mr. Fulton and Mr. Benton, and opposed by Mr. Calhoun, and it was carried in the affirmative by yeas and nays as follows:

YEAS—Messrs. Allen, Bayard, Benton, Clay, of Alabama, Clayton, Foster, Fulton, Linn, Lyon, Norvell, Robinson, Ruggles, Sevier, Smith, of Ia., Tallmadge, Walker, White, Williams, of Ia., Williams, of Miss., and Young—20.

NAYS—Messrs. Buchanan, Calhoun, Hubbard, King, McKean, Merrick, Nicholas, Niles, Pierce, Prentiss, Roane, Robbins, Smith, of Conn., Southard, Swift, Wall, and White—17.

The appropriations of \$740,000 for fortifications and other military defenses on the Atlantic and Gulf coast were now taken together, advocated by Mr. Benton and Mr. Davis, who stated that there was recently not a gun in Boston in a condition to fire a salute, which he supposed was generally the case; and opposed by Mr. Calhoun, who said there were always ready guns by hundreds when he was connected with the department; and if the millions recently appropriated had been thus wasted, this appropriation would do nothing; and then this whole appropriation was negatively by yeas and nays as follows:

YEAS—Messrs. Allen, Bayard, Benton, Clay, of Alabama, Davis, Fulton, Knight, Nicholas, Robbins, Ruggles, Walker, Wall, Webster, and Williams, of Maine—14.

NAYS—Messrs. Buchanan, Calhoun, Clay, of Kentucky, Crittenden, Cuthbert, Foster, Hubbard, Lyon, McKean, Niles, Norvell, Pierce, Prentiss, Preston, Roane, Sevier, Smith, of Connecticut, Smith, of Indiana, Swift, White, Williams, of Mississippi, Wright, and Young—23.

The bill, as amended, was now reported to the senate, and after a brief conversation the appropriation of \$80,000 for the western frontier, made in committee, was non-concurred in, or lost, in senate, by yeas and nays as follows:

YEAS—Messrs. Allen, Bayard, Benton, Fulton, Linn, Ryves, Ruggles, Sevier, Smith, of Ia., Walker, Weber, White, and Williams, of Me.—13.

NAYS—Messrs. Buchanan, Calhoun, Davis, Hubbard, King, McKean, Niles, Norvell, Pierce, Prentiss, Ryves, Roane, Sevier, Smith, of Conn., Southard, Swift, Wall, and Wright—18.

The bill, as amended, was ordered to a third reading, and by consent read a third time, and passed.

The resolution submitted by Mr. Allen, relative to the letter of the postmaster general, was, on his motion, called up, and was agreed to, without a division.

The bill from the house giving to the president of the United States additional powers for the defence of the United States in certain cases against invasion, and for other purposes, was received, the 16th joint rule in the way of its reception was suspended, and the senate proceeded forthwith to consider the bill. After having been read the first time, Mr. Benton observed that he did not think it necessary, at this late period of the session, and under present circumstances, to refer this bill to a committee. The subject was perfectly understood by every senator; the bill, as it had passed the house, was on their tables; and the sense of the senate had been fully expressed in the resolutions unanimously adopted last evening. He therefore thought that they had better not refer the bill, but take it up in committee of the whole, and act on it at once.

Mr. Buchanan observed that the bill from the house, now before the senate, entirely met his approbation, with perhaps a single exception. Under all the circumstances, he doubted the policy of sending a special minister to England; but he should make no motion to strike this provision from the bill, unless his doubts might be fortified by the opinion of other senators. With this exception, if such it ought to be considered, the bill, he believed, was just such an one as the committee on foreign rela-

tions would have unanimously reported to the senate, had it not been deemed more proper that this measure should originate in the house. It was precisely in accordance with the resolutions which had passed the senate last night, by which we pledged ourselves, that in case the British government should attempt to take possession of this disputed territory, we would stand by the president of the United States, and sustain him with all the military power of the nation in repelling this aggression. This bill contained no provisional army. It simply authorized a resort to the militia and volunteers, in case it should become necessary to call out a military force before congress could be convened, and appropriated the money necessary to accomplish the object. Mr. B. agreed with his friend from Missouri, [Mr. Benton,] that it was unnecessary to refer this bill to a committee, as it was plain and simple in its provisions, and the session so near at close. As to the propriety of sending a special minister to England—he would be glad to hear the opinion of other senators on this subject.

Mr. Tallmadge observed that he differed with the senator from Pennsylvania in one particular. He was highly in favor of sending a special minister to England. He thought the minister sent should be a man of character and standing, and he had no idea that the president would send any other.

Mr. Southard acknowledged that he felt great difficulty in passing so promptly on a bill of such magnitude. He did not view it in the light that other senators did, as carrying out the resolutions of the committee on foreign relations, but going far beyond them. He greatly feared the consequences of passing such a bill, and was alarmed at what he deemed the result of its passage. For if it did pass, and the president should call for the volunteers authorized by it, there would be a war between this country and Great Britain which might last for years. Where were these volunteers to be raised, and how? The moment, said Mr. S., that that bill is passed, you will find volunteers assembling under it, and eager to march into the British territories.

Now, I ask you (continued Mr. S.) to look upon the whole of our frontiers, and see what has occurred there during the past twelve months, together with the tone and temper of the people. Did it not require all the exertions of the executive to repress the spirit that was so openly manifested? He would as soon, Mr. S. said, vote for an absolute declaration of war as this bill. The great danger was that the volunteers would not wait for the orders of the president of the United States, but that they would, as soon as organized, invade the British territory, and thus bring on a war while the two nations were in the progress of adjusting the differences between them. There were other provisions of this bill to which he was not prepared to give his assent, and there were others which he approved of, and among the latter was the one referred to by the senator from New York. He hoped that a special minister would be sent to England, and that the mission would result in the settlement of all our differences with that power. God forbid that a war between this country and England, the representatives of the freedom of the world, should ever take place. He did not fear the contest if it should be forced on him; but, said he, if we go into this conflict, I wish to go into it coolly and dispassionately, and in a manner calculated to carry with us the feelings of the people of the whole country. He preferred that the bill should be sent to a committee, with a view to a more mature consideration of the whole subject, and that the recommendation of some moderate measures to precipitate the country into a war. In the present posture of affairs, this section authorizing the raising of volunteers, would be looked on by the British government in no other light than as a menace, and perhaps lead this high spirited people into acts of hostility, which more moderate measures on our part might prevent. How could we expect any successful negotiations for terminating our differences with the British government, with this threat hanging over them? Would they not point to it as an act of hostility, and refuse to negotiate until it was withdrawn?

Mr. S. after some further remarks, concluded by moving to refer the bill to the committee on foreign relations.

Mr. Tallmadge did not know that he had any objection to the reference of the bill; the remark he made was in regard to the sending of a minister. But he saw no cause for the alarm felt by the senator from New Jersey. No one could pretend that volunteers would be raised under the provisions of this bill till the president called for them; and after he has called for them, they will as soon as raised, be in the service of the United States, and cannot go to Canada, or any where else without orders.

He could not agree with the senator from New Jersey, that any part of this bill could justly be viewed as a threat or menace. We have been threatened with invasion, and though he did not believe that the threat would be carried into execution, yet it was highly necessary to be prepared for any such contingency. Should the British government complain of this clause of the bill as a menace, which he did not believe they would do, the president could say, that from the very nature of our institutions, we were unprepared for any emergency, and therefore it was that congress passed this measure in order that we might be prepared to meet the invasion that was threatened. We shall always, said Mr. T., enter into a conflict with a foreign power under disadvantageous circumstances, but we shall become stronger as it progresses, and triumph in the end. He did believe that this bill was necessary, and he would therefore give it his vote. We passed, said he, unanimously the resolutions reported by the committee on foreign relations; and last session we passed resolutions just as strong, and what did they amount to. To nothing. The British government, instead of giving up their claims, had advanced the claim to exclusive jurisdiction over the disputed territory, and threatened to support it with an armed force. Under these circumstances, he was for putting the country in a situation to meet the threatened contingency. He saw nothing alarming in the authorizing this volunteer force to be raised. They will be embodied only when the president shall call for them; and acting under his orders, they will not be able to march until he commands it.

Mr. March was in favor of referring the bill to the committee on foreign relations. It was an important measure, and should go through all the forms of legislation; and if it passed, it should be after full and solemn deliberation. There was no man in the country more reluctant to go to war than he was. A war would be highly injurious to the people he represented, but he would not sacrifice the honor or the interests of the nation for the sake of preserving peace. He had no fears of any consequences resulting from authorizing this volunteer corps. They are, he said, to be composed of the freemen of the United States, and upon them we can as safely rely for obeying the laws as for defending the liberties of the country. We are about (said Mr. M.) to adjourn, and cannot meet again for many months. We are aware that with this invasion, and that danger is great that the threat will be carried into execution. My opinion is (said Mr. M.) that war will come before twelve months is over, do what you will. Ought we, then, to adjourn without putting it in the power of the president to defend the country?

Mr. Buchanan said that, even at this late hour of the night, considering the position which he occupied in relation to the subject, the senate would excuse him for asking their attention for a few moments, whilst he replied to the remarks of the senator from New Jersey, [Mr. Southard].

For my own part, said Mr. B., I am not excited in the slightest degree, but am calm as a summer's morning; nor do I believe that the senate required a caution against acting under violent impulse. I confess that, throughout the whole proceeding, I have been only anxious that we should act with such coolness, such dignity, and such discretion, as would secure the approbation of the country. This important object has, I think been accomplished. The justice of our cause is palpable; and I have labored to prevent it from being obscured, by the adoption of any measure, in the assertion of our rights, on which our constituents could be fairly divided in opinion. It was for this reason, that I have come into conflict with the state of Maine in relation to the fourth resolution reported by the committee. Although I preferred that resolution as it originally stood, because it was more precise, yet the change in the last clause does not materially affect the meaning; and it has procured an unanimous vote in its favor—a consummation much to be desired. Should Maine act in accordance with the spirit of this resolution, then if war were to come, it will find the country unanimous. On the other hand, Great Britain, it will be a war of pure aggression, waged, during the presidency of peaceful negotiations, for the purpose of assuming exclusive military jurisdiction, against the clear understanding between the two governments, over a territory to which she has not even a color of title. In such an event, the only alternative is war or national dishonor; and between these two what American can hesitate! Force must be repelled by force; or national degradation is the inevitable consequence. I confess, however, it is still difficult to believe that Great Britain will madly rush into such a contest for an object so inconsiderable. This is a question for her own decision. All we have to do is to stand

on the defensive, and exercise forbearance until the shock of arms shall render to bearance no longer a virtue.

I would ask the senator from New Jersey what is there in this bill which is not precisely in conformity with the resolutions unanimously adopted last night? Which was the most important of all these resolutions? Was it not that one which declared that, if the British government should, in pursuance of its avowed determination, attempt, by military force, to take possession of the disputed territory, that we would sustain the president in defending the rights of the country, and repelling this invasion? This is the single principle clearly and strongly expressed in the fourth resolution. What, then, do we propose to do by this bill? Merely to carry out this principle in practice, and that too, in the mildest form consistently with the safety of the country. Would we not make ourselves a ridiculous spectacle before all mankind, if we should adjourn, after adopting this solemn resolution, and leave the president, without a dollar, to defend the country, in case it should be attacked? We first pledge ourselves in the most solemn manner to sustain him; and, when called upon to redeem our pledge, we prove recrunt to this duty which, but yesterday, we imposed upon ourselves. Is there a single senator here prepared to act such a part?

This bill is in fact but little more than a contingent appropriation of \$10,000,000, placed at the disposal of the president, to enable him to call forth the militia, in execution of the constitution and the existing law, for the purpose of repelling the threatened invasion of the disputed territory. It is true that the term of service is extended from three to six months, and the president is authorized to accept of the services of volunteers. These are the only changes in the old law effected by the bill. It does not propose to add a soldier to the regular army. Until the next meeting of congress, it relies exclusively upon the present army, militia and volunteers of the country, to repel the invasion of the disputed territory. Now, I ask, what less can we do, unless regardless of our duty, we should determine to adjourn whilst war is impending over us, without providing any means of defence? And yet the senator from New Jersey fancies that he sees in the bill a menace to England; and he dreads a rushing of armed citizen volunteers across our frontier for the purpose of invading the territory of a friendly power. But what says the bill? That the contingency should happen for which it provides, these volunteers will remain at home. They can never be embodied without the orders of the president. They cannot move towards the frontier until the event shall occur on which we have solemnly declared that we shall cordially co-operate with the president in defending the interest and honor of the country. What, then, is the inevitable consequence of the senator's argument? That we shall adopt no precautionary measures to repel a threatened invasion, lest precautionary measures may be construed into a menace by the invading power. The gentleman has not seen the point to which his own argument would lead him. If he had, it never would have been advanced. Besides, this argument implies a want of confidence in our citizen volunteers, which I do not feel.

If we adjourn without passing this bill, we shall richly deserve the reputation of being a government valiant in resolutions upon paper—a government mighty in words, but contemptible in action. We should become the scorn of our constituents.

But this bill is called a threat. A threat! To prepare for war, when an intention to invade our territory has been avowed, is a threat which may offend our powerful neighbor! Such was not the opinion of general Washington. He believed that to prepare for war was the best mode of preserving peace. Weakness always invites aggression. Fortunately, or unfortunately, for us, from the very nature of our institutions, we shall never be well prepared for war; but for this very reason, when we have cause to apprehend immediate danger, our exertions ought to be to the utmost to secure vigorous. We now find that sir John Haynes is collecting and concentrating his forces, which it is said will amount to four or five thousand regular troops, with the avowed purpose of making a descent on the disputed territory, and placing it under the executive jurisdiction of England. When this danger is impending, shall we place ourselves in the contemptible position of resolving that the state of Maine shall be defended, and then re-resolving that it shall not be defended, lest it might give offence to the British government? We can never avert war by base submission; and if we could, the people of this country will never purchase peace at the price of self-degradation. No, sir, never. If the British government should ever complain of this bill as a threat, our minister can point with confidence to the

letter and proclamation of sir John Harvey, in which he has intimated to take military possession of the disputed territory, under the express command of his sovereign. He can show that the menace first came from her majesty's government; and that our proceedings have been purely defensive. This bill contains no provision which goes further than adopting the necessary means of self-defence, in case a force should invade our native land. If my neighbor should be in the very act of attempting to deprive me of my property by force, and I should stand upon the defensive, he might, with the same propriety, turn about and accuse me of threatening him.

Whilst I am in favor of defending the just rights of Maine, I do not, extremely, I am also disposed to inform her directly that if, in violation of the constitution, which rests upon the executive of the union the treaty-making power, and in violation of the clear subsisting understanding between the parties, she will become the aggressor, and attempt permanently to occupy the disputed territory by force, we are under no constitutional obligation to come to her aid, however difficult it might be, even in such a case, to resist her appeal. In the language of the amendment made to the fourth resolution, it is her duty to leave the ultimate vindication of her rights to the general government, to which it rightfully and constitutionally belongs. Hands off from this territory on both sides, whilst negotiations are pending. During this period, the question belongs exclusively to the general government. It would be forever a source of regret, both to Maine herself and to the whole country, if she should not withdraw her forces from this territory, in case sir John Harvey should set his example, desisting from attempting his military occupation.

I deprecate war, but in a just cause I do not dread it. If it should come now, it will be inevitable, and we may appeal to the world for the justice of our cause. Our course has hitherto been correct in asserting our rights. I trust and believe that Maine will not embarrass us in pursuing it to the end. That she has cause to complain I will cheerfully admit, but let her continue to rely upon the general government, and when the crisis shall arrive, it will be found that she will find the country as one man rising to her rescue. On the contrary, should the patriotic, but excited feeling which now seems to pervade her citizens, drive them into acts of aggression, and involve us in war, the best cause will be weakened by such conduct, and distraction will be engendered among the citizens of the other states may be the consequence. Let her be prudent as well as firm. This controversy must soon be ended either by negotiation or by arms. Let her patiently and patiently await the result, unless the territory should be actually invaded.

The question was here taken on Mr. Southard's motion to refer the bill to the committee on foreign relations, and lost without a division.

Mr. Southard then addressed the senate in opposition to the bill, recapitulating the arguments used by him on the first day.

Mr. Walker said he did not rise at this late hour to make a speech in favor of this bill, but to appeal to the senator from New Jersey, [Mr. Southard,] and exhort him by his love of country and regard for his honor, and his rights, not to vote against this bill. It was not the bill that the senator supposed it was. He certainly could not have had an opportunity of understanding it truly. He appealed to the senator not to prevent a unanimous vote of this body in favor of a measure so essentially necessary for the honor and safety of the country. He fully believed that the senator regarded the rights and liberties of his country as much as any man on that floor; and he had not a doubt but that he understood this bill properly, he would give it his support. Every vote given against this bill, said Mr. W. will be regarded by Great Britain as an invitation, on the part of the senator who gave it, to persist in her unreasonable claims to the territory. No man should claim to be dishonorable, who would surrender her claims to this disputed territory. Not to pass this bill would be dishonorable, who would declare that Great Britain had not a shadow of claim to this disputed territory, and that we would consider the taking possession of it as an invasion of the territory of the United States, that would justify the president, under the constitution, in calling out the militia to repel it. When, in addition to this, we had pledged ourselves to the state of Maine to sustain her, would it not be dishonorable to vote down the only measure that would enable the president to carry into effect the recommendations of the senate? If we should send a minister to England under this bill had been negated by the senate, the British ministry would laugh him to scorn.

And under other circumstances, said Mr. W. we are to refuse to pass this bill? From all the official information that is before us, we learn that the gov-

ernor of New Brunswick says that he is positively instructed by the British government to take possession of this disputed territory, and that he is determined to do it with all the forces of the provincial government, both regulars and militia. There is a threat, and not merely a threat, for it has been followed up by an actual call for militia, and by armed troops marching into the disputed territory. We shall disregard ourselves, said Mr. W. by returning to our homes and leaving a sister state undecided, when she has been threatened with invasion. Under those circumstances he appealed to the love of country of the senator from New Jersey—
—for he believed that patriotism beats in his bosom as strong as in that of any other senator—to let the vote on this bill be a unanimous one by adding his voice in its favor; so that when our minister went to England, he might go armed with the strongest powers of the country. He knew that there were those within the sound of his voice who, armed with such a moral power as this bill, passed by the unanimous consent of both houses of congress, would give him, could not fail of bringing this controversy to a successful and happy termination.

Mr. Niles said he rejoiced to see this bill so perfectly acceptable to the members of this body, with but one solitary exception. We all agreed, he said, in this matter, that we are for preserving the peace of the country if we can do so without sacrificing our honor. The only question, then, is, whether the assuming the attitude the bill proposes, by clothing the president with power to arm for defence only on the one hand, and proposing to open a new negotiation on the other, the latter purpose will be frustrated by the former, as the senator from New Jersey apprehends. Now, he had no such apprehensions. All the senator's objections were, in his view, founded in error. No volunteers could be organized until the president called for them by his proclamation, and when they were organized they would be in the service of the United States; Canada borders was that the state of excitement on the without orders. But he would not march a foot, as it could not be made pass over this objection of reason. The only plausible objection raised was, whether Great Britain might not consider the authorizing this volunteer force as some sort of a menace—
—as coming to her with the olive branch in one hand and the sword in the other. This was possible; but what would be the ultimate effect of assuming this attitude? It would produce this effect: it would convince the British government that we were in earnest in this matter, and that though we have a strong desire for peace, yet we are not willing to let the settlement of these difficulties any longer, and that it must be settled at once, or produce a rupture we assumed to threaten. The standing her complaints of insult, settled the controversy with her, that had lasted for a quarter of a century. Pass this bill, and the present controversy will be settled in twelve months. Lasted as long as being a war measure, I, for one, said Mr. N. pronounce it to be a peace measure. It will preserve peace between the two countries. If you do not pass it, it will protract the negotiation, and perhaps end in a war which will last for years. He stood upon that noble maxim of the late president of the United States, that we desired nothing from foreign nations but what was right, and would submit to nothing that was wrong.

Mr. Southard here moved to strike out the provision in the bill for raising fifty thousand volunteers; which motion was rejected—yea 11, nays 38, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Buchanan, Calhoun, Clay, of Alabama, Davis, Foster, Fulton, Hubbard, King, Knapp, Linn, of Annapolis, Moulton, Niles, Norvell, Pierce, Prentiss, Preston, of Rhode-Island, Robbins, Robinson, Ruggles, Sever, Smith, of Maine, Southard, of Connecticut, Smith, of Indiana, Southard, of Mississippi, Wright, and Young—33.

The question was then taken on ordering the bill to a third reading; and it was carried by a unanimous vote—yeas 41, as follows:

YEAS—Messrs. Allen, Bayard, Benton, Buchanan, Calhoun, Clay, of Alabama, Crittenden, Davis, Foster, Fulton, Hubbard, King, Knapp, Linn, of Annapolis, Moulton, Niles, Norvell, Pierce, Prentiss, Preston, of Rhode-Island, Robbins, Robinson, Ruggles, Sever, Smith, of Maine, Southard, of Connecticut, Smith, of Indiana, Southard, of Mississippi, Wright, and Young—41.

The bill was then read the third time, and passed unanimously.

And the senate adjourned at 20 minutes past four o'clock, A. M.

MR. POPE'S SPEECH.

In the house of representatives, on Friday the 15th of February, 1839, in committee of the whole on the bill making appropriations for the civil and diplomatic expenses of government for the year 1839:

Mr. Chairman, I hope, said Mr. Pope, that no apology is necessary on my part for addressing the committee at this time at large on the several topics of public policy and political principles, to which the attention of the house has been called in our debates here and elsewhere, and in the public journals. My colleague, (Mr. Chauvenet), the able and faithful chairman of the committee of claims, knows that I have remained at my post late and early, to aid him to obtain the action of the house in favor of the poor and humble and suffering citizens who have fair demands on our justice; and the chairman of the committee of ways and means, of which I am a member, will have the honor to admit that I have not taken a course to impede his administration measures, whether I concurred with him or not. Mr. Pope said, he had been ever willing to afford him a fair opportunity to present them, with his views, to the consideration of the house and nation. In order that the necessary public business might be done at this short session, he had abstained from wasting time in useless debate on plain and important subjects, and would exhort gentlemen of the legal profession who so often hammer us on two or three questions like an ignorant jury, on trite questions, to believe that those of us who are not fond of speaking merely for the sake of speaking, have some small stock of sense and information as well as themselves. Mr. P. said he was inclined to present his views on the political state of the nation, and the principles and measures involved in the approaching contest, not only to this house and the public, but to his immediate constituents, to whom he was directly responsible, and before whom he was to appear at the approaching election in August next. It is my duty to treat them with fairness and candor, to explain my position here, and to give them my opinion on public affairs. The crisis is deeply interesting to every American citizen, and requires every man to speak out with decision, calmness, and truth. A man of observation, who takes a survey of the present state of things in this country, will be surprised to discover that questions of public policy, constitutional law, and all subjects connected with the course of the national government, are less settled and more agitated than forty or forty five years ago, when our present constitution was first put into practical operation. The power to protect our navigation, manufactures, and agricultural productions, by duties on foreign articles, even mere discriminating duties, or bounties on fishing vessels in the northeast, that great nursery of seamen to man our navy, the right arm of our national defence, is denied. The power to establish a national bank, declared to be necessary by the wise, patriotic, and godlike congress of 1789, that of 1791, of 1816, and 1832, approved by Washington, Hamilton, Gallatin, Dallas, Crawford, Madison, and a host of others, the most enlightened statesmen of our country, is also denied, and the institution denounced as dangerous and wicked, after a successful experiment of forty years. Yes, sir, great, wise, and good men who have gone before us, the authors of our independence and founders of our republic, as incompetent and founders of the constitution, the work of their own hands, or to judge of the utility of such an institution, as a fiscal agency and a check on the excessive issues of a paper currency. The scattering fires and random shots constantly kept up by the different parties at each other, render it difficult for a stranger, or even for ourselves, to understand with definite clearness the questions in issue between them, or the leading principles involved in the mighty struggle now pending before the great jury of the American people. I am constrained, Mr. Chairman, to express my high approbation of the manner in which my colleague on the other day made the best defence I have heard of, of the course of the administration. It is just to say to him, that he has not convinced me of the soundness of his views, and correctness of the facts he has asserted, that his course in this debate has been marked by that decorum and propriety which ought to characterize this representative body. He has not applied to his adversaries in offensive epithets or unpopular names, or dealt in mere denunciations of his political opponents; he has not substituted the terms democrats, whigs, or federalists, for argument. He has considered the two great parties which now divide the country, as supporters and opponents of the administration. Those who believe as he does, that the principles and resources of this administration are sound, and will conduce to the preservation of the public liberty,

and to advance the general prosperity, ought to support it; and it is the duty of those who entertain a contrary opinion, to oppose it. A gentleman by calling himself a democrat or whig, does not prove the course of the administrative right or wrong. The tendency of the principles and measures of the administration, is to be shown by reasons, argument, and fact, and not by mere names and electioneering slang. When I hear members of this house talk of democrats and democracy, to prove one party right and the other wrong, I am reminded of a conversation I had with Mr. Gideon Granger, a citizen of Connecticut, thirty years ago, when postmaster general under Mr. Jefferson. In one of the newspapers, there was an account of a large meeting of the people at New Haven in that state, indicating an intention to resist the embargo law; but before they proceeded to business, some of the reverend clergy were called on to say grace over them.

I expressed my surprise to Mr. Granger, that the clergy should give open countenance to an insurrection against the laws. Friend Pope, answered he, you don't know us yankees; whatever we do, whether we work for God or the devil, we do it all in the name of the Lord. And some gentlemen seem to imagine, that whether the administrative works for the good of the people, or the ruin of the people, for God or the devil, all their doings can be sanctified in the name and by the high priest of democracy. A man in my own state, of some intelligence, many years ago, made a deep impression on me in reference to this subject. He told me that a son of his, a distinguished citizen of Tennessee, from the commencement of his career in life, had determined to act on the assumed ground that the people were to be fooled by some body, and that a man was a fool who did not fool them for his own advantage. And not many years ago, he addressed the people at what he called a candidate's meeting, and expatiated upon views of a national bank, besides touching on other topics. In the evening, after the people had dispersed, a warm personal friend of mine, of good talents, whom I considered, as every body else did, among the most thorough going democrats, rode with me a few miles, and in the course of our conversation observed that the world supposed me to have much more sense than him; but, said he, they are mistaken, you have not half my sense. You talk about a national bank, give large national and extended views of the benefits and utility of such an institution; but very few of your hearers can appreciate the merits of what you consider statesmanlike argument. Now, says he, I go for democracy, and government or treasury people's bank. I have not been in the ranks of the democrat, but I have the road to sense. I tell you I have no faith in it, but I am determined to go for democracy, and no fellow shall out democrat me. He assured me that he would support me when a candidate, whether I was right or wrong, but he must condemn my opinions before the people; for I tell you, said he, that I don't intend to be beaten at the game of democracy.

Mr. Chairman, continued Mr. Pope, I have no particular objection to the word democrat, whig, or federalist. Gentlemen are at liberty to assume any name they please; but I protest against the use of any such epithets to prove a measure right or wrong. He had been, and ever should be democratic in his feelings and actions towards his fellow-men. He had never oppressed the poor, or dealt harshly with them; and in his public course, both in the Kentucky legislature and in congress, he had been most anxious to protect the rights of the actual and bona fide settlers of our new lands. He was in favor of a kind and liberal policy towards the poorer classes, who, unable to purchase lands at high prices in the old and rich states, had migrated to the new and unsettled regions of the west. Some of his public acts may have been wrong, and some of his opinions, and especially about a national bank, were called by many, federal. He had formed his opinion on that subject at an early period of his congressional career, after profound consideration, and an honest inquiry after truth. He had maintained that opinion through good and evil report, and had discovered no good reason to change it. Whether his opinion was called federal or democratic was a matter of indifference to him, and he had little respect for a man who was afraid to obey the conviction of his understanding lest he should be called federalist, whig, democrat, or anything else. Let every man be persuaded in his own mind that he is right, and go ahead. Mr. Chairman, continued Mr. Pope, I repeat that I like the course of my colleague in recognizing but two parties, the party for the administration and the party against it. Those who disapprove of the principles and measures of the administration, owe it to themselves, their country, and immediate constituents, to put in good and substantial pleas in bar to their continuance in power with

verification, and to sustain their pleas by proof and argument at the bar of the nation. There are, however, some other parties or squads of parties that are now passing the bar of a state's rights party, who see ahead I would be as much at a loss to define as that of the Mounain party of the far west. I do not know, said Mr. P., any anti-states right men any where. If there are such, I know them not. I have heard of an anti-mason c party; and we have an abolition party, more dangerous in its character, tendency, and objects, than any which has arisen since the foundation of this government—a party which threatens to weaken, if not destroy, our union, disturb our domestic tranquility, and shake the foundation of private property. Until lately, I had been disposed to receive their petitions without attaching much importance to them; but I am now satisfied that no such petitions, tending to engender discord here, and disturb the general tranquility, ought to be received. I had not before this felt any serious concern about the matter, for I have never known a yankee emigrate to the south or southwest to set a slave free. A very cultivated and intelligent gentleman from New Hampshire settled in my neighborhood about twelve or fourteen years ago, and was at first clamorous and rude in his remarks about slaves and slaveholders. After he had been with us two or three years, he took a fancy to a fine widow, a friend of mine, who had some very valuable slaves. Some of her counselors were opposed to the match, and she knowing that I was very much disposed to encourage matrimony, and that I would advise her to do precisely what she wanted to do, conversed with me upon the subject. Having never indulged or excited prejudices against yankees, I told her that the first article in their creed was to provide well for their own household, but that she should not have a good husband, and urged her to marry him, which she did, and their union has been fortunate and happy, and he has never, I believe, said one word about abolition from that day to this. He is a good husband, and a much better master than most of us; for he gets twice as much labor out of his slaves as I ever could.

Mr. Chairman, said Mr. Pope, about the close of the last war I felt proud that we had at the city of New Orleans a military chieftain who, by his bravery and military skill, defended our soil against the first army that ever crossed the Atlantic, and shed a lustre on our national character. About the same time I was gratified to learn that we had an enlightened statesman, an intellectual H-erules, at the head of the American mission at Ghent, sent to negotiate a treaty of peace and amity with the British, who, with a few men of the Great empire on the contested question about the fishing rights and privileges of the Americans on our northeastern coasts and seas. The British commissioners contended that, according to the law of nations, the treaty of 1783, by which our fishing rights and privileges were acknowledged and secured, was abrogated by the war of 1812. My friend from Massachusetts, (Mr. Adams), admitted the general rule settled by the law of nations in regard to ordinary treaties, but insisted that as these fishing rights and privileges existed, and were enjoyed before the peace of 1783, they were not abrogated by the war; that it was not a debatable question; and he ultimately silenced the British pretensions in relation to the fisheries.

Two years ago, said Mr. Pope, I read a letter of that gentleman (Mr. Adams) on this question, and have reviewed it a second time during the present session, among the most able and eloquent productions of his oratorical pen. Mr. Chairman, continued Mr. Pope, before that gentleman presents any more petitions for the abolition of slavery, I beseech him to review that letter, and see if his argument will not bear with great force on the slavery question, because slavery existed not only before our constitution was formed, but before the peace of 1783, or the articles of confederation. If our fishing rights and privileges were not abrogated by war, and were not debatable, because they existed and were enjoyed before the revolution, upon what ground can our northern brethren claim the right to petition or in any way disturb the institution of slavery. Sir, I must deny that slavery is a grievance of which the people of the free states have any right to complain by petition, or to ask the interference of congress. The present has called on us for severe laws and a million of dollars to prevent our people from interfering in the affairs of Canada, when it is known that Upper Canada is a place of refuge for our fugitive slaves, and when they go there neither the people nor the British authorities will have them surrendered to their owners. Mr. Pope said that he did not think the British government, in relation to Upper Canada, had much claim on us to use extraordinary means to protect it from the interference of our citizens. He was willing to do what our character

as a nation and our amicable relations with that power demanded, to maintain neutrality; but it seemed to him that the slave states of this union had as high claims to the protecting authority of the president and congress against the abolition schemes of the communities, combinations, if permitted in the free states, to disturb the slave institutions of the south, would be deemed just cause of war; and now that they are united by political compact, one leading object of which was to preserve our internal peace and tranquility, ought not the president in his message, which expressed so much solicitude about Canada, to have called on congress, if not the free states, to exert their whole constitutional power to suppress all combinations against our internal peace, and, if necessary, to have placed a force on Mason and Dixon's line, to enforce neutrality in relation to our slave property?

Mr. Pope, with some pleasantry, remarked that if he could be assured that he would be re-elected next August to this house without opposition, he believed he would make a tour through the north and eastern states, and deliver lectures to them on this very interesting subject, and exhort them to pause before they ent in under the lies of interest, animity, and blood, by which this great and rising nation were misled, and to wake, more especially among the ladies, who, by attending to the influence of the friends and sympathizers, had been induced to take a warm and active part in behalf of the slaves of the south. [At this moment Mr. Pope was arrested in his remarks in relation to abolition, as he had been once before, by a call to order, on the ground that he was departing from the matter under debate, and that the question of abolition was not a debatable subject.] Mr. Pope disavowed any intention to discuss the question of abolition, and had only designed to present to the committee, in a concise manner, his view of this right of petition. He, however, acquiesced in the decision of the chair, and, with leave of the committee, proceeded in the discussion of topics admitted to be within the scope of this debate.

If permitted to examine the right of petition to the extent contended for, Mr. Pope would have been enabled to enable the petitioners of the Adams in relation to the fisheries, and ultimately assented to by Great Britain, that the rights and privileges which existed and were enjoyed before the foundation of this confederacy, and recognized by the articles or compacts of union, did not admit of debate or controversy, but were not annexed to coming within the scope, right, or intent of petition in its broadest sense. The right of petition for redress of grievances, implies the existence of a grievance of which the petitioners have right to complain, and a power in the body to which it is addressed to afford the relief called for; and I must, said Mr. Pope, contend with force and plausibility that we were not annexed to and dependent upon the same consistent with the peace and safety of the nation. Mr. Pope could never admit that any set of men had the unconditional unrestricted right, under color of the right of petition, to cast firebrands into this hall tending to sap the foundation of our social harmony and political union. It is monstrous to contend that the time of this house must be wrested, and our deliberations interrupted, by such vain if not wicked efforts. The representatives of the people must do this, as on all other subjects of petition, exercise their sound discretion under the high responsibility which they owe to their country and constituents. If the free and slave states were separate communities, could the free states, consistent with the principles of international law, permit so many petitions to be presented to their legislatures to interrupt the peace and property of their neighbors? Would it not be cause of war? Mr. Pope would, if he could address the single ladies of New England, endeavor to give their finer feelings and sympathies another direction. He would hold a very different language to them from that which they so plausibly utter to the wretches, who, by their sympathies and their pockets in behalf of the imaginary sufferings of the southern slaves. Mr. Pope would tell them that he had lived in the far west; that those fertile regions abounded with active, enterprising, and promising young men; that young ladies were rather scarce, and he would wish sincerely, and zeal exhort some of the east to turn a deaf ear to the idle tales and appeals of the artful agents of the abolitionists, and take up their march to the west. They would soon, no doubt, get good husbands in those new regions, and will render more essential service to this great and rising republic in raising up good democrats to fight the future battles for liberty and a free country, than in sending petitions here to wound the feelings of their southern friends and brethren. Mr. Pope regretted that the rules established at the present session precluded him from presenting his views more in extension on this subject of abolition. Negro slavery, whether right or wrong, whether in this country or that, is a system incorporated into our system, that it must be left to the operation of causes hidden from human ken, and to the mysterious plans of a wise Providence—not to be seen even through a glass darkly. Let every citizen of this republic remember, with deep concern, that this is a

Mr. Pope assured the committee that nothing but a strong solicitude to present this right of petition in its true aspect, could have prompted him to this departure from the usual course of debate. He would now call the attention of the committee to those principles and measures of this administration in issue between the two contending parties, here and in the nation. My colleague, and other friends of the administration, not content with defending their measures and principles, have to make out their case, gone back for years to assail the measures and opinions of other men, and especially those supposed to be candidates for the next presidency. All this seems to me to be irrelevant. We are not here, or ought not to be, engaged in making or unmaking presidents. We are here discussing the principles and measures of public concern. The conduct of the administration, and their principles, are arraigned at the bar of the public. Is it a fair and legitimate defence to say that other men have done wrong, and been in favor of bad measures? Could a judge, impeached at the bar of this house, screen himself by telling us that other men had done wrong, and that if he was removed another as bad would be appointed in his place? Would it do for a representative on this floor, when censured by his constituents, to tell them that they must see good as, because, although they had acted badly, and had abused the trust reposed in him, another would do as bad or worse? that those who were opposed to him, and found fault with his conduct, were not democrats, but rabidous, aristocrats, &c.? Would this be a fair and honorable defence? Would a people of common sense, with ordinary concern about the administration of their public affairs, listen to a defence of this sort? Certainly not. The course of argument pursued by these gentlemen, would prove too much; it would prove that this administration, and themselves, ought to be perpetuated in power, whether they did right or wrong.

Now, continued Mr. Pope, the true question is, are the principles and measures of this administration right? have the public affairs been fairly and honestly administered? and is it not necessary that the administration should be changed, to correct and reform those abuses, disorders, and the derangement of the currency and other branches of the public service, which have ensued under this administration? When a gentleman talks of aristocrats, bankers, &c., I really do not understand them in reference to the people of the district I represent. In the five counties comprising that district, there is no bank, or branch of any bank; nor do I know that there is 10,000 dollars of bank stock held in the district. I do not own a single share in any bank. There are no very wealthy men there, and but few so poor as not to have the reasonable comforts of life. They are farmers generally, with a portion engaged in other pursuits. They constitute the industrious middle class of society, which in all countries is the most virtuous, happy and independent class—the salt of the earth. We have no public officers in any, except postmen, and a small income. No public money is expended there. We pay but a small proportion of the revenue; more than South Carolina, and more in proportion to our population than any of the southern states east of the Alleghany. The people do not complain of all this, if no more is drawn from them than is necessary, and fairly expended. They ask nothing from this government but good laws, good money, and that their money may not be stolen or plundered by unfit and unfaithful officers and agents.

Mr. Chairman, continued Mr. Pope, I am not a mere partisan here, nor do I indulge any unkind feelings toward the president, or those in power, or those who support the administration. I do not predicate my course here on the ground that gentlemen of either party are enemies to our republican institutions, or their country. I should be very unwilling to indulge any such uncharitable opinion of those who may happen to differ from me in my political views. We know that the best republicanism becomes spoiled and corrupted by too long an enjoyment of power. They too often feel power, and forget right, and become aliens in some degree

most delicate and dangerous topic, and cannot be touched without hazard to our peace and union, prosperity and happiness. Mr. Pope would have declared his disapprobation of the last resolution of the gentleman from New Hampshire, (Mr. Atherton,) because by implication it seemed to concede the right to present abolition petitions, instead of refusing to receive them. It is the duty of this house, Mr. Pope would have insisted, to tell the abolitionists in a decided tone that their petitions would not and could not be received, because they asked an interference of this government for purposes and objects incompatible with our peace and safety, and the legitimate objects of the constitution.

to that republican spirit and feeling which animated them before they came into power. We know too, that adversity in both private and public life, is the school of virtue, and tends to purify those who have been too much exalted by prosperity or long continuance in authority. It is well known that in England, the whigs, after long contending with zeal and sincere patriotism for the power and privileges of parliament and the people, against the prerogatives and usurpations of the crown, have often, after ousting a Tory ministry, and getting into power, turned Tories in principle and practice, and the Tories, stripped of power and identified with the popular party, have in time in their turn become whigs. Such is human nature, and such the course of human affairs; and occasional changes of the high executive officers of the government may be justly deemed the great conservative principle of freedom. I believe, continued Mr. Pope, that a change of this administration is essential to the healthy action of the body politic, and necessary to restore the constitutional balance of the government. I will avow, said he, to see the whigs come into power; after being so long out, they will, probably, administer the government well for a while. I have no confidence in their extraordinary purity or infallibility, nor do I know that I shall be one of their party if they get in. I shall only pledge myself to do no act, and shall continue to act, under the influence of public considerations and public duty. Some material errors will, I expect, be corrected, and abuses reformed. Mr. Chairman, continued Mr. Pope, I cannot approve the principles of measures of this administration, so far as they have been developed, since I took my seat in the present congress. Permit me, sir, to say to gentlemen of the whig party, that they will confuse the public mind by making too many points in their case, some of them irrelevant and untenable, and others of a doubtful character, and not to be depended on in a great contest of principle. When I first came to the bar, I was in the habit of urging to the jury many points, when two or three would have been sufficient. I ever found that course unwise; my adversary met and defeated me on my weakest ground, and the attention of the jury was too often diverted from the true question at issue. Experience soon demonstrated to me that, if my cause was good, the honest and best policy was to select my strong points, and press them, unobscured by immaterial matters, on the attention of the jury. I must be permitted, said Mr. Pope, to say to gentlemen of the opposition, if their cause is good, honesty and fairness is the best policy. I would advise that good and substantial pleas in bar to the continuance of the present men in power, should be put in and verified by proof and argument.

I will now endeavor to place before this house and the people, the principles contended for by the president and his friends. By the 3d section of the article of the constitution, it is provided that the president shall, from time to time, give to the congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient. This is the only grant of power to the president, to influence, direct, or control the legislative action of congress in advance. After congress has acted and presented a bill to the president for his approval, he is authorized to consider it, and may return it with his objections, which can only be overridden by a majority of two-thirds. With regard to measures which congress may judge necessary and expedient for the good of the people, the president is not authorized to pronounce or veto in advance, and has no authority to interfere until congress shall have acted. To denounce a measure beforehand, to prevent the action of congress, is either an assumption of authority, or an exercise of influence incompatible with the spirit of this free system of government. The president, in his first message to this congress, not content with discharging the duty imposed on him by the constitution, in recommending measures for the consideration of congress, intimates an uncompromising hostility to a national bank, and indirectly unenables us with veto. If the advocates of a strict construction of the constitution, who protest against implied and constructive powers, can endorse this unauthorized assumption of the executive, I must declare my dissent from it.

The president next calls on congress for a bankruptcy law, to annul the state banks which had abused their powers; and banks owing their creation to state power, and responsible only to the states. This appears to me the highest prerogative ever claimed for this government over the sovereignty of the states, and aims a more fatal stab at their authority and independence, than ever suggested since

the origin of this federal government. The alien and sedition laws were trifles compared with this most extravagant pretension. Whether banks deriving their charters from state authority, have abused or forfeited their charters, are questions of state cognizance exclusively, and beyond the pale of federal authority. The proposition advanced by the president is so obviously and palpably monstrous, that no argument can be necessary to expose its fallacy; no reasoning has ever been advanced in either house to sustain it. If the state rights gentlemen can countenance for a moment this assault upon the sovereignty of the states, they will excuse me for declining to be of their party. In the second message of the president to this congress, in December, 1837, he imputes the result of the elections in New York to bank influence, and at least indirectly impeaches the motives of the people, when acting in their highest sovereignty capacity. Are the motives and conduct of the people, in the exercise of the right of self government, to be questioned before any human tribunal? If the people are not sovereign in the selection of agents to manage their affairs, how, or where, or when, is the principle of self-government seen, felt, or understood; and where, unless at the polls, is the sovereignty of the people displayed? If they are sovereign, who dare to arraign their purity and infallibility? The sovereignty is ever to be presumed right, just, and wise; and if wrong, that sovereign alone must correct its own errors. From what part of the constitution does the president deduce the high prerogative of instituting an inquisition into the motives and conduct of the people, the county and state officers, and all public agents and functionaries known to this government? The polls, the ballot boxes, are the channels through which the public will is most clearly and constitutionally expressed, and the inquiry can never be made, what influenced the voters, but can only go to the fact, has the popular will been expressed, and how has the sovereign spoken?

The president in his last message to congress, has travelled out of the sphere of executive action, and assailed the decision of the inferior court and supreme court of the United States, in the mandamus case, against the postmaster general. Now, Mr. Chairman, where does the president deduce the constitutional authority to arraign the decisions of the judicial tribunals at the bar of this house? The executive, judicial and legislative departments are declared to be separate and distinct, and their respective powers are defined by the constitution. It certainly does not belong to the executive to revise and condemn the decisions of the judiciary; but to congress, and more to this house, has the constitution assigned the power to enquire into the conduct of the judges, and to impeach them, if necessary and proper to do so. If the president had suggested the propriety of referring the power to issue the writ of mandamus in the cases referred to, I certainly should not find fault with him; because, Mr. Chairman, continued Mr. Pope, I solemnly protest against the power of the judiciary, or the executive, to order money out of the treasury of the people, without the authority of the representatives of the people. Congress, and more especially this house, has by the constitution, control of the public purse. Mr. P. said he had not read or considered the opinion of the court in the mandamus case, nor was he prepared to pronounce it right or wrong, but he was inclined to concur with the president, that the power, if it existed, to order money out of the treasury, by mandamus, ought to be repealed. The first and vital principle of free government, held by enlightened whigs in England and America, and for which so much blood has been shed by our ancestors, consists in preserving to the representative body the exclusive guardianship and control of the public purse.

This is the cardinal point involved in the mighty political struggle now pending before the nation. Shall the treasury of the people be divorced from the control of the president, and restored to the care of their immediate representatives, is the great question to be decided in the present political contest. This is the great conservative principle which has been maintained for ages by the enlightened friends of freedom in England and this country, as the best and only effectual security to the liberties of the people against tyranny and oppression. It is the old question between the friends of liberty and the power and privileges of parliament, and the supporters of the power and prerogatives of the crown. In that contest, after a long and bloody struggle, the whigs of England triumphed over the advocates of executive power, as they will here, if they will only make this the prominent plea in bar to the continuance of this administration. I beseech gentlemen not to obscure this leading point by vague and indefinite talks about large expenditures, for which a large

portion of the opposition voted, or executive patronage, which they have aided to increase. Mr. Pope said that by the removal of the deposits from the care of those to whom it had been confided by congress, the custody and control of the public funds had been wrested from the representative body; and he said as a result, he urged upon congress and the nation by the president and his friends, was intended to consummate the usurpations of his illustrious predecessor. The president and his supporters contend that the key of the strong box should be placed in the hands of the president, and those under his immediate direction, while his opponents insist that the public money should be confided to agents under the control and directly responsible to congress. It is, I repeat, said Mr. P., in essence the old question between the power of parliament and royal prerogative. And I would exhort the opposition to let nothing divert the public attention from this leading and great question. I shall be one of the last, said Mr. P., to speak in terms of disrespect or reproach of general Jackson, a brave man and a patriot, who so often staked up his life for his country, and shed lustre on our national character. Few men have felt more grateful than myself for his public services, or more admiration for his brilliant achievements. I was zealous and sincere in my efforts to bestow on him the highest honor in the gift of his country. While I respect this illustrious individual, and am ready to honor him for his deeds of valor, continued Mr. Pope, I can never endorse his assaults on the fundamental principles of the constitution, and his disregard of the powers, will, and action of the legislative body. With his motives I have no concern, nor do I intend to question their purity; but I owe it to myself, my country, and my immediate constituents, to raise my voice, on all proper occasions, against that arbitrary, ruinous measure, the removal of the deposits. By that act, the wall of separation placed by the constitution between the legislative and executive departments, was broken down, and the equilibrium of power established by that instrument overturned. It was done in defiance of the expressed will of the legislative body; and it was an unauthorized interference with the official powers and duties of the secretary of the treasury, for which I could never find any justification or apology. The public money was placed in the United States bank by the legislature, never to be removed by the secretary without reasons, and those reasons to be assigned to congress instead of the president. I insist that the officer at the head of the treasury, according to the true intent and spirit of the constitution and laws, is the officer of congress, equal the custody and management of the public money; and that the president can not rightfully direct or control the action of that department. The power of removal for gross misconduct, does not confer with it the right to direct the fiscal operations of the treasury department. No president had ever assumed such direction or control, not even Washington or Jefferson, whose popularity enabled them to enlarge executive power and influence, more than any presidents, until the reign of general Jackson. By a reference to the first laws creating the several departments of this government, a marked difference will be noticed between the department of state, of war, and the navy, and the law creating the treasury department; that of state, war and navy, are called executive departments, and placed under the control and direction of the president; whereas the treasury department is not called an executive department, and the head of the treasury is to perform such duties as shall be directed by law. This distinction runs through most of the state constitutions, and the money department is consistently where it should be, under the control and direction of the legislative body. The submission of this people and their representatives to this lawless interference of the executive with the public money, in defiance of legislative will, has surprised and mortified me more than any thing which has occurred in our political history. The reign of general Jackson in many of its features may be well compared, continued Mr. Pope, with that of queen Elizabeth, called by the English commentators the greatest of English monarchs. She maintained the most absolute authority without losing the affections of the people. By her energy and skill, she defeated the most formidable fleet that had ever sailed on the ocean, called the Spanish Armada, and laid the foundation of the naval power of England, and gave to England a rank in the scale of nations unknown before. Her course was in many respects tyrannical, but her temperance was popular. She professed love for her people, and acknowledged their liberties, but took care to use her own dictionary to define the term liberty. Her will was in a great degree the law of the realm. The friends of the free principles of the English constitution, were unable to make a stand against her power and overwhelming influence. It has been

well marked by the historian, that she obtained a lease for life of arbitrary power, and that if the loose of free principles and the institutions were not destroyed, they were suspended during her reign. Her successors attempted to tread in the footsteps of their illustrious predecessor, without the ability, energy, or popularity, to sustain the high ground of royal prerogative occupied by queen Elizabeth; and after her death, the friends of freedom rose in all their strength, resisted the arrogant and tyrannical pretensions of succeeding monarchs, and, after a long and bloody struggle, settled the principles of English liberty by the revolution of 1688.

Gen. Jackson was elevated to the presidential chair, by the gratitude and affections of the American people, for his heroic achievements. His military career, his energy and decision of character, his admitted patriotism, his popular deportment, his professed devotion to the principles of the constitution and the liberties of the people, as he took the liberty to undertake them, gave him an ascendancy over the public mind, which rendered resistance to his administration vain and fruitless. The affections and admiration of the American people, granted him a lease for his term of service, to act in a great degree according to his own will. Besides removing the deposits, he exercised the veto power in a manner, and to an extent, unexampled in our government, and beyond any thing known in the history of Great Britain, in modern times. Indeed, it can hardly be presumed, that such an exertion of the veto power, by a British king, would be tolerated or submitted to, and the probable result would be rebellion and civil war. He ordered the public money to be removed from the place assigned by law, without the consent of congress, and deposited it in the hands of bank agents created by state authority, and in no manner responsible to this government. Mr. Pope would not advert to other matters often presented to the consideration of the people. The present administration is pledged to maintain the principles and measures of the last, and it is for the good sense of the community to decide whether they will adhere to the successor of general Jackson, in support of the measures and principles to which I have alluded. I was born in the Old Dominion, and have ever been proud to claim it the land of my birth, until that state bowed in submission to these usurpations of the federal executive. But I was still more mortified to hear that this great commonwealth had required the senate of the nation, congress, the representatives of the states, to be degraded and buried in dust and ashes at the feet of an untried American monarch, because they had dared to disapprove his usurpations. The enlightened friends of liberty throughout the world, must be astounded at the fact, that the people of Virginia, the birth place of Washington, Henry, Jefferson, Madison, and a host of others of republican stamp, could look on with composure at these outrages on the principles of our free system, and in derogation of powers and privileges confided to the legislative body. I will not Mr. Chairman, despair of the republic, but indulge a hope that there must be a political regeneration in the Old Dominion, and that we shall soon see on this floor heroes animated with the spirit of Washington, Henry, and other friends to constitutional liberty, ready to restore to congress, and especially to this body, their control over the public purse, and to rebuild the partition wall reared by the founders of our system, between executive and legislative power. I must be shut out by a majority here, who I understand the original mandate for the removal of the deposits to be brought to this house, and marked and branded with public condemnation, or burnt like the Yazoo act of Georgia, by fire from heaven. When this solemn duty shall be performed, I will then believe this republic still lives in substance, as it came from the hands of our forefathers.

Mr. Chairman, the president denounces corporations and associated wealth. Such slang might be tolerated at cross-roads, or grocery taverns; but I feel surprised and mortified to find such a state paper emanating from the chief magistrate of a dignified nation. It is not the language of a dignified statesman, but the slang of an electioneering demagogue. Whether I agree with a president or not in his views, I can respect him as the first officer of my government, if his course is marked by dignity and propriety. In this war on corporations and associated wealth, he initiates a British tyrant, James the First, or one of the Charles's, who, in the platitude of his royal prerogative, asserted the right to annul the charters of incorporation in England. I think he annulled one, that of the city of London, and alarmed others into a surrender of their charters, and they obtained new charters from his majesty upon the payment of a bonus. He did not

make war on corporations to secure the liberties or good of the people, but to increase the power and patronage of the crown, and to fill the coffers of the king. Whether any higher motives influence those who denounce corporations here, I leave to them to determine. What is meant by associated wealth to create prejudice or odium, I do not understand. This slang either has no definite meaning, or is the lowest sort of loco-focoism—intended as I imagine, to array the poor against the rich. A state, every political association, or body politic, is a corporation; it is associated wealth; men unite and form a state or body politic, to secure property, as well as life and liberty, and for the general happiness and prosperity. An incorporated city or town, is a body politic; an association of wealth or property, for the better security of property, as well as life and liberty, and every other blessing incident to the social state. Many corporations are composed of individuals with small funds, who put small sums together to accomplish some useful object, to which the surplus capital of no one individual is competent. Bridges, roads, insurance companies of every kind, are formed in this way. But I will not detain the committee by details on this subject. These corporations, formed by many individuals, create a common interest, and are so many fixtures in the state, giving strength and stability to the whole frame of human society.

From the report of the committee of ways and means, drawn and presented by the chairman, the organ to this house of the executive administration, we must infer that the executive is against a tariff protect American industry; against internal improvements of any kind, national or local, including harbors. He is against the distribution of the public land, or its proceeds among the states; he is for holding the proceeds as a part of the permanent annual revenue. With regard to a protective tariff, nothing need now be said, because that subject has been compromised and settled, until the year 1842. I don't understand that any man, of any party, is for disturbing the question before that time. With regard to internal improvements, no discussion is necessary, because with the exception of two or three roads of a national character and of great necessity and utility, which this government has commenced and seems to be bound in good faith to complete, I am not aware that any public man is urging on congress or the nation the policy of bringing in a system of internal improvements. General Jackson conceded the power to make improvements of a national character; and, I believe, no person contends for more, and but few for that much. It may be necessary to make a few roads with reference to military operations, or carrying the mail. I consider, continued Mr. Pope, these questions of tariff and internal improvements, disposed of for the present. If you friend from Virginia, (Mr. Robertson,) will read a part of my speech on the bank question in 1811, he will find that although we may not agree at out a national bank, we are nearer together about the line of demarkation between federal and state powers, than he supposes. I there contend that this government ought to avoid as far as possible any agency in the interior of the states, and leave to them all matters of local concern, confining the government to matters strictly national. The president, as I have before stated, contends for a sub treasury to place the public money under the control and in the keeping of the executive and officers holding at his pleasure, and is opposed to a national bank to be made our fiscal agent, and directly responsible to congress. I shall not, said Mr. Pope, at this period discuss this subject at large; at the called session. I presented a proposition for a national bank, reserving one-third of the stock to be divided among the states, and precluding foreign stockholders from any control or management of the institution, with other provisions, to be found in the proceedings of this house. Without discussion, that subject was silenced by the previous question. There never has been a majority in this congress for a national bank, sub treasury, or the state bank system. I must ask leave, continued Mr. Pope, on this occasion, to say to the conservative gentlemen, that I cannot endorse their scheme of state banks, because I have no faith in them; they will multiply and expand until they explode again. I may vote for them in preference to the sub-treasury, but it will require an effort with myself to make a choice. Gentlemen talk much of the danger of one bank monster, which has proved useful and safe and stood the test forty years. Now, sir, a many-headed monster of state banks is more frightful to me than one. We are called on to appoint at least twenty-six bank agents, under the authority of the 26 states, not under the control of this government, or responsible, to keep the public money in the city of New York half a year, and to receive the national revenue deposited in the New York banks, and

that great state was to array her strength against the fact and authority of this government, and renew the scenes of nullification, tell their banks to withhold the revenue, and give them a pledge of non-compliance. What, sir, would be our condition, and how could the trials be reached, when perhaps most wanted? I beseech gentlemen to weigh this matter like statesmen, and not sacrifice their country to preserve their consistency in error. Every candid man must perceive at once, that if bank agency is necessary and proper for this government, it must have the power, and ought to exercise it, to create a sound, safe, and responsible bank agent, with branches in every state to receive and pay out the public funds, according to the directions of congress. This government with regard to cardinal powers clearly and distinctly granted, ought to be insistent in its action on this authority, and the public purse should be divorced from the control of executive, judiciary, and every authority, except the representatives of the people in congress. This is the great principle for which I contend, and the leading question now before the American people. I repeat, that I have a mortal aversion to this my headed monster, the state banks, and if I should vote for any such project, it will be for no other purpose than to defeat another measure, the sub-treasury, the leading object of which is to place the public purse more directly under executive direction. There is but one right course about any thing—the course marked out by the wise and enlightened statesmen and patriots who have gone before us; and that is to insist on the sanction of a national bill; and their wisdom has been confirmed by the experience of forty years. Every other experiment has failed, with great loss and injury to the country; and yet gentlemen insist that they must be consistent. The more I reflect on this state bank system in connection with this government, the more I dislike it. It has a tendency to bring the monied interest and institutions of the states, in contact, and under the influence of this government. Previous to the year 1811, when the charter of the first bank expired, our monetary system was safe and sound, the banking system had been, generally, honestly and prudently conducted, and no ruinous or seditious paper currency had caused this people. Many enlightened and disinterested men of the republic in party, assured me at that time, that no bank in the world had been better managed than the bank created with the sanction of congress at Washington, the charter of which was then about to expire. It was generally believed for some time before that period, that the charter would be renewed, and every vote given in the two houses of congress had indicated that result; but from causes not necessary to explain, the bill to renew the charter failed in the senate, by the casting vote of the vice president. This event gave birth to a host of state banks, the history of which is well known. After an experiment of four years of this state bank system, another national bank was created, with the sanction of Mr. Madison and his friends. The state banks, without the controlling check of a national institution, will not, I fear, succeed in securing to the people either an uniform or sound currency. A bank of the United States, with a large and sound capital, will not only be a useful fiscal agent, but will furnish a currency of unquestionable value. The constitution has assigned to congress the power to coin money and regulate the value thereof, and if gold and silver will not answer over this extensive country, and if a paper representative is to be furnished for the convenience of the people, it has ever seemed to me that it ought to emanate from the authority of the national government. Some object to depositing the money in a bank for the benefit of the stockholders; and in that I agree with them, and will only do it, for an equivalent in money or public services. The bank is an insurer of the safety of the fund placed in it; if the bank is robbed, the government does not lose it; but the bank; the bank must place the public money in different parts of the United States, where it is wanted, without risk or expense to the government. In the late session of the constitution, and in the spirit of our free institutions, continued Mr. Pope, I am opposed to the grant of any privileges to any man, or set of men, but in consideration of public services. Are not the public funds more safe in sound banks under our control, and responsible to this government, than in the hands of individuals, with whatever security they can give. Government rarely makes any thing out of securities; and indeed, it is probably better that the government should lose by the appointment of a bad officer, than that innocent individuals should be ruined. On this subject I will only add, that I can make no compromise of opinion or principle, unless controlled by the will of my constituents. Mr.

Pope could not avoid expressing his astonishment, at the assumption by his colleague, (Mr. Murray,) on the Bank of the United States. "A man may have honest scruples about the constitutionality of a national bank, but the utility of such an institution, has been generally admitted by the intelligent portion of all parties in the nation. It is most wonderful to me that a western gentleman of sense and candor should object to it. Our trade is carried out with distant states, and a national currency is more important to us than any portion of the union. Our traders now bring the notes of distant banks, and diffuse them among the people, the value of which I cannot tell my neighbor, if he asks me; but send him to the merchant—if he is a poor man, or a laborer, he may want a ten or twenty dollar note, converted into silver to pay small debts, and the merchant will tell him, probably, that it may be good, but not very current—the bill, however, change it, if the man will take the whole or part in goods, or discount, one, two, or three, or four per cent., and the holder will be driven to accept the terms; and in this way the poor and laboring classes are shaved constantly, for want of a currency, stable, sound, and which can any where and every where be converted into gold and silver. In this state of things every merchant, besides a host of others, are reaping a rich harvest by shaving and robbing the ignorant and laboring classes of the country.

One of the first and highest duties of this government, is to relieve and secure the people against a ruinous, inconvenient, or uncertain medium. No part of the union was more injured by fictitious and swindling banks, and depreciated bank notes, than the west; and it took many years after the last bank of the United States was established to redeem us from the evils to which I have adverted. A sound condition of things and a sound and uniform currency, was ultimately restored to the west, chiefly by the operation of the branches of the U. S. bank established there. At first they were not as prudently managed as they ought to have been; but, for about ten years before the removal of the deposits, we had a good currency, and our condition in regard to currency and commerce was sound and healthy. Branch banks were established at Pittsburg, Chillicothe, Cincinnati, Lexington, Louisville, St. Louis, Nashville, Natchez and New Orleans; and all worked well; and I never heard that any of them engaged in the party politics of the country. Something was said against the Louisville branch, and promptly repelled by two or three directors of the bank, of high standing. It may not be improper or irrelevant to remark, in connection with this subject to allude to the pecuniary condition of the western and south-western states. They have no surplus capital to make banks or internal improvements, and resort to loans for such purposes. Not only the states west and south, but many states on the Atlantic, have made large loans for those objects. The several states are now indebted, and a great part to foreigners, between 100 and 150 millions of dollars, at an annual interest of five or six per cent. Yes, sir, after all the clamor about foreigners and foreign influence, the states owe a large amount to foreigners, for loans to make banks; and if the funds should be badly managed, or swindling directors get the control of the banks, the money may be plundered, and then the people must be taxed to pay principal and interest of these debts, or this government may be called on again to renew the national system. I trust, on such occasions, may grow out of this state of things, a most anxious appeal to the gentleman to answer me with candor, whether it would not have been better to have created a national bank, required at least one branch, with a reasonable capital, to be placed in every state, and to lend money at five or six per cent. to aid the business and enterprise of the people? On this plan no debts could have been incurred by the states, and a better currency would have been furnished. It would certainly be the interest of the bank to furnish as much capital to each state as their business required. It must be admitted that the branches in the west were well controlled for the many years of their existence, whatever may be said of the matter by the party in struggle with the government. I have never noticed in the controversy, but can readily suppose that the law may have been guilty of some immorality and infidelity, such as are incident to every human association. They are, however, unworthy of the grave consideration of statesmen in deciding on a great measure of national concern. I repeat, continued Mr. Pope, that a man may object with some plausibility on constitutional ground, but a western man can have no other reason for clamoring against the bank, but because general Jackson denounced it.

My colleague, without using any personal or offensive language, has made a lunge at Mr. Clay, a

distinguished senator from our state, in relation to the American system, which seems to me to have been uncalled for and unjust; owing, I must believe, to misapprehension of facts, and the history of that system. Whatever my relations to that gentleman have been, or are now, I feel it my duty to place him, with regard to that policy, in a proper light before this committee and the public. At no time in my life, whatever may have been his course towards me or the country, have I treated him unfairly. At one period, I had reason to complain of the intolerant and proscriptive spirit of himself and his friends; but, however, from any personal bitterness on either side. After he became secretary of state, in alliance with my friend from Massachusetts, he never offered me the hand of fellowship, and he was armed with additional power to deprive me of any share in the political concerns of my country. I thought I owed him a debt, which with the aid of the hickory stick, I concluded to discharge. I did so, and balanced the account between us. I now continued Mr. Pope, am ready to act towards that gentleman under the influence of public considerations alone. My colleague seems to impose the American system, with all its imaginary evils, to him; for he has not told us the mischief it has done, nor have I ever been able to find out from the writings, speeches, and denunciations of gentlemen, what the evils are to which they refer. They seem to suppose that the surplus in the treasury was the result of the American system. There is certainly no foundation for the assertion, and Mr. Clay is not responsible for what accumulated in 1835, and 36, and was deposited with the states by the act of 1836. That surplus was the result of the transfer of the public money from the bank of United States, to state banks, and a recommendation to the state banks to expand their issues, which gave birth to a scene of wild and extravagant speculation in public lands in 1834, '35, and '36, that brought into the treasury the enormous surplus distributed among the states in 1836, '37, and which by withdrawing so large an amount from the ordinary channels of trade and business, conducted much to that derangement of currency and convulsion in our commercial affairs in 1837. The deposit act of 1836, with a small variation, was in substance a division of the land fund among the states, according to Mr. Clay's views. Mr. Clay made every effort in his power to prevent a surplus in the treasury, by a distribution of the proceeds of the public lands among the states; and if his bill had not been defeated by president Jackson, there would have been no surplus. Cut off the land fund from the treasury, and the tariff would not have produced more than necessary to meet the usual demands on the treasury. A very small amount was expended for internal improvements during the administration of Mr. Adams, compared with that expended under the administration of general Jackson. The first great national improvement, the Cumberland road, had its origin under the administration of Mr. Jefferson; the work was commenced under that of Mr. Madison, and continued under every administration since. In 1811, the state of New York applied to this government, to aid her with funds to make a canal from the waters of the Hudson, to Lake Erie. Mr. Madison sent a message to congress recommending the subject to our favorable consideration, and commending in the strongest terms the policy of connecting by internal improvements the Atlantic with the western country. To cut down the mountains and facilitate the intercourse between the east and west, was a popular doctrine at that time, as well as to render this country independent of the workshops of Europe. The southern, western and middle states were generally, at least a large majority, for this policy. The people of New England were less favorable to it than any portion of the union. I might, continued Mr. Pope, with truth and justice, deny that Mr. Clay is entitled to the credit of originating the American system; for I believe Virginia, South Carolina and New York, have equal if not superior claims. The system became popular, and the eastern states after some resistance, acquiesced; and Mr. Clay, with his usual political tact, made himself the prominent actor. When he became secretary of state, and seemed to be on the high road to the presidency, other applicants were alarmed, and determined, if possible, to blast his prospects. To render the American system unpopular was an object of the first importance with the enemies of Mr. Clay. The system was too popular then to be directly resisted, and the high tariff of 1825 was a *conduite* of the Jackson party for effect on the system, calculated to injure Mr. Clay, whether his friends supported or opposed it. I was one of that party at the time, and it is well known that Mr. Van Buren and most of the Jackson men supported it. I was a zealous supporter of general Jackson at that time, and we were very un-

willing for the general to commit himself, in a manner to embarrass his friends, or injure himself. We were fortunately soon relieved by the old hero, who came out for a judicious tariff, a ground which rendered him unassailable from any quarter. Mr. Chairman, could I see Mr. Pope, a review of our past political history will show, that many of the leading measures of this government have not been carried or rejected by reference to a presidential election.

My colleague, (Mr. Murray), professes to admire Mr. Clay much, although the author of so much mischief; but seems to admire nullification more. At the moment general Jackson was proceeding by proclamation and force to his declared nullification and its supporters, Mr. Clay interposed and averted the storm. This I have considered the best and most patriotic act of his life, and have ever given him full credit for it; and I think my colleague, as an act of sheer justice, while enjoining general Jackson, and nullification, might have bestowed on a distinguished citizen of our state some little praise for it.

Much is said about the increase and extravagance of our public expenditures, but to what extent this administration is responsible, I am unable to form a clear and satisfactory opinion. That there have been many imprudent expenditures is certain, and that many of these have been voted for by a portion of both parties, is equally true. During the present congress at least 2 millions of dollars have been appropriated against my vote, and I can give you a combination of a part of the whigs with a portion of the friends of the administration; and I therefore hesitate to rely on this as a substantial ground of objection to the men in power. My objections are not so much to the amount of expenditure, as the manner of expenditure. Has the money collected from the people been fairly and carefully expended for their benefit? Public money honestly and fairly disbursed, for necessary and beneficial purposes, generally benefits the poor and laboring classes. That there have been many instances of improper expenditure, I have no doubt; but so many have participated in them, that I find it difficult to fix the blame exclusively any where. My impression is strong that the Indian war might have been avoided, and ten millions of dollars saved to this government, if the advice of general Eaton and his government and officers, had been followed. The war was badly managed. The expenses were increased by drawing volunteers from the distant parts of Missouri, and employing the northern Indians at much expense, and without the least utility. I confess that I am not surprised at a considerable increase of our expenses. They have grown, and will grow, with the growth and wealth of the country, and the extension of our settlements. I repeat, that my objections are to the manner of expenditures. I fear that we are plundered to a great extent, from want of vigilance in the selection of officers and agents, and especially disbursing agents. The good and success of the party, enter too much into the consideration of the appointing power.

With regard to executive patronage, about which we have heard much, I have little to say, because it merits attention to a great extent, so long as the constitution remains unaltered. To the president, the constitution has assigned the power of appointing all officers except such of a subordinate character as congress may think proper to confide to the heads of the departments. How far the abuse of this power can be restrained or regulated by law, I have not time to examine. The officers of the treasury department ought, I think, to be rendered more independent of executive dictation in the performance of official duty, and the power of removals may possibly be subjected by law to some salutary checks. The general power of appointment, the founders of our republic deemed it most wise and safe to place where it is. To remove a man fit and faithful, without other cause than a difference of political opinion, seems to be tyrannical; and good behavior and fitness ought to be the guarantee for his continuance in office. Whether this power can be controlled by law, or whether it is a matter of grave consideration. When a new president is elected and enters upon the duties of his office, there would seem to be some strong political considerations in favor of the right of the president to select the prominent executive officers, not only of the cabinet, but throughout the union, on whose fidelity and ability he must rely for the execution of the laws, and the executive administration of public affairs. But, after he has made his selection, and they have proved fit and faithful, I would deem it an impeachable offence to remove for expression of opinion. Such tyranny tends to make slaves and hypocrites, and to break down that spirit of independence and freedom of thought and action, which belong to the genius of our system. The public officers and the people should be told by the chief magistrate that moral worth and fitness are

paramount to party merit. This course is essentially necessary to preserve that moral force in the nation, upon which the durability of this republic depends. I am satisfied, continued Mr. Pope, that many delations and official abuses have occurred, because the selections have been made more with reference to the good of the party, than the good of the public. Party efficiency is estimated higher than integrity or qualifications; and here I must be permitted to say, that I cannot admit the excuse for bad appointments usually offered, that the president and other executive officers have been deceived. He who is determined not to be imposed on, and will be vigilant in his inquiries, will not be mistaken on a thousand occasions. Sir, they are in most instances willing to be deceived, if the good of the party is to be advanced. I am aware that there are many useless offices and agencies, adding to the patronage and influence of the president, which ought to be abolished. There are, I am convinced, continued Mr. Pope, at least 40 land offices which might be dispensed with; 40 registers, and as many receivers, making 80 or 90 in the whole, receiving salaries, besides the contingent expenses of these forty offices; and if I should be honored again with a seat here, I will avail myself of the first opportunity, when there is the least prospect of success, to prune, if possible, this branch of executive patronage. There are, no doubt, other offices and agencies which ought to be pruned off.

Mr. Chairman, continued Mr. Pope, the disposition of the public lands is another subject of deep interest to the people of the United States, to which the attention of this house and the nation has been called during the present session, and which the parties seem to be divided here. The leading question appears to be whether the proceeds shall be divided among the states, or brought into the national treasury as part of our permanent annual revenue. The president and most of his friends are against the distribution among the states, and I infer that my colleague goes with the president. If I am mistaken in regard to the views of the president, on the questions to which I have adverted, and more especially about the public lands of such cardinal importance, I wish to be corrected. I desire to know whether his friends endorse his views. I can assure gentlemen that I neither wish to misunderstand him or them, but desire to place the administration fairly before the people. He, and friends, with my colleague are opposed to distribution. On this question, I would, if practicable, tread in the footsteps of my old friend, president Jackson. In one of his messages to congress, he says, that after the payment of the public debt, we ought no longer to look to the public lands as a source of revenue, but to sell them to actual settlers at a moderate price. With this statesmanlike view, I entirely concur; but the plan is not practicable—neither my state, nor any of the other states will consent to it. The next best plan, is that presented by Mr. Clay's land bill, with a little alteration. I am for allowing a pre-emption to actual bona fide settlers, at the government price, the proceeds of the lands to be divided among the states, to be applied at least one half to common schools, and the residue to general improvements under the direction of the legislatures of the states; the distribution to be made according to the apportionment under the next census. The west will then have more than one third of the representatives of the nation, and instead of the whole land fund being drawn from the west, to be expended in other sections of the union, more than one third will be retained in that section, to be expended there. My colleague's course is strange, passing strange, on this subject. He complains that no public money is expended in Kentucky, while large expenditures are made in other states; and yet supports the president in draining the west of five millions every year, to be expended in other parts of the union, without giving Kentucky any portion of it. The estimate of the secretary of the treasury of the annual proceeds of the public lands, is five millions; the proposition to be received by Kentucky, Tennessee, and Indiana, after the next census, will be about the same; probably near 250,000 dollars each, annually; Ohio nearly double that sum, Illinois and Missouri about 150 or 160 thousand dollars each. I do not pretend to strict accuracy, but I feel assured that my calculation is substantially correct, so far as concerns the argument in favor of distribution. By this arrangement the states will be enabled to diffuse common schools for the benefit of the poor classes, and improve roads, rivers, harbors, and other works of internal improvement, without calling on the general government for aid. And why shall not this fund be divided in this way, by which the expenditure in the interior will be equalized, because the president, and my colleague and others, say, if you

withhold the land fund, the farm may be raised. My colleague admits that Kentucky pays her full share of the tariff; without any excess by her; and yet he is willing to tariff any excess by a drain of five millions, without retaining any portion for the use of his own state. While Mr. Clay is for a general tariff, operating on the whole, he is for dividing this fund so as to give his own state 250 thousand dollars a year.

I will beg leave, continued Mr. Pope, to present the views of a constituent of mine, a zealous friend of president Jackson, well known to my colleague; a man of strong understanding, bold and independent in the expression of his opinions; when wrong he can never be put right, and when right can never be changed. On a public occasion he contended that public land belonged to the people as tenants in common; and it divided, a poor man would be entitled to as much as a rich man; that if the proceeds of the lands were applied to the payment of revenue, or to relieve the wealthy, it was a robbery of the poor, for the benefit of the rich. He contended that if a wealthy man paid a tax of 100 dollars, and a poor man only five, and the land fund was applied to pay or lessen the taxes, then the rich man paying 100 dollars would receive 20 times as much land as the poor man who paid five. He insisted that the revenue, according to the principle and spirit of the constitution, ought to be paid in proportion to the property or ability of each individual; and that to make the land fund revenue, was unequal and unjust. In this view there is much plausibility of force, and is in conformity to the plan adopted by the state of Georgia, for the division of their vacant lands. The president and his friends are for taking the fund belonging in common to all, to relieve the consumers of foreign luxuries and a heavy burden from any additional burthen. The debts charged on our public lands are paid; and, I concur with president Jackson, that we ought no longer to look to that source for revenue. According to my plan, the benefits of this fund will be as nearly equalized as practicable, but may be improved after further examination and reflection.

I cannot resume my seat, Mr. Chairman, without a slight notice of remarks made on this floor and elsewhere, by gentlemen from the Old Dominion. They seem to make a national bank a test question. How long I ask, has this been the doctrine of Virginia? Many of the members from Virginia voted for the Bank of 1816, and were re-elected; and some were elected by the legislature to the senate of the United States, after voting for the bank, unless I am very much mistaken. William H. Crawford was chairman of the committee in the senate in 1811, who reported a bill to recharter the first bank, and made a very able speech in support of the constitutionality and expediency of such an institution. Yet, Virginia supported Mr. Crawford for the presidency, with great zeal, against general Jackson; and Mr. Van Buren, the president, notwithstanding his uncompromising hostility to the bank, was the right bower of Mr. Crawford, in opposition to the general. The course of Virginia towards Kentucky, her first born, seems to be unnatural and ungrateful. Kentucky followed in the wake of Virginia for thirty or forty years; supported all her distinguished men for the presidency, and now, when she presents for that office a man of the first order, born and raised in the Old Dominion, they turn their backs on him, because he entertains the same opinion now which Mr. Madison and many other Virginians did in 1816, and which Mr. Clay, Mr. Chapman, and votes to a citizen of New York. Mr. Chapman, continued Mr. Pope, I could hardly consider a man's opinion about a national bank, whether for or against it, an insupportable objection, provided he would follow the advice of Mr. Jefferson, that the president, in a doubtful case, ought not to delect, by veto, the will of congress and the nation.

Mr. Chairman, continued Mr. Pope, I was desirous to call the attention of the committee to other topics of much interest, but I feel too much exhausted to proceed. I hope, on some other occasion, to add to the views now presented to the committee. I have stated with frankness, without any partizan feeling other than results from difference of opinion, my objections to the principles and leading measures of this administration, as I verily believe, as I have before said, that a change of the administration is necessary to the healthy action of the body politic; and that we have no reason to expect that the errors and abuses which have occurred, will be reformed, or that our currency will be restored to a sound and stable condition, without a change. It is necessary, Mr. Chairman, to restore the principles of the constitution to their former strength and activity.

* Col. Jerobam Beauchamp.

CHRONICLE.

By a report of a committee of the New York common council, it appears that one hundred and twenty-one thousand, four hundred and thirty-nine dollars and ninety-three cents were paid during the years 1831 '33, '36, and '37, for fees on proceedings for opening streets in the city of New York. Comptroler's \$16,032 53; commissary to wos, \$15,133 73; surveyors, \$13,265 13; appraisers, \$11,269 50; room hire, \$1,362 23; collectors, \$11,221 23.

North Carolina looms. We saw a day or two since, a bale of woolen and cotton goods, from the Pheix factory, Fayetteville, which was sent to one of our merchants as a sample. It is a favorable one and furnishes goodly evidence of a probable improvement in the manufacturing machinery. It has a nap, is a hair-bur, adapted to negro clothing, and we hope it will be purchased for that purpose by our rice planters, and farmers generally. How much better would it be to purchase a good article from our own looms, than to buy the same from the factories in her states.

(Wilmington (N. C.) Adver.

Texas Navy. Lieut. Adams received at New Orleans, state that the navy of Texas was to be largely increased. Mr. Hay, secretary of the navy, was busily engaged in organizing the department for efficient service.—H. H. Williams, esq. of this city, who is the navy agent of the government, has orders for building a number of fine vessels. An invitation is extended, by the Galveston Gazette, to some forty or fifty of our passed midshipmen and lieutenants, to take service in the Texas navy with an assurance that the chances of promotion are greater in that service than in that of any other.

Napoleon's ashes. The following article is extracted by the New Orleans Bulletin from a Havana paper :

"Having been at the sumptuous ball given to the distinguished citizens of this city by his highness the prince de Joinville, on board the Iphigene, on the 23d January, we should be blameable in neglecting to notice the brilliant spectacle, which we contemplated with much astonishment and pleasure. A superb ship, most beautifully illuminated, combining, as if by enchantment, the greatest simplicity and magnificence, the obsequious gallantry of the prince, and the courtesy of his numerous suite, &c. We shall not be accused of exaggeration, by affirming that such a spectacle has never before been offered to the eyes of Europeans."

"Sincerely do we wish that the illustrious son of the King of the French, of whose urbanity and delicacy we have such proof, may accomplish the exalted national mission with which he says he is entrusted, to convey to France the mortal remains of the illustrious and unfortunate captive of St. Helena. Heaven grant him a prosperous voyage!"

Naval. We hear from the Norfolk papers of Friday, that the U. S. sloop of war Warren bound to the West Indies, was in Hampton roads, ready to sail with the first fair wind. The following is a list of her officers :

- Commander, William A. Spencer, esq.
- Lieutenants, James T. Gerry, John H. Little, two vacancies.
- Surgeon, Daniel Egbert.
- Surgeon, Thomas M. Taylor.
- Master, Daniel B. Ridgely.
- Assistant surgeon, Augustus F. Sawyer.
- Past midshipmen, James H. Cook, Daniel F. Dulany, James J. Forbes.
- Midshipmen, Charles E. Fleming, Edward C. Anderson, Joshua D. Todd, Stephen D. Valette, George M. Noble, William C. Bondinot.
- Captain's clerk, John G. Gordon.
- Boatswain, Robert Whitaker.
- Gunner, William Pennington.
- Sail maker, Madison Wheeden.
- Purser's clerk, Donald Davidson.

To join the squadron Robert B. Banister, assistant surgeon.

The U. S. sloop of war Lexington sailed from Mazarin on the 4th of December last, with specie on board, bound to Valparaiso—all well.

The frigate Macedonian, commodore Shubrick, passed through Turks Island Roads on the 22d ult.—all well.

On Wednesday the 13th, the broad pennant of commodore Caxton was hoisted on board the Constitution, at Norfolk. It is rumored that she will proceed to New York, to take on board a minister to England, and after landing him, proceed to the Pacific.

The Constitution. Monday, the fourth instant, being the fiftieth anniversary of the national constitution, a number of the citizens of Washington, with many of the members of congress who still remained in the city, united in celebrating the event by a subscription dinner at Brown's hall. Among the members of congress, were Messrs. Webster, of the senate, Johnson and Jener, of Maryland, Pope, of Kentucky, and Johnson, of Louisiana. General Walter Jones presided, supported by the honorable Henry Johnson, of Louisiana, the honorable John Pope, of Kentucky, and the honorable Daniel Jener, of Maryland, as vice presides. Some splendid toasts were delivered, and a number of excellent toasts drunk, after the cloth was removed.

Land sale at Milwaukee. The sum of \$50,000 was taken on the first day and not an acre was sold except to actual settlers. (Detroit Daily Advertiser.

Trade of the Susquehanna. The Columbia Courier of the 13th says: "The river is now entirely clear of ice, and navigation has once more commenced. Numerous arks have passed us from the towns above, and many are now being loaded at this place, with whiskey, lumber, &c. for Baltimore."

The Paris (Mod.) Standard says, that while three daughters of Vandy, residing in Shelby county, Mo., a few days since, were attempting to cross the North Fork of Salt river, the ice gave way, and one of them fell through. The second endeavored to assist her, and, in doing so, was drawn after her. The third then refused to offer assistance, and shared their fate. The eldest sister was about 15 years of age. Their bodies were not recovered.

Governor Everett and lieutenant governor Hull have been unanimously nominated for re-election, by a state convention of the wings of Massachusetts. They have accepted the nomination.

Large cargo. The British ship Britannia, of St. Johns, N. B. sailed recently from Philadelphia with a cargo of 5,500 barrels of flour, 66 hds. querciton bark, and 10,000 staves, bound for Liverpool,—being one of the largest cargoes taken from the port of Philadelphia for many years; the ship is 700 tons burden, and drew nearly 2000 tons of water. The Baltimore Gazette, speaking of the shipments of Bark from Philadelphia for England, states that a full cargo was going on board the bark Minerva for Liverpool, and that the packet ship Algonquin would also take out 4000 barrels.

Snow at the south. At Charleston on the 5th instant, snow fell to the depth of 6 inches. There was a little snow even at New Orleans, accompanied by a violent wind, which prevented Mr. Clayton, the aeronaut, from making his proposed ascension.

The Illinois house of representatives has passed a bill prohibiting the using of currency by a penalty not exceeding one thousand dollars, and imprisonment not to exceed thirty days.

A bill has passed the legislature of Pennsylvania directing the governor to subscribe \$100,000 to the stock of the Franklin rail road, leading from Chambersburg, through Hagerstown, to Williamsport on the Potomac.

Valuable invention. A powerful hearing trumpet has been lately invented; it is so constructed as to stand upon a table, and receive the voices of persons in the room, which it magnifies to an extraordinary degree. The power of the instrument is thus described by the inventor: "I placed the instrument at the end of a room sixty feet in length, at the other extremity of which two persons were in low conversation. As long as I continued to hold the tube to my ear, I could hear every word they said to each other; but the moment I removed it, I was only sensible of a murmur of voices, without distinguishing a syllable." To an experimenter, no doubt, the efficacy of the instrument are by no means comfortable, as every word falls with the force of a blacksmith's hammer; and, in addition thereto, it makes the ear ring with noises that no other person perceives.

A cow, the property of Mr. F. Kent, of West Springfield, Mass., during sixty days, beginning June last, gave one thousand three hundred and forty-six quarts of milk; averaging 22 1-4 quarts per day. The largest yield was 11 quarts in the morning, and 16 in the evening.

Important from Wisconsin. The legislature met at Madison on the 23d ult. The governor delivered his message to the senate, and announced other legislative measures of the Winnebago Indians. It is anticipated from sundry indications that there will be difficulty this spring, as they are determined not to leave the country at the time stipulated in the treaty. They are making hostile preparations. The governor recommends that the war department be immediately memorialized for arms and ammunition, and for five companies of dragoons. The governor will take the responsibility, in case of emergency, of raising volunteer companies, which he will head in person for the protection and defence of exposed settlements.

A duel. The Nashville Wing of the 8th inst. states that a duel was fought near Moscow, Fayette county, a few days before, between Alexander J. Doleson, (adopted son of general Jackson,) and Henry Robeson; the latter was wounded. The duel was near the Mississippi line, we presume the meeting took place in that state. A second meeting was talked of the next day, but the officers of justice probably deflected it.

White Sulphur springs. The Lewisburg Enquirer states that Dr. Mortman, resident physician at the White Sulphur springs, is about to publish "a directory for the use of the White Sulphur waters," with practical remarks on their medicinal properties and applicability to particular diseases, and that a company has been formed, which has entered into extensive arrangements for bottling the White Sulphur waters, and have them transported to all parts of the United States, and so peculiar is said to be the quality of this water, that it loses none of its virtues by this operation.

Ordnance for the frontier. Twenty-four pieces of cannon with their carriages, from Albany, destined for the castward, were brought down on the W. river rail road on Monday. (Boston Daily Advertiser.

Costs of riots. According to a late estimate, \$16,000 have been paid from the city treasury for New York, within the last four years, for the expenses of suppressing riots. The injury to public and private property

probably exceeded ten times this amount. Fifty resolute men, with good muskets, would have suppressed each riot *in hoc loco*, and without any injury to property. In Philadelphia, the injury to private property by riots was about \$70,000 in two nights, and the injury to the character of the city beyond calculation.

(Boston Courier.

Gipsies. The number of this extraordinary race in Europe, Asia, and Africa, is calculated to amount to seven hundred thousand. In America they have been hitherto unknown, though a small number are said to have emigrated to that quarter recently. Throughout the world they speak the same kind of gibberish, which is very similar to the language of Hindostan, to which country their origin has, on that account, been assigned.

New Hampshire. The following are the names of the representatives for the 26th congress elected last week from that state: Irahan Shaw, Chas. G. Atherton, Edmund Burke, Ira A. Eastman, Jared W. Williams.

Death of gen. Ripley. The last Louisianaian contains the intelligence of the death of general Eleazer W. Ripley, a native of New Hampshire, but for many years a resident of Louisiana, of which state he was a representative in the last congress. As a statesman and a soldier, his name stands conspicuous on the page of his country's history.

Bank post notes. It was decided, last week, in the supreme judicial court of Massachusetts, that bank post notes are entitled to *grace*, in the same manner as bills of exchange and promissory notes in general.

The number of persons who emigrated from Liverpool during the year 1838, under the supervision of the government emigration agent, was 31,411. Of these 10,863 sailed for the United States, 853 for British North American colonies, 1,059 for Australia, 335 for West Indies, 106 to Liberia, America, and 59 for Cape of Good Hope and Mauritius.

Western river. At Pittsburg on the 14th, there were six feet four inches water in the river, and it was falling.

At Wheeling on the same day, "the river" says the Times "was in as good stage for navigation as could be wished."

At Cincinnati on the 13th the river was sixteen feet above low water mark, and falling very slightly—weather threatening rain.

Trade on the Chesapeake and Ohio canal for the week ending Tuesday, March 19, 1839. Twenty-six boats descending, 46 boats ascending, 466 tons flour, 2,403 bushels wheat, 200 barrels apples, 265 1-2 bushels rice and chops, 69 barrels apples, 1,050 bushels lime, 5 1-2 tons iron, 1,495 bushels meal, 1,650 bushels corn meal, 30 bushels corn, 43 1-4 tons furniture, 125 cords wood, 30 bushels seeds, 7 hirkos lard, 18 bales hay, 300 feet iron bar.

Forty-six boats ascending, cargoes as follows: 360 tons plaster, 416 bushels salt, 965 bushels potatoes, 13,150 feet plank, 41,600 shingles, 21,000 laths, 10 tons coal, 9 tons groceries, 56 kegs powder, 1,143 apple barrels, 92 bushels oysters, 30 barrels fish, 81 barrels liquor, 16 barrels tar.

Banks. The Detroit City bank has given notice that it will suspend specie payments for sixty days. The Detroit Advertiser says that it has every reason to believe that the obligation to bills of holders and depositors will be redeemed at the expiration of that period. The holders are not to sacrifice the bills of the bank. The amount in circulation is only \$15,423, being one-eighth of the circulation allowed them by the general banking law, under which that institution was created.

The State bank at Tusculoo, Alabama, has, we are informed, by the State Intelligence, determined to discontinue accommodation paper forthwith, to the amount of \$100,000 certainly, and probably to three or four times that amount. To prevent an immediate return of the paper, it will issue post notes at ninety days.

By the will of the late Mr. Rix, of Raleigh, N. C. about twenty of his slaves are to be sent to Liberia, for which purpose a sufficient sum was left to defray the expenses of conveying them there, and comfortably establishing them in the colony. The sum of \$15,000 was also devised for the support of an infirmary for the poor of Raleigh, and many other liberal bequests made by the provisions of the will.

Another disastrous steamboat explosion. We lament to learn, from the Cincinnati Wing, that the connecting pipe of the steamboat Rep. ter, exploded about forty miles below that city, (while the boat was on her way from Louisville to Cincinnati,) causing the instant death of the steward of the boat, and so badly wounding a gentleman by the name of Hagg, from Henry county, Kentucky, that he died in a short time afterwards. A boy attached to the boat, was also dreadfully wounded—recovery doubtful.

Illinois. The St. Louis Republican of the 8th says: "The governor of Illinois nominated, on the 1st inst., judge Ford to the office of secretary of state. The senate laid the nomination on the table until the 4th of July by a vote of 22 to 11. The nomination was laid on the table on the 2d inst., and the senate had, when fill, refused to confirm any nomination and the present was considered as an attempt to force it when a number of the senators, chiefly whigs, had left. The nomination was subsequently withdrawn. Gov. Corwin sent a protest to the senate which he asked to have spread in the public papers, considerable excitement was manifested on this subject.

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE

—We invite the attention of our delinquent subscribers to an article in another page, headed "THE BANE OF EDITORS," for we assure them that we are resolved to take a different course from that we have recently pursued to collect our dues—for appeals to their sense of justice, to say nothing of common honesty, seem to have been utterly disregarded. Our affairs have reached such a crisis, that forbearance is no longer a virtue; and it is due to ourselves and others, that the large amount standing on our books should be collected as speedily as possible. There are not, perhaps, twenty among the long list of delinquents, who cannot pay their bills without the slightest inconvenience—but if there are any who are really, or think themselves, "too poor" to take the "REGISTER," we say to them, in the best possible spirit, "pay and quit." We would rather have two thousand subscribers who pay promptly, than four thousand who do not pay until they are weary of being *dunned*, and we are embarrassed by their remissness.

They ought to remember, also, that we are here in an independent capacity, and publishing the "REGISTER" at a cost of about *forty per cent.* over what we paid to publish it in Baltimore—that we have no fat-jobs or rich contracts to aid in defraying our expenditures, but are solely and entirely dependent upon the proceeds of our subscription list—objects of indifference to "sconferal politicians," and the whole herd who measure their patriotism by the amount of the public treasure they are permitted to grasp, and would raise the shout for "good man" or "good devil," if they were paid for it! All we ask is the amount honestly and justly due from our patrons! It will enable us to pay our debts, and to eat our "saw-dust pudding" in peace; which will be more dear to us, with our saucy independence, than costly viands and rich wines purchased with the wages of venality and prostitution. Franklin's fare, is the only fare politicians award to an independent editor here; and as we are too old to learn to play the parasite, and if not too old, too proud to worship the *creatures* we have helped to make, we do not expect any thing else.

APPOINTMENTS BY THE PRESIDENT.

Charles Walker to be attorney of the United States, for the southern district of Florida, in the place of William Marvin, appointed judge for said district.
Franklin Peale to be chief coinor, and
Jonas R. McIntosh to be melter and refiner, of the mint of the United States at Philadelphia.

THE PRESBYTERIAN CHURCH CASE. We learn from the Philadelphia National Gazette that the trial before the supreme court on the writ of quo warranto, in which the two bodies claiming to be the general assembly of the Presbyterian church are the parties, terminated on Tuesday. The jury retired at eleven o'clock, and returned into court in about half an hour, with a verdict in favor of the plaintiffs; these are known as the new school party. The counsel for the defendants, or old school party, have moved for a new trial.

NORTHEASTERN BOUNDARY. The following resolutions were adopted by the house of representatives of the legislature of Maine on Wednesday, the 20th instant, in substitute of the original resolve of the committee, which merely authorised the governor under certain contingencies to withdraw the military force from the disputed territory:
Resolved, That the right of this state to exclusive jurisdiction over all that territory claimed by Great Britain which lies west of a line due north from the monument to the northwest angle of Nova Scotia, (usually denominated the disputed territory), has been constant and indefeasible since her existence as an independent state; and no agreement which has or may be entered into by the government of the union, can impair her prerogative to be the sole judge of the time when, and the manner in which, that right shall be enforced.

Resolved, That this state, in view of the measures recently adopted by the government of the union in relation to this question, and particularly the provision made for a special minister to the court of St. James; and actuated by an earnest desire to come to an amicable adjustment of the whole controversy,
Vol. VI. Sec. 5.

will forbear to enforce her jurisdiction in that part of her territory, the possession of which is now usurped by the province of New Brunswick, so far as she can do so consistently with the maintenance of the resolve of the 24th January last; but she has seen nothing in recent events to cause her to doubt that it is her imperative duty, as well as her inviolable right, to protect her public domain from degradation and plunder up to the extreme limits of her territory, and that no power on earth shall drive her from an act of jurisdiction so proper in itself, and to which her honor is so irrevocably committed.

Resolved, That the public measures of the governor of this state, in relation to the disputed territory, meet the cordial approbation of this legislature, that they concur in the doctrines and sentiments contained in his recent message—that they will sustain him in carrying into effect the resolve of the 24th January, aforesaid, and that whenever he shall be fully satisfied by the declarations of the lieutenant governor of New Brunswick or otherwise, that the latter has abandoned all intentions of occupying the disputed territory with a military force, and of attempting the expulsion of our party, that the exigency which called for the military having ceased, the governor be, and he hereby is, authorised to withdraw the same, leaving the land agent with a sufficient posse, armed or unarmed, as the case may require, to carry said resolve into effect.

Resolved, That as the practicability of running and marking the northeastern boundary line, in accordance with the provisions of the treaty of 1783, is indubitable to consent to another arbitration; in pursuance of the recommendation of the president of the United States, would be a virtual abandonment of the rights and interest of Maine.

Resolved, That a crisis has arrived, when it becomes the duty of the general government forthwith to propose to the government of Great Britain, a joint commission, for the purpose of running the line in accordance with the treaty of 1783—and in case of a refusal on the part of Great Britain, it is the duty of the United States to run the line upon her own authority, and to take possession of the whole disputed territory without necessary delay.

The first three of the above resolutions were offered by Mr. Delesdernier, and the two latter by Mr. Vose. When the resolutions were before the senate, that body adopted the three resolutions offered by Mr. Delesdernier, but struck out by a strict party vote, the first resolve, introduced by Mr. Vose, and amended the second by prefixing the following words: "that the entire practicability of running and marking our N. E. boundary line in strict conformity with the stipulations of the definitive treaty of peace of 1783, is beyond doubt." The resolves, four in all, were then passed to be engrossed.

After which no strenuous opposition was made, and they passed almost unanimously.

The latest intelligence states that the house refused to concur in the senate's amendments—that a conference was had—that the committee of the house reported in favor of concurring—and that the house finally did concur. The following resolution was then offered, in the house, and passed to be engrossed:

Resolved, by the house of representatives, that the unquestionable right of this state to the whole territory embraced within the limits as described by the definitive treaty of peace of 1783, ought never to have been submitted to arbitration, and in the opinion of this house, again to consent to another arbitration, would be an abandonment of the rights and interests of Maine.

The legislature of Maine were to adjourn on Monday last.

General Scott, it is avered in the Boston Post, expressed himself much dissatisfied with the resolutions passed by the Maine legislature.

At the last advices from the frontier, the troops of Maine were in the peaceable and undisputed possession of the Aroostook county, while the Tobique settlement was held by sir John Harvey, with a military force of one hundred and twenty-five men. Some anxiety is expressed to know whether any reply will be made by the British government to the message of governor Fairfield. The correspondence held with general Scott is indicative of a highly pacific feeling. The whole force at his disposal is said

to be so small, as to put the idea of attempting to expel the troops of Maine from the disputed territory entirely out of the question. A late letter from Bangor gives the following account of the disposition of the militia sent by governor Fairfield to the mouth of the Aroostook:

"Our force have now reached Jarvis' camp, and are busily employed in erecting their fort and block houses for their accommodation. The fort is laid out so as to cover about six acres. They have five 24 pounder pieces mounted; and two iron twelve pounders are now about to be removed from Castine, to be planted upon the fort. The main portion is on the south side of the Aroostook, at the bend of the river. There is an American [post] directly opposite to it on the other side of the river, which is also being occupied and fortified. It is only 18 miles from this post to where the St. John crosses the line. As soon as the road can be opened so as to reach this place conveniently with supplies, our force will move up and take possession of the St. John.

The 11th regiment of British regulars from Quebec has arrived at Fredrickton.

The whole of their militia regulars under marching orders for the frontier is 2,000.

The New Brunswick legislature were still in session. By papers from thence to the 12th, we learn that the transport Elizabeth, with a detachment of regulars, had struck on a rock, but had been got off, and towed into Shelburne. The troops were to be brought round to St. John.

MEXICO. The New Orleans Louisiana of the 18th has the following:

By the arrival of the brig Atar Gull, (formerly the *Iurbridge*), we have received news from Vera Cruz some days later than that brought by the *Water*.

The most important portion of her news is the arrival at Vera Cruz of two diplomatic agents, gen. Gaudaloupe Victoria and Manuel Gorostiza, charged by the Mexican government to treat with admiral Baudin on the cessation of hostilities. As soon as the latter heard of their arrival at Vera Cruz, he left Anton Lizardo for that place in the frigate *Nordsee*; he was received at Vera Cruz with a salute from the cannon on the forts. The Mexican envoys, Admiral Baulin, and the English ambassador, Mr. Packenham, repaired on board the English frigate *La Pique*, to discuss the basis of the proposed treaty.

We are unimpaired as to the result of the first conference, but we have good reason to infer, from the tenor of semi-official letters brought by the *Atar Gull*, that there was no obstacle to the smoothing of all difficulties, and that Vera Cruz would soon be re-opened to trade.

We await the arrival of the *Water Watch*, which was to sail from Vera Cruz for this place three or four days after the *Atar Gull*; she will probably bring us the result of the conference.

Santa Ana. A letter received in this city from Mexico, under date of the 22d February, says: "Santa Ana has at length arrived from Vera Cruz. His march was slow, in order to gain time. A commission of ministers is appointed, which, in conjunction with Mr. Packenham, will go down next week to treat with admiral Baulin. I apprehend this is a mere ruse of Santa Ana to gain time, until he can find out whether centralism or federalism is most likely to prevail, in order that he may be better able to shape his future conduct to the times."

[*New Orleans Commercial Bulletin*.]

Inter. Charles Ross, of the brig *De-la-warre*, arrived at Charleston on the 24th instant in six days from Havana. He reports that an English corvette, had arrived at Havana, in seven days from Vera Cruz, bringing the result of the conference which had been held on board the French frigate *Neruda* between the French admiral Baulin, Mr. Packenham and the Mexican envoys. An arrangement had been made which was entirely satisfactory to France, and it only wanted the ratification of the Mexican government, when all vessels would be permitted to discharge their cargoes. The particulars of the treaty had not transpired; the report was, that all French who had been expelled from Mexico would be permitted to return immediately, and that Mexico agrees to pay the amount due French citizens, and indemnify France for her expenses in maintaining the blockade, &c.

NON-IMPRISONMENT FOR DEBT. We publish below the non-imprisonment for debt bill recently passed by congress. It was introduced into the senate and advocated by Mr. Tallmadge, and is a noble testimonial in favor of his humanity and intelligence:

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That no person shall be imprisoned for debt in any state, on process issuing out of a court of the United States, where, by the laws of such state, imprisonment for debt has been abolished; and where, by the laws of a state, imprisonment shall be allowed, under certain conditions and restrictions, the same conditions and restrictions shall be applicable to the process issuing out of the courts of the United States; and the same proceeding shall be had therein as are adopted in the court of such state.

TREATY WITH THE KING OF SARDANIA. The "Globe" of Tuesday contains a copy of a treaty of commerce and navigation between the United States and the king of Sardinia, concluded and signed at Genoa on the 26th of last November, between Nathaniel Niles, special agent on the part of this government, and the Sardinian secretary of state, and ratified by both governments, the ratifications having been exchanged at Washington on the 18th of the present month, by our secretary of state and Auguste de Colobiano, charge d'affaires of his majesty the king of Sardinia.

THE WHITE SEAS. The following notice has been officially received at the department of state from the Russian government, through its representative in the United States, and is now published for the benefit of our navigators in the White seas.

[Globe.]
In order to facilitate the entrance of the river Dwina of the North by vessels, a light-house of stone has been erected upon the island of Mouljok, near Archangel, the height of which, from the lantern to the base, is 130 feet, (English), and its entire elevation above the sea 140½ feet. It is situated in the latitude of 64 degrees 54 minutes and 45 seconds north, and in 40 degrees 16 minutes and 45 seconds east longitude from Greenwich. It will be lighted by a fixed light during the months of August, September and October of each year; and may be distinguished from the deck of a vessel, coming from the west, at the distance of 17 sea miles, between north-northeast and south-east-quarter south.

PRINTING FOR THE DEPARTMENTS. In compliance with a provision, appended to the general appropriation bill, the various executive departments have advertised for contracts for executing the printing and binding which may be required by the departments, and supplying them with stationery—whose contracts are to be given to the lowest bidder, which bids shall be accompanied with vouchers of his capacity to fulfil them.

ABOLITION. The following resolutions have been adopted by the legislature of Ohio:

Resolved by the general assembly of the state of Ohio, That in the opinion of this general assembly, ours is a government of limited powers; that all powers not delegated by the constitution are reserved to the people; and that, by the constitution of the United States, congress has no jurisdiction over the institutions of slavery in the several states of the confederacy.

Resolved, That the agitation of the subject of slavery in the non-slaveholding states is in the opinion of this general assembly, attended with no good; that the amelioration of the condition of the slaves is not enhanced, and that it is a violation of the faith which ought ever to exist among the states in the same confederacy.

Resolved, That the schemes of the abolitionists for the protracted happiness of the slaves are, in the opinion of this general assembly, wild, delusive, and fatal; and have a direct tendency to destroy the harmony of the union, to rivet the chain of the slaves, and to destroy the perpetuity of our free institutions.

Resolved, That all attempts to abolish slavery in the states of this union, or "to prohibit the removal of slaves from state to state, or to discriminate between the institutions of one portion of this country and another, with the views aforesaid," are in the opinion of this general assembly, in "violation of the constitution of the United States, and destructive of the fundamental principles on which rests the union of these states."

Resolved, That, in the opinion of this general assembly, it is unwise, impolitic, and inexpedient to repeal any law now in force, imposing disabilities

upon black and mulatto persons, thus placing them upon an equality with the whites, so far as the legislature can do, and indirectly inviting the black population of other states to emigrate to this state, to the manifest injury of the public interest.

Resolved, That the governor be requested to forward copies of these resolutions to the president and vice president of the United States, to each of our senators and representatives in congress, and to the executive of every state in the confederacy.

FREE NEGROES.—The legislature of Alabama have passed an act prescribing that every free person of color arriving in that state, on board a vessel as cook, steward, mariner, or in any other employment, shall be immediately lodged in prison, and detained until the departure of the said vessel, when the captain thereof shall be bound under a heavy penalty, to take him away. If any free person of color thus sent away, shall return, he or she shall receive thirty-nine lashes, and if found within the state twenty days after such punishment, he or she shall be sold as a slave for any term not exceeding one year. The captain of any vessel in which such free person of color shall arrive, shall give security in the sum of two thousand dollars, that he will take away the said free person of color. The 6th section makes it lawful for any person to seize and make a slave for life, to his own use, any free person of color, who may have come into the state of Alabama, after the 1st day of February, 1832, provided this section shall not take effect until the 1st day of August next. The 7th section makes it lawful for any person to seize upon and make a slave for life, any free person of color who may be found in the state of Alabama, after the passage of this act, and who shall have come into the state since its passage.

Approved February 2, 1839.

THE BRITISH COLONIAL POSSESSIONS. A London paper, the Sunday Times, gives the following statistical account of the British colonial possessions, which will be read with some interest at this time:

In North America—Upper and Lower Canada, New Brunswick, Nova Scotia, Prince Edward's Island, Cape Breton and New Foundland; containing an area of 455,000 square miles, or 279,400,000 acres, with a population of 1,500,000 of white colonists.

In South America—Demerara, Essequibo, Berbice, Honduras, and the Falkland Islands; containing an area of 165,000 square miles, or 105,600,000 acres, with a population of 120,000.

In the West Indies—Jamaica, Trinidad, Tobago, Grenada, St. Vincent, Barbadoes, Montserrat, Nevis, St. Kitts, Anguilla, Tortola, and the Virgin Isles, New Providence, and the Bahamas Islands, and St. George, and the Branda Islands, containing an area of 13,000 square miles, or 7,720,000 acres, with a population of 1,000,000.

In Africa—The Cape of Good Hope, Mauritius, Madag and the Seychelle Islands, St. Helena, Ascension, Sierra Leone, the Gambia, Accra, Cape Coast, &c. containing an area of 250,000 square miles, or 160,000,000 acres, with a population of 350,000.

In Australasia—New South Wales, Van Dieman's Land, Swan River, King George's Sound, South Australasia, Norfolk Island, &c. containing an area of 500,000 square miles, or 320,000,000 acres, with a population of 120,000.

In Asia—Ceylon, containing an area of 14,644 square miles, or 11,771,160 acres with a population of 1,000,000.

In Europe—Gibraltar, Malta, Gozo, Corfu, Sephalonia, Zante, Santa Maria, Pichea, Paxo, Serico, &c. and Helligoland; containing an area of 1,500 square miles, or 1,000,000 acres, with a population of 400,000.

Total 1,750,000 square miles, or 1,120,000,000 acres, with a population of 4,490,000 "British subjects."

Independently of the foregoing, we have to add the following territories, which are under the management and influenced by the government of the East India company, and the board of control in Cannon-row:

British territories in Hindostan—Containing an area of 432,855 square miles, with a population of 90,636,371.

Tributary territories in Hindostan—Containing an area of 363,610 square miles, with a population of 54,271,092.

British territories beyond Hindostan—Containing an area of 59,117 square miles, with a population of 297,054.

Tributary territories beyond Hindostan—Containing an area of 50,000 square miles, with a population of 498,000.

Total—1,096,210 square miles, with a population of 145,612,517.

In the event of our being again plunged into a war, from the immense quantities of troops and shipping which they will require to enable this country to retain possession of them, and the vast distance which many of these colonies are from the mother country, it is more than probable that the loss of several of them would be the result of those hostilities, with which it appears, according to the warlike preparations of the ministry, we are now threatened. The next question will be, as many of our colonies "do not pay their own expenses," whether the loss of the most profitable among them would not, in reality, is a real gain to the country.

VIRGINIA SENATOR. The legislature of this state having made another trial on Saturday the 23d ultimo, to elect a senator in the place of Mr. Rives, postponed the subject indefinitely; it will, no doubt, enter deeply into the elections which take place in April next, and hence we give place to the following from the "Richmond Enquirer," in which Mr. Rives "defines his position."

To the editor of the Enquirer:

Richmond, March 1, 1839.

Dear sir: To prevent misconception, and to satisfy a desire expressed by some of my constituents, I have determined to publish Mr. Rives's letter, which I spoke of at one time as "unsatisfactory," being under the influence of a rumor afterwards ascertained to be unfounded. I have already stated, that the letter, disconnected from the rumor, was declared by gentlemen of all parties, including those not only politically but personally opposed to him, not susceptible of the construction I gave it. The rumor which misled me was, that Mr. Rives had written to a wise member of the legislature, that "if his course in the senate had not convulsed the world of his uncompromising hostility to Mr. Van Buren, he could not make it plainer."

I have already stated, that after I was informed by the gentleman who made the communication to me (Mr. Woolfolk, of Orange), that he was misinformed, I became thoroughly satisfied myself, that I had placed an improper construction on it. I have now only to state, that my constituents ought to be satisfied, from the course I had determined to pursue under my first construction of the letter, that I was prepared to censure Mr. Rives, whenever his opposition to Mr. Van Buren seemed to be indiscriminate, and not regulated as it should be by the merit or demerit of his measures. When I discovered my error, I promptly did him the justice to say, that I was satisfied his declining to make a pledge, was dictated by a desire to avoid the suspicion of electioneering for the office. In my letter to him, to which this is an answer, I stated explicitly, that I was not one of those who had any "difficulties" about the propriety of sustaining him, but I thought then as I think now, that the adherence to the same political principles which had regulated his public life heretofore, would be a sufficient pledge to secure his support to any of Mr. Van Buren's measures, which ought to be supported. I've distrusted his principles, no pledges would be worth any thing.

I wrote to him, to try to satisfy others. He declined, as he had done to all parties, declaring that his public life would be regulated, as it had been by the principles of the old republican school of Virginia.

Copy of a letter from Wm. C. Rives.

Washington, February 13th, 1839.

"Dear sir: I received yesterday your letter of the 10th instant, in which you mention that "my friends in Richmond are placed in a situation of considerable difficulty to defend my recent course," and your "positive assurance that I will support Mr. Van Buren's administration in the general, is thought necessary by a portion of them. It is far from my wish to place any friend of mine in a situation of difficulty on my account. If their own principle do not carry them spontaneously to my support, certainly have no right to expect it. I have never desired any gentleman to risk his popularity or his station for me. I have spared no pains to make my political principles (which are those of the old republican school) well known. I cannot now change them for men or office. I can give no pledge beyond this, consistently either with self respect or sense of the duty I shall feel, so long as I remain in the public service, to regard with the greatest interest the country as paramount to every other consideration. I remain, very respectfully, yours,

Wm. C. RIVES.

Please publish the above, that the public may see that there is no treason in it. R. SPENCER.

E. FOUNTAINE.

* I kept no copy of my letter to Mr. Rives.

THE BANE OF EDITORS. We wish our delinquent subscribers would read the following from the *New Yorker*, and "pay and quit" if they are too poor to continue their patronage; for we endorse every word of it, and are also resolved, if we cannot utilize the proceeds of our most poisonous and pernicious labors, to take more summary measures than we have recently used to secure them. As for those wretches who take offence when they are asked to pay their bills, and discontinue their *pa ranage*; let it be a happy riddance; for if really honest and disposed to do justice, they would adopt a contrary course and make some return for the embarrassment they have already brought upon us.

There is never a reform in regard to newspaper bills, or the present system will drive every honest man, who values his peace of mind and the well-being of his family, from the profession of editor and publisher—if he can break his bonds. We, unfortunately, have been "to the matter horn," and now, we fear, sever the chain which has so long galled us in our flesh, and caused us so many days of nights of agony; but rather than doom a child to the profession, as now rewarded, we would force it to break stones on the highway, or bind him to honest and honorable profession of a chimney-sweep—or in either case he would have a better chance of being happy and respectable!

In the public, we know, care not for the sufferings of editors, for like the woman who skinned her eyes out, they think the "poor devils" are used to it—just as they are. But never did an eel denied to daily skin and wriggling in the fish-wife's hands suffer more than do our editors who wot of our wily tricks of their—patrons! [Ed. Reg.]

The injustice of subscribers. If those of our subscribers who continue to withhold from us our hard-earned just dues, could only be made to realize the heavy expenses, little profits and multiplied anxieties and losses attendant upon a weekly paper establishment, we really think they would no longer delay a remittance of their bills, or which stands sternly opposite their names in our books. If such men are poor and honest, why close to perplex and embarrass us by grossness? Why not pay what you owe, and discontinue the paper, if you cannot afford to receive it on the other hand, there are others poor and honest, why condescend to sulk those who are your subscribers? To rob a publisher of five or six dollars and leave him without redress, is a base and unchristianlike, which any decent highwayman will be ashamed of. We are determined to take prompt efficient measures to exhibit the dishonesty of our pretended patrons to the gaze of a really admiring public. If we cannot redress our wrongs, we will at least preserve others suffering by the same hands."

FROM CANTON. By the barque *Mary*, our articles are received in Nov. 17. Steam navigation was talked of from Canton to India. The link will be from Canton to the N. W. coast of America, and that would make the circle complete our rail roads over the Rocky Mountains and to Oregon, or our ship canal cut through the straits of Darien.

French exploring frigate *Artemise*, La Place, was at New York, has arrived at Canton, and officers were treated with more than usual distinction, being suffered to go up to the city in inside boats.

There had been a serious affray on board the vessel *John Bull*, in which the male was engaged in the eclipse of the moon, October 3d, which over two hours, the *China*, with numerous flags and other noisy instruments, attempted to prevent the celestial dog from swallowing the orb, succeeded in driving him off his prey ere after midnight. [N. Y. Star.]

The following item from Siam was received by the vessel. It appears that Phra Saria Pak de, the son of the king Phya See Penat, a confidential adviser of the king, had been guilty of receiving from the eyes of the king's youthful wives, "fair speechless," betokening more love than could exist in the two, consistently with his majesty's and of paying these glances in kind. The lord of the frail dame received information of these, and the male culprit was forthwith apprehended. Being a person of consideration, having blood in his veins, and his father in high position, the king, it was thought that he would not merit more than the ordinary punishment of confinement and exposure of his excoriated back to the sun. But these were only preliminary after being subjected to which he was led

to execution, and his head severed from his body at a blow. His fair partner in crime suffered the same fate, but some feeling of delicacy forbade her exposure to the public gaze, and she was taken down to the place of execution in a boat, so completely enclosed as to shut her entirely out from the view. Five men, one of whom was the king's chamberlain, and five women, were executed along with them, on suspicion or proof of their having conspired at the anchor.

FROM TEXAS. A slip from the *New Orleans Commercial Bulletin*, of the 16th, contains the annexed intelligence. The steamer *Columbia* had arrived, bringing accounts from Galveston to the 12th and from Houston to the 6th March.

"An arrival from Gonzales stated that the utmost tranquility prevailed in that section. A few days since a party of six or seven Wacoos and Tawacawies were discovered near that place, by the Tonkawas, who immediately gave information of their approach to the citizens of Gonzales; a party of whom accompanied by a few Tonkawa warriors, surrounded them all on foot, and had evidently ventured near the town to steal the horses of the citizens.

"The president has made a requisition upon the counties of Hansburg, Brazoria, Matagorda, Colorado, Liberty and Galveston, to furnish six companies of volunteers, to serve for six months on the frontiers. Five of these companies, when organized, will rendezvous at La Grange, under the command of colonel Burleson, and one will be stationed at Fort Milan, on the Brazos. His excellency has made an impressive and powerful appeal to the chivalry of these sections. Two companies of soldiers for the protection of the northern and western frontier had been organized at Houston, and great enthusiasm evinced in the cause. The officers of the army of the frontier were to rendezvous at Houston. A number had already arrived. Father Muldon, the vicar general of Texas during its connection with Mexico, was on a visit to the republic. He dined with Santa Ana a short time before he started for Texas, and was the bearer of a friendly message from him to the government of the United States in Texas, is described as quite flourishing, with a fair prospect of a constant advance and improvement."

Extract of a letter to a gentleman in New York, dated Houston, February 28.

Patric Muldon, an Irish priest, for many years a resident of Mexico, and high in the confidence of Santa Ana, arrived here this morning from the city of Mexico, via Havana and New Orleans, and as it is supposed, on a secret mission.

Colonel Bee, present secretary of state, has been appointed minister to Mexico, and general Dunlap, now secretary of the treasury, minister to the United States.

An agent of the French government has arrived at Galveston. General Hamilton, of South Carolina, recently appointed minister by this government to Mexico, is loan commissioner, is daily expected from the United States.

The loan of one million of dollars, it is expected, has been effected in New Orleans. [N. Y. Gaz.]

FROM FLORIDA. The "News" published at St. Augustine, of the 13th inst contains the following:

About the 1st inst., gen. Taylor shipped 270 Indians, consisting of 65 warriors, women, children and negroes westward. The women were very reluctant to go, and upbraided the men with cowardice, refusing to die upon their native soil. The vessel departed amid their lamentations and taunts, and reproaches upon the conduct of their warriors.

Among the negroes, is *Zabrana*, well known as an interpreter, and a wily and treacherous rascal. By the steamer *Gattel*, capt. Poinsett, from the southern ports, we learn that the troops are all well. No demonstrations of hostility, since the affair of *Manat*—lieut. Mackall is rapidly recovering.

Gen. Taylor has secured the above amount of Indians with but little noise—and their shipment is the first intelligence received by us of even their capture.

The above Indians have arrived at Savannah, Geo., in charge of capt. Frater, who has authority to forward them to the west.

MORE INDIAN TROUBLES. The *Mobile Journal* slip of the 16th inst. says: "there are unpleasant rumors in town, of hostilities among the Indians west of the Mississippi. The Georgia Creeks, headed by McIntosh, are reported to be in arms, with the determination of making war upon another tribe, the Osages, we think; and some of the troops of the United States, have been despatched from fort Gib-

son to the scene of hostilities, with a view of preserving peace. These accounts are brought direct from that country, and though we do not know that they are to be implicitly relied upon, they are credited by those more familiar than we are with the scene of action."

SENECA INDIANS. *New York, March 12.* Several chiefs of their tribe headed by a venerable old warrior "Blacksmith" successor to Red Jacket, arrived in this city yesterday from Washington, at 12 o'clock were received by his honor the mayor in the governor's room at 12 o'clock. The mayor was addressed of by a chief named Jamieson in the Indian tongue, which was interpreted into elegant and flowing English by the int'preter, a graduate from Yale College. They stated that the object of their visit to Washington had been to urge upon the president, with whom they had had an interview, the impropriety of driving them from their lands, (such a proposition having been made by a senator from this state.) They produced documents signed by general Washington, guaranteeing protection to them and their rights. Also, papers signed by governor Clinton and other governors to the same effect. They iterated protestations of friendship for their white brethren, but spoke pretty positively about not long leaving their old hunting grounds.

The mayor made a suitable reply, and after partaking of some refreshments, they retired to their lodgings at the Western hotel in Cortlandt-street.

[Contn.]

COTTON. The "Savannah Georgian" contains the following statement of the quantity of cotton at the places named, since the 1st of Oct. 1838:

	1838.	1837.
Savannah, March 22	156,121	202,317
South Carolina, March 15	143,095	192,246
Mobile, March 16	212,434	246,668
New Orleans, March 15	372,133	455,620
Florida, March 2	53,202	61,783
North Carolina, March 2	7,175	11,346
Virginia, February 1	11,590	15,000

953,739 1,187,365

The following is a statement of the stock of cotton on hand in the respective places named:

	28,126	38,126
Savannah, March 22	26,760	44,229
South Carolina, March 15	46,442	100,462
Mobile, March 16	79,783	139,862
New Orleans, March 15	141,399	2,600
Virginia, February 1	2,600	3,800
North Carolina, March 2	1,700	24,787
Augusta & Hamburg, Mar. 1	25,091	10,896
Misson, March 1	10,896	15,000
Florida, March 2	18,000	1,287
Philadelphia, March 7	1,287	70,600
New York, March 6	70,600	

424,263 395,446

GRAT CARGO. The *Mobile Journal* states that the British ship *England* cleared from that port on the 16th, for Liverpool, with three thousand bales of cotton under deck. Her burden, custom house measure, is 827 tons; and she received her first cotton on the 7th instant. The total weight of cotton was 1,353,414 pounds, averaging more than 450 pounds to the bale, and costing \$195,863. Her freight list is £4,165 6 4 sterling. [Balt. Amer.]

FREE BRIDGES. The act recently passed by the legislature of Pennsylvania, relative to the erection of free bridges over the Schuylkill, authorizes the commissioners of Philadelphia county, to erect a bridge across Schuylkill, at Mulberry (Arch) street, whenever individuals or corporations shall subscribe one third of its cost, and for the site of its abutments, conveyed in fee to the city of Philadelphia, for that purpose, may be received at fair valuation, as part of the subscription. The city when the bridge shall have been completed, is to be made the owner thereof, and it is to remain forever free of toll.

Section 2, makes the same provision for a free bridge at or near Callowhill street, by the same commissioners. The bridge, when finished, to be the property of the district of Spring Garden.

Sections 3 and 4, provides for obtaining the ground for abutments, and the manner for contracting builders.

Section 5, authorizes the county commissioners to purchase the permanent bridge for \$50,000; provided one third of that sum shall be contributed by individuals and corporations. The bridge company to have the privilege of collecting tolls to the amount of \$30,000, besides the \$50,000 to be given by the county—or receiving that sum from some other source; The company, however, must make known its willingness to sell on or before the

first of May, 1839. The property of the bridge to be conveyed to the mayor, aldermen and citizens of Philadelphia; and if so conveyed, then the bridge at Arch street is not to be built.

Section 6, authorizes the Permanent Bridge company, when they have sold their bridge, to sell the lots adjoining.

Section 7, authorizes the county commissioners, with the consent of the county board, to make arrangements with the Philadelphia, Wilmington and Baltimore rail road company, to free the bridge at Gray's ferry. The corporation of Moyamensing to look to the fulfillment of the covenant.

HIGHLAND CLANS. The following is an alphabetical list of all the known clans of Scotland, with a description of the particular badges of distinction worn by such clan—and which served as the distinguishing mark of their chiefs. In addition to the distinguishing badge of his clan, a Highland chief also wore two eagle's feathers in his bonnet:

Names.	Badges.
Buchanan,	Birch.
Cameron,	Oak.
Campbell,	Myrtle.
Chisholm,	Alder.
Colquhoun,	Hazel.
Cuninghame,	Common swallow.
Drummond,	Holly.
Farquharson,	Purple foxglove.
Ferguson,	Poplar.
Forbes,	Broom.
Frazer,	Yew.
Gordon,	Ivy.
Graham,	Laurel.
Grant,	Cranberry heath.
Gunn,	Rosewort.
Lamont,	Crab apple tree.
McAllister,	Five leaved heath.
McDonald,	Bell heath.
McDonnell,	Mountain heath.
McDougall,	Cypress.
McFarlane,	Cloud berry bush.
McGregor,	Pine.
McIntosh,	Boxwood.
McKay,	Bull rush.
McKenzie,	Deer grass.
McKinnon,	St. John's wort.
McLachlan,	Mountain ash.
McLean,	Blackberry heath.
McLeod,	Red whortleberries.
McNab,	Rose buckberries.
McNeil,	Sea ware.
McPherson,	Variiegated boxwood.
McQuarrie,	Black thorn.
McRae,	Fir club moss.
Munro,	Eagle's feathers.
Menzies,	Ash.
Murray,	Juniper.
Ogilvie,	Hawthorn.
Oliphant,	The great maple.
Robertson,	Fern, or brechins.
Rose,	Brier rose.
Ross,	Bear berries.
Stclair,	Clover.
Stewart,	Thistle.
Sutherland,	Cat's tail grass.

NAMES OF PLACES. The Boston Mercantile Journal has always manifested a proper indignation for the scandalous taste or rather want of taste, in naming places in this country, and the last number of that paper, after making some very sensible remarks upon the subject, makes the following enumeration of names, taken merely from a glance at the Index of Mitchell's map of the United States. It is a very choice assortment, to be sure, but exceedingly meagre and imperfect. Here it is:

Bean Blossom, Bloody Run, Boggs, Bono, Bon Pas, Funks town, Paint, 4 towns, Pumpkin town, Scuffle town, 2 towns, Trap, 4 towns, Whiskey Run, Sugar creek, 13 towns, Sugar Loaf, 3 towns, Plumb, 2 towns, Peepee, Bebble, Oil, Olive, 4 towns, Olive Green, One Leg, North East, 4 towns, Newtown, Moon, 6 towns, Modestown, Metal, Mary Ann, Mary Ellen, Logtown, Long-a-couning, Frogtown.

We could find fifty other names from memory quite as prettily and as poetical. Our contemporary must have overlooked Singtail, Shirt Tail Bend, Troublesome Old Iron Works, Hog's Calamity, Burst up, Blatherskite, Tumblebraght, Whiskeysokekania, Bumble Bee, Snakehampton, Blameyville, Chew Tobaccoer, Hot Potater town, Dumplingtona, &c. &c.

[N. Y. Gazette.]

FROM EUROPE.

The following items of news were received by the *Pocahontas* whose arrival we noticed in the last "REGISTER."

House of lords, Feb. 28. It will be seen by the subjoined report of what took place this evening in

the house of lords, that lord Glenelg has resigned his office of colonial secretary.

The lord chancellor announced to their lordships that the address of the house had been presented to her majesty, and that her majesty had been pleased to return the following gracious reply.

"My lords, I thank you for your loyal and dutiful address. Relying entirely upon your wisdom and patriotism, I can have no higher satisfaction than in finding myself supported by your agreement and concurrence."

Lord Glenelg begged to inform their lordships that he had sent in his resignation of the office he had the honor to hold, and that her majesty had been pleased to accept it. His motive for taking this step was, that some arrangements were about to be made to which he could not consent.

Canada Lord Durham begged to ask the noble viscount when he would lay the report and papers relating to Canada before the house. Lord Melbourne was totally at a loss to account for the state of appearance of the noble lord's report on the state of our North American colonies in a morning newspaper. He should lay the papers on the table of the house on Monday next.

House of commons, Feb. 8. *Corn laws.* Mr. Wallace presented a petition praying for a repeal of the corn laws. Petitions for the repeal, and against any alteration of the corn laws, were also presented by other honorable members.

Canada. In answer to a question from Mr. Leader, relating to Canada, lord John Russell said that he felt greatly astonished at lord Durham's report appearing in a morning paper. He hopes to be able to lay the report before the house on Friday.

Lord Durham's outfit. Col. Sibthorpe gave notice that on the 21st instant he should move for a return, and take the sense of the house upon it, of the expenses of lord Durham's outfit as governor general of Canada, and of the salaries received by himself and his officers.

The last quarterly account of the bank of England, is dated Feb. 7th, and shows

	LIABILITIES.	£	s.	d.
Circulation,		18,252,000		
Deposites,		10,269,000		
		28,521,000		
	ASSETS.			
Securities,		22,157,000		
Bullion,		5,919,000		
		28,076,000		

Liverpool, Feb. 9. *Cotton market.* The market has been very steady, and fair amount of business going on throughout this week, which closes without alteration from last week's quotations of American cotton. The sales of the week amount to 20,700 bales, including 6,500 American and 450 Carthagian on speculation.

	Bales.
Computed stock on hand, Feb. 8, 1839,	232,500
Same period, 1838,	169,900

Increase, 62,600
The corn market had rather improved. Sales of foreign and Irish wheat in some instances, were made at 1d. to 2d. per bushel above the rates that could have been obtained on Tuesday.

Money continues abundant both in the city and on the stock exchange. A reduction in funds has taken place in consequence of the agitation of the subject of the corn laws. Fears are entertained of acts leading to strong demonstrations on the part of the people in the manufacturing districts, by which the public tranquillity might be endangered.

Later news. The packet ship *Siddons*, captain Britton, has arrived at New York, and furnished the editors of the American with full files of English papers to the dates of Saturday, February 16th, from London, and Monday the 18th, from Liverpool. One of the topics of engrossing interest in the political circles, is the report and correspondence of lord Durham, on Canadian affairs. Some changes in the cabinet have taken place; others are rumored.

The marquis of Normandy, the lord lieutenant of Ireland, has accepted the post of colonial secretary, in the place of Lord Glenelg. Lord Clarendon is named as likely to succeed him as viceroy. It is also said that sir George Grey quits the under secretaryship for the colonies, and that Mr. George Buller takes his place. This is thought an indication that lord Durham's Canadian policy will be received into favor.

Lord Durham's report has alarmed and provoked the tory lords. It was laid on their table by lord Melbourne on Monday; and immediately a battery was opened upon the reporter by lords Wharcliffe, Wicklow and Westmeath. With perfect compo-

sure lord Durham received and repelled the attacks. He was baited, but his assailants were gored. He offered himself, he said, to their personalities; but when these things should at last be exhausted an come to an end, he begged that attention might be length be turned to the "great and important question, and the mighty interests involved in it, with out any admixture of low, petty and personal feelings."

Cotton had fallen very slightly, in some instances. There had been a run upon the Cork banks, particularly upon the National bank, O'Connell's Applications have been made to relieve turpentine companies, and to take off the tax on post bills. The rail roads have almost ruined all concerned. This property. A man must now travel two hours three hundred miles a day, or not at all. A turpentine income of £2000, had been cut down to 400. A report was current in London, that the bar of the United States, of Pennsylvania, had been speculating largely in cotton in South America, 60,000, worth is said to have been insured, on assignments, to Humphreys & Biddle, at Liverpool. In the East Indies, also, the same operations a said to be going on.

In the house of lords, on the 15th of February a motion was made to inquire into the present state of the navy of England. Lords Hardwicke a Minto asserted that French ships were better built than their own. Numerous petitions are presented in support of the existing corn laws.

The duke of Buckingham, with a deputation of land owners and farmers, waited on lord Melbourne on Thursday, to ascertain his lordship's intention with regard to the corn laws. According to *Morning Herald*, lord Melbourne stated that he was decidedly opposed to any changes unless the benefit should be satisfactorily proved; and that had not seen any thing to cause him to change opinion on the subject of the present corn law which he had expressed in his place in parliament in last July.

London, February 16. The funds presented a firmer appearance to-day, with a slight improvement in the quotations. Consols were 92 3/4 7-8 for money and the account. Bank stock, 1-2; India stock, 253 1-2 to 4 1-2; exchange bills, 63s to 65s; India bonds, 61s to 63s premium. Railway shares remain without material variation.

February 16, (evening). The stock market looking firm again this morning, and a fair busin has been done. Consols for the account have gained 92 7-8 to 93, and for money 92 3-4 93.

Accounts from India mention, that lord Arland had had an interview with Runjeet Singh; adheres firmly to the English alliance. Orders were sent to Madras from Calcutta to employ large force for Burmah. It was rumored that rulers of Scinde were preparing to oppose the press of the British troops towards Affghanistan. Sir Henry Fane had retired from the chief command of the forces in India. [Spectator]

From France. By the packet ship *Ville de I.* captain Stoddard, the editors of the American received Paris papers also to the 16th of February. The stock market has been very brisk on the 15th, and French securities much in demand. F had advanced 25c for cash. Belgian three and Belgian fives are unvaried. Bank of Belgium still no quotation.

An article in a Roven paper states, that let put in the post by Guizot, and other members the opposition, had not found their destination that other letters had their seals broken. They declared a calumny.

Marshal Yaley was said to have arrived at London, on his way to assume the functions of minister of war.

The *Journal du Havre* contains a letter from minister of public works to the French chamber of commerce, which states, that information had received from admiral Bandin, of the fitting of privateers by the Americans. The minister of privateers will take measures for the protection of French commerce by the organization of privateers, to protect trade between France and America. Letters received in England mention accounts from the Havana stated that seamen, and their masters and crews, formerly employed in the slave trade were about to be employed as privateers with Mexican letters of marque.

Captain Casey, commander of the *Hercule* in our country, has been promoted to the rank of admiral.

The Brussels papers of the 14th contain accounts of the forwarding of ammunition and military stores to the army, but state that peace is not likely to be interrupted.

It is said that the withdrawal of the Austrian Prussian ministers from Brussels, on account of

promotion of Skrzynecki, was not approved of by the other ministers resident. A letter from Anwerp says, that the Dutch have increased the number of gun-boats at the mouth of the Scheldt.

The average price of wheat in the Belgian markets, has fallen from 24fr. 39c. to 24fr. 15c. per ectolitre. The supply continues abundant.

The Belgian journals of the 13th stated, most of them, that king Leopold, had sent orders to M. Van Weyer to sign the treaty of London on the 15th latest, after having struggled as far as possible to meliorate the conditions relative to the Scheldt. The Belgian diplomatist signs on the 15th, there will be just time for the treaty to arrive in Brussels on the day spoken of for the re-opening of the hamber. The activity of the Belgian Bourse was according to the Commerce Belge unexampled.

A letter from the Hague, February 12, states that our government, as well as that at Brussels, has received a note from Great Britain, in which it is intimated that in order to prevent any encounters between the Dutch and Belgian troops, it is desirable that the military forces on both sides should make a retrograde movement. To this it has been replied that even before the receipt of this note the Dutch troops had withdrawn to a considerable distance from the Belgian frontier.

The village of Simplan was visited with a storm on the 21st January, which unroofed houses, tore pines by the roots, and set the church bells a ringing.

Spain. The London Times of the 16th states that they had received Madrid journals and letters of the 7th instant.

The Chamber of deputies was occupied on that day with the charge of pecculation brought by general Seoane against count Torono.

The *Eco del Comercio* states that the government contemplated taking away the horses of the cavalry artillery of the national guard of Madrid, for the use of the army.

The Carlist captain Nabaze, one of the Currier's lieutenants, in Castile, had been made prisoner at Roa, with several of his men.

Advices from Bayonne of the 11th instant state, that the belligerent parties in the north of the peninsula appeared to be preparing for the spring campaign.

Madrid papers of the 8th state that it was feared the tariff question would be discussed with England for a long time. The British ambassador was not eased with the delay. General Narvaez was still at Gibraltar. He justifies his flight to that asylum, stating that justice was not to be had in Spain. Lasquez Povadira, a Carlist chief, had been executed by virtue of a special order from Madrid. On Carlos and his court arrived on the 7th at Segura. He is about making a tour of inspection through the north of Spain.

THE ANTI-DUELLING LAW.

AN ACT to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof.

Be it enacted, &c. That any person shall, in the District of Columbia, challenge another to fight a duel, or send or deliver any written or verbal message, reporting or intended to be such challenge, or shall carry or deliver any such challenge or message, or shall knowingly carry or deliver an acceptance of such challenge or message to fight a duel, in or out of the said district, and such duel shall be fought in or out of the said district, and either of the parties thereto shall be slain or fatally wounded in such duel, the surviving party to such duel, and every person carrying or delivering such challenge or message, or accepting of such challenge or message as aforesaid, and all others aiding or abetting therein, shall be deemed guilty of felony, and, upon conviction thereof in any court competent to the trial thereof in the said District, shall be punished by imprisonment and confinement to hard labor in the penitentiary for a term not exceeding ten years, in the discretion of a court.

Sec. 2. And be it further enacted, That if any person shall give or send, or cause to be given or sent, to any person in the District of Columbia, any challenge to fight a duel, or to engage in single combat with any deadly or dangerous instrument or weapon whatever, or if any person in said District shall accept any challenge to fight a duel, or to engage in single combat with any deadly or dangerous instrument or weapon whatever, or shall be the bearer of any such challenge, or weapon, or shall be giving or sending, or causing to be given or sent, or accepting such challenge, or being the bearer thereof, and every person aiding or abetting in the giving, sending, or accepting such challenge, shall be deemed guilty of a high crime and misdemeanor, and, on conviction thereof in any court competent to try the same in the said District, shall be punished by imprisonment and confinement to hard labor in the penitentiary for a term not exceeding five years, in the discretion of the court.

Sec. 3. And be it further enacted, That if any person shall assault, strike, beat, or wound, or cause to be assaulted, stricken, beaten, or wounded, any person in the District of Columbia, for declining or refusing to accept any challenge to fight a duel, or to engage in single combat with any deadly or dangerous instrument or weapon whatever, or shall post or publish, or cause to be posted or published, any writing charging any such person so declining or refusing to accept any challenge to be a coward, or using any other opprobrious or injurious language therein, tending to degrade and disgrace such person for so declining or refusing such challenge, every person so offending, on conviction thereof in any court competent to the trial thereof, in the said District, shall be punished by confinement to hard labor in the penitentiary for a term not exceeding three years, in the discretion of the court.

Sec. 4. And be it further enacted, That, if any person or persons, for the purpose of evading the provisions of this act, shall leave the District of Columbia, by previous arrangement or concert within the same, with intent to give or receive any such challenge without said District, and shall give or receive any such challenge as aforesaid, the person, or persons so offending shall be deemed guilty of a misdemeanor, and be subject to the same penalties as if such challenge had been given and received within said District.

Sec. 5. And be it further enacted, That every offender may plead a former conviction or acquittal for the same offence in any state or country; and the same being established, shall not bar to any further proceedings against such person under the next preceding section of this act.

Sec. 6. And be it further enacted, That any person offending against the provisions of this act may be a competent witness against any other person offending in the same transaction, and may, at the discretion of the court, be compelled to give evidence before any grand jury, or on any trial in court; but the person so testifying shall thereon be liable to prosecution for the same matter, nor shall the testimony so given be used against him in any case whatsoever.

Sec. 7. And be it further enacted, That, in addition to the oath now prescribed by law to be administered to the grand jury in the District of Columbia, they shall be sworn faithfully and impartially to inquire into, and true presentment make of, all offences against this act. *Approved, February 20, 1839.*

LETTER FROM THE POSTMASTER GENERAL.

From the Intelligencer of the 21st inst.

We mentioned, in our paper of Tuesday last, the reception of a letter by the editors from the postmaster general, the essential points of which we briefly stated, declining to publish the letter entire, for reasons which were sufficient for our own government.

In the course of the day of that publication, we received from the postmaster general a note, requesting the return to him of his communication, on the ground of our having declined permitting him to reply through our columns to "gross misrepresentations affecting his public conduct" promulgated through those columns.

We complied with the request of the postmaster general by returning to him forthwith his communication, informing him that we had declined publishing it because it contained gross, and, in our opinion, unmerited reflections on a committee of the house of representatives, and on members of that body individually; and stating that, so far from refusing him an opportunity to defend himself, we had extracted and published all that part of his letter which was purely defensive.

We supposed that our correspondence with the postmaster general had here closed. We received from him, however, the same evening, another letter, to the effect that, learning from our note of that date that we did not refuse to let him defend himself through our paper, and not deeming the defence made by the few extracts from his letter adequate to the occasion, he had "carefully struck out of that letter all that appeared, by any construction, however enlarged, to come within the scope of our objections," and so returned it to us in the hope that it might find admission into our columns.

Finding that, in fact, the most exceptionable parts of the letter have been stricken out, our objections to the insertion in our columns are so far obliterated, that we yield to the request of the postmaster general, and give to his letter the place it occupies in our paper of to-day.

To the editors of the National Intelligencer:

GENTLEMEN: The sketch of a debate in the house of representatives, on the 28th of February last, reported in your paper of the 16th inst. contains misrepresentations affecting my public character, which I ask the privilege of correcting through the same columns which had given them circulation.

The following extract contains the allegations referred to, viz:

Mr. Graves would state for the benefit of the gentlemen from New York (Mr. Bronson) another fact, going to show what use was made of these office-holders, and of what sort of material they were sometimes composed. A man by the name of Smith, who had fled from Bristol county jail, in Massachusetts, under indictment as a counterfeiter, came into the state of New York, and was appointed postmaster at a town in the district belonging to a member of this house (Mr. Foster). The character of the man was so bad, and his felony so notorious, that whenever counterfeit money was circulated in that neighborhood, public suspicion was always attracted towards the postmaster as having had some hand in the business. These facts had been fully represented to the head of the post office department, but, because he was an active and determined partisan, every effort to remove him had been unsuccessful.

Mr. Graves presumed, as a matter of course, that he had been appointed by the late or the present administration. The appointment had been made three or four years ago, and Mr. G. had quoted it, as an instance, to show that men were not appointed for their merit, their good character, or their capacity to discharge the duties of the office; but that the "most infamous scamps" were appointed and retained, if they could subserve the political purposes of party.

Mr. Briggs. I ask the gentlemen from New York whether he denies the truth of the statement? If he does, I call upon my colleague over the way to state the facts, and to show that the department does know the character of this man, has been fully informed of the facts, and still keeps him in office. A wretch who was guilty of forgery and counterfeiting, and who escaped the fangs of the law only by turning state's evidence.

Here are two serious charges:

1. That I retain in office as postmaster "a wretch who was guilty of forgery and counterfeiting, and who escaped the fangs of the law only by turning state's evidence," although I have been "fully informed of the facts," and "knew the character of the man."

2. That my reason for retaining such a villain is, that he is "an active and determined partisan."

These charges appear to have been made on the 28th day of February last. Lucius D. Smith, postmaster at New London, Oneida county, New York, the individual referred to, was removed from office on the 21st day of January last, and the appointment of his successor was officially announced in the Globe on the first of February last. He had, therefore, been removed more than a month when these charges were uttered on the floor of the house. This Messrs. Graves and Briggs had the means of knowing as well by the official publication as by asking a single question at the department.

Moreover, this man was removed upon the instant on the first presentation of the case to me. This also Messrs. Graves and Briggs might have ascertained.

The origin of the charge is probably this:

In December, 1836, the files of the appointment office were destroyed by the fire which consumed the post office building. On those files were probably papers then recently received, giving the character of Smith, and their destruction saved him from removal at that time. Mr. Graves had probably heard of those papers, and uttered the injurious charges which have now found their way to the public without inquiring into their truth.

Mr. Graves says that Smith was not removed, because he was "an active and determined partisan." If Mr. Graves knows this man's politics, he knows more than I do. They do not appear in the case, and, it is believed, never did. His office yielded him not more than \$60 per annum. If this sum paid him for taking care of the office and for political services also, they were cheap, indeed! Their importance may be appreciated from the fact that Mr. Grant, one of the representatives from the district in which he lived, knew nothing of him or his case.

Mr. Graves says "the character of the man was so bad, and his felony so notorious, that whenever counterfeit money was circulated in that neighborhood, public suspicion was always directed to the postmaster as having some hand in the business." And does any man really believe the administration expected to gain strength in that neighborhood keeping such a man in office? When counterfeiters of money become favorites with the people, then may the uncharitable conclude that they will be protected in office by the administration.

Equally baseless is the charge or insinuation from the same source that the clerks or any others holding office in or under the post office department are taxed for political purposes, as the condition on which they are permitted to remain in office. So

far as regards myself, I had said, so far as regards those acting under me, I believe, that no suggestion of such a contribution, voluntary or involuntary, has been made by a superior to an inferior, directly or indirectly, throughout the vast ramifications of this department. AMOS KENDALL.
Post office department, March 18, 1839.

NORTHEASTERN BOUNDARY.

The following is the message of governor Fairfield alluded to in the last "REGISTER."
GOVERNOR'S MESSAGE.

Augusta, Tuesday, March 12.

This day, at eleven o'clock, the governor communicated the following message to the legislature.
To the senate in open session.

I herewith lay before you certain documents that have been transmitted to me by the hon. John Forsyth, secretary of state, to wit: Message of the president of the United States, transmitted to congress on the 26th of February—letter from Mr. Fox, the British minister, to Mr. Forsyth, under date of 23d of the same month—and the reply of the latter on the 25th—letter of Mr. Fox to Mr. Forsyth of the 25th ultimo—memorandum of an agreement between Mr. Fox and Mr. Forsyth of the same date—and two letters from Mr. Forsyth to the governor of this state, under dates of 23d and 27th ultimo.

By the agreement referred to, it will be perceived, that Mr. Fox and Forsyth, without claiming to act with authority, have recommended that "the majesty's forces will not seek to exert by military force the annual duty which has been sent by Maine into the district bordering on the Aroostook river; but the government of Maine will voluntarily, and without unnecessary delay, withdraw beyond the bounds of the disputed territory any armed force now within that and that it future necessity should arise for dispersing notorious trespassers, or protecting public property from depredations by armed force, the operation shall be conducted by concert, jointly or separately, according to agreement between the governments of Maine and New Brunswick." This, it is said, is recommended to the governments of Maine and New Brunswick, "to regulate their future proceedings according to the terms hereinbefore set forth, until the final settlement of the territorial dispute, or until the governments of the United States and Great Britain shall come to some definite conclusion on the subordinate points upon which they are now at issue;" to wit: the right of temporary jurisdiction and possession of the disputed territory.

The important question now presented, is whether the state of Maine will assent to the agreement or not. Deeming it a question beyond my legitimate province to decide, I communicate the papers relating to it, and ask for instructive views; with a determination, so far as I may be able, to carry into effect, your decision, whatever it may be.

As I do not wish, however, to shun any portion of the responsibility fairly devolving upon me, I will proceed, as briefly as I can, to give my opinion in the case presented, and the reasons upon which it is founded.

Should we then, in accordance with the agreement, withdraw our forces from the disputed territory, and leave all future operations against trespassers, and conducted by concert and agreement with the provincial government?

In determining this question, your attention will naturally be directed to the original design and object of the movement on your part—the extent to which that object has been accomplished—your constitutional power and right to adopt the course hitherto pursued—and the expediency of continuing to exercise that right.

The object in the first place, was, to protect public property. The territory bordering upon the Aroostook river, in many respects the fairest portion of Maine, particularly in the noble forests of timber, and in the extraordinary fertility of soil, has long been the scene of very extensive and warlike depredations, principally on the part of persons resident in, or not inhabitants of the province of New Brunswick. The circumstances in regard to the extraordinary depredations committed this winter, by a band of armed and desperate men—the course you took to arrest them—the seizure and imprisonment of the land agent and his assistants—I need not detail, as they are already familiar to you. This proceeding on your part, was denounced by the lieutenant governor of New Brunswick, as an invasion of that province and a military and forcible expulsion of our agents and agents, as well as immediately retired. Instead, however, of permitting them to retire, you sent what was deemed necessary military force to sustain them, and also to prevent any invasion of our soil that should be attempted. This I believe to be a succinct and unvarnished statement of your object, and the method pursued to

effect it. Has that object been accomplished? If I have a right apprehension of the facts, I must say in part only. It is true the trespassers are dispersed, but they have given out that as soon as our force is removed they will return, throw the timber already cut into the streams, and run it down to the St. Johns. This can undoubtedly be accomplished by them, without the utmost vigilance and activity on our part. It is true, also, that the lieutenant governor of New Brunswick proposes to swing a boom across the mouth of the Aroostook, to seize the timber there, sell it, and place the proceeds in the "disputed territory fund." But without intending disrespect to the government of the province, may it not well be doubted, whether Maine would ever realize any thing from such a procedure? Would not the debts in the disputed territory account always exceed the credits? Would not the tracks about this "fund," so far as we are concerned, like those about the lion's cave, be all one way? Be that as it may, Maine is capable of superintending her own affairs, and ought not to impose that duty on a neighboring province.

Before answering the main question, however, let us inquire still further as to the legality and propriety of our proceeding this far.

My respect to you, will not permit me to go into an elaborate argument to show our clear and unquestionable right and title to the territory embraced within the line, running from the source of the St. Croix north to the highlands dividing the waters that flow into the Atlantic ocean from those which fall into the river St. Lawrence—thence along the highlands to the northwest corner of the said province, and thence to the mouth of the said river. At the last session of congress the senate of the United States adopted unanimously the following resolution, viz:—

"Resolved, That after a careful examination and elaborate consideration of the whole controversy between the United States and Great Britain, relative to the northeastern boundary of the former, the senate does not entertain a doubt of the entire practicability of running and marking that boundary, in strict conformity with the stipulations of the definitive treaty of peace of 1763; and it entertains a perfect conviction of the justice and validity of the title of the United States to the full extent of all the territory in dispute between the two powers."

The same resolve was, on a subsequent day, taken up in the house of representatives, and unanimously adopted by that body. It need say no more upon the subject of title, especially to you, with whom the whole subject is perfectly familiar.

Then as to the right of jurisdiction and possession, while this preposterous claim of Great Britain remains unsettled—is it to the British government by virtue of an agreement as has been alleged by the lieutenant governor of New Brunswick, and reiterated by Mr. Fox at Washington, or is it not? The president in his message to congress on the 26th of February after alluding to the allegation of Mr. Fox says: "The important bearing which such an agreement, if it existed, would have upon the condition and interest of the parties, and the influence it might have upon the adjustment of the dispute, are too obvious to allow the error upon which this assumption seems to rest, to pass for a moment without correction." In alluding to the correspondence between the governments upon this subject, he says further—"instead of sustaining this assumption of the British functionaries, that correspondence disproves the existence of any such agreement."

Mr. Forsyth, secretary of state, to a letter of Mr. Fox, in which this alleged agreement was again put forth, under date of the 24th ultimo says, so far from any relinquishment of the right of jurisdiction having been made, or any agreement of her expressed or implied, entered into on the part of the government of the United States, of the nature alleged by the lieutenant governor of New Brunswick, and affirmed also in your note of the 23d inst., it will appear from the whole course of the correspondence between the two governments extending through a series of years, that that of the United States has throughout and on frequent occasions, solemnly protested as well against the existence of the right to the exclusive possession and jurisdiction as to the exercise thereof, and has upon every proper occasion asserted that both belonged to Maine and the United States.

This would seem to be enough to settle this question, and to forever. No such agreement has ever been made. On the contrary, the right of possession and jurisdiction, has always been and is now asserted by the general government, to be in Maine. But if it had been otherwise, and the government of the U. S. should have agreed that the British government should have exclusive jurisdiction and possession of this territory, which it acknowledges to be ours, would it have been binding upon Maine? Clearly not. The respective states of the union are sovereign and independent, except so far as that so-

vereignty has been restrained or modified by the constitution of the United States. The general government is one of limited and defined powers. The power to alienate the territory of a state, or to transfer a portion of it, or the jurisdiction and possession of it to a foreign power, for an indefinite period, or for one hour, is no where granted. An assumption, of such a power on the part of the general government, it is believed, would always meet the stern and uncompromising opposition of this state.

But without intending probably to assert any such power, it seems there has been an understanding between the general government and that of Great Britain, amounting perhaps, on our side, to a recommendation to the state of Maine, rather than to a contract by which she would be conclusively bound. What are the terms of that understanding? which has been the public source of so much misunderstanding? Clearly these and no more; that, during the pendency of the question, the two parties should exercise jurisdiction as they had respectively been accustomed to exercise it. Now over the territory south of the St. John, especially that part of it watered by the Aroostook and its tributary streams, Massachusetts and Maine have always had possession and exercised jurisdiction. As early as 1793, a large tract, say 2,000,000 of acres, were surveyed and located by agents of Massachusetts under a large and contemplated grant to Jackson & Flint. This tract embraced a large part of the Aroostook territory, and extended to the river St. John. For some reason or other, believed to be the inability of the purchasers to pay the consideration, no grant was ever actually made on both sides of the Aroostook were made by Massachusetts to the town of Plymouth and general Eaton, which have ever since been held by them and their grantees. Soon after the cession of Maine and Massachusetts, these lands extending nearly to the St. John, on the south, were surveyed, and some of them divided and held severally by the two states.

For several years, commencing as early as 1821, agents were sent to the Aroostook by the governor of Maine, for the purpose of arresting trespassers upon the public lands. In 1821, Benjamin J. Porter, esq. was sent to that territory by governor King, for this purpose. Mr. Porter took the city of St. Johns and Frederickton in his way, and consulted with Mr. Attorney General Wetmore upon the subject of punishing British subjects for that intrusion upon our territory. The attorney general said "the government of New Brunswick would unquestionably render every possible facility to punish the offenders, as they had enforced greatly in that province, (N. B.) by sealless pillages. This is the language of Mr. Porter, taken from his report, made July, 1821, and now on file in the office of the secretary of state. Mr. Porter proceeded to the scene of depredation upon the Aroostook, broke up the trespassing and compelled those engaged in it to settle with him, giving their notes for the amount of damage due. These notes were left with an attorney at Woodstock, and were collected by suits prosecuted in the provincial courts.

Similar agencies with similar results, I understand, have frequently been instituted by this government. Massachusetts has long been in the habit of granting permits to cut timber upon her townships on this stream, and though with the knowledge of the provincial government, without any attempt on the part of the latter to forbid or prevent it, so far as an info made. Mr. Fox has for several years been sending large sums of money in making a road through the territory, and has sold and conveyed portions of this same territory to actual settlers, without anticipating or receiving any opposition on the part of the provincial government. I am also credibly informed that claims in favor of the inhabitants of the province, against settlers upon the Aroostook, are prosecuted by the creditors in the courts of Maine. These facts, with others that might be named, go to show that the jurisdiction and possession of this territory, is not, and never has been in New Brunswick, but, so far as the unsettled condition of a portion of the country would permit, in Maine and Massachusetts. Upon this point I am happy also to be able to add a very apposite quotation from a letter from Mr. Van Buren, while secretary of state in 1829, to sir Charles Vancouver. He says—"the undersigned cannot acquiesce in the supposition that, because the agent of his Britannic majesty thought proper, in the proceedings before the commissioners to lay claim to all that portion of the state of Maine which lies north of a line running westerly from Mars Hill, and designated as the limit or boundary of the British claim, thereby the United States or the state of Maine, ceased to have jurisdiction in the territory thus claimed. In the view of his government, his Britannic majesty's agent might, with equal justice have extended his claim to any other ter-

p. if it ever... and also... be attending... This I believe to be a succinct and unvarnished statement of your object, and the method pursued to

disputed part of the state, as to claim the portion of it which he has drawn in question; and in such case, the lieutenant-governor of New Brunswick could surely not have considered a continuance on the part of the United States, and of the state of Maine, to exercise their accustomed jurisdiction and authority, to be an encroachment. It so, in what light are we to regard the continued acts of jurisdiction now exercised by him in the Madawaska settlement? More than twenty years ago large tracts of land lying westward of Mars Hill, and northward to the river R-stook, were granted by the state of Massachusetts, which tracts are held and possessed under the same grants to this day; and the United States and the state of Massachusetts and Maine, in succession, have never ceased to exercise their jurisdiction, which the unsettled condition of the country in that region, and other circumstances admitted and required."

Surely there can be no need of multiplying words upon this point. If the British government have any jurisdiction over this portion of our territory, it may "with equal justice" claim to have it over the county of Kennebec. But why should we be compelled to resort to facts of this description to prove our jurisdiction? If the title be in Maine, the jurisdiction follows of course. No power can have a right of jurisdiction over a territory belonging to the state of Maine, and nothing but that extreme spirit of peace and forbearance by which Maine has been so long actuated, could induce her to argue such a point for its ownment.

If then, the title, possession, and jurisdiction of Maine be nearly established, why is she not justified in her present attempts to protect the province of New Brunswick from plunder, and the soil itself against invasion? It is hard to believe that any man can be found—any American should say—of uncorrupted patriotism, and whose mind is not poisoned by prejudice, who will deny it.

On this point the president says: "The state of Maine had a right to arrest the deprivations contained in; it belongs to her to judge of the exigency of the occasion calling for her interference."

The able report of the committee of foreign relations, in the house of representatives at Washington, says: "Every government in the union has a right to regulate the lusted interest, whether public or private, within its limits, and Maine stands upon the same footing, unless as to such parts of it as are deemed not to be under its jurisdiction by the exercise of the constitutional powers of the federal government." But, as has already been observed, no proceeding or agreement of the federal government can be found which did not recognise an actual jurisdiction, just such as that now claimed and enforced by Maine." Again it says: "The proclamation of the lieutenant-governor of New Brunswick was issued before any steps were taken by Maine to sustain the civil by the military power, and was directed against the interference of the ministerial offices of the law, acting in strict conformity with what are believed to be fundamental principles of British as well as American law. The first appeal to military force was made by him, and the subsequent proceedings of Maine were defensive merely."

But I need not quote particular expressions. The whole report is a lucid and forcible exposition of the injustice of the proceedings of the government of New Brunswick, and a triumphant vindication of the rights reserved by Maine. The almost unanimous vote of the house of representatives upon the bill reported by the same committee, intending to carry out the views expressed in the report—the unanimous vote of the senate upon the same bill, also furnish to Maine the most conclusive and gratifying proof of the rectitude of her course. In accordance with all this, I take pleasure in saying, has been the general voice of the American press. Such unanimity of opinion and feeling among the mass of the people—such a spirit of enthusiasm prevailing in all classes of society, it is apprehended has seldom been witnessed. Nothing could be more gratifying to Maine, and sure I am, that it will constitute a perpetual source of grateful recollection to her virtuous and intelligent sons.

Under these circumstances, the question recurs, Under what circumstances, and upon what authority, shall we withdraw our forces against him? The commendation contained in the memoranda signed by Mr. Fox and the secretary of state, and leave the future protection of the timber to the concurrent action and agreement of the governments of Maine and New Brunswick? Under a full sense of the responsibility resting upon me, I have no hesitation in saying that we do not. I admit that the general government has nobly responded to our call, and with a promptness and efficiency beyond all praise, has made preparations to discharge its constitutional obligations to this state. Much is due from us on this account to the union. But the duty of Maine to herself remains unchanged. The property, for the protection of which we sent an armed posse,

under the land agent and sheriff, remains still exposed, and the threat of expulsion from the territory and of invasion, which we sent our military force to repel, still remains pending over us, while British troops, it is understood, are daily concentrating near the line with the apparent purpose of carrying the avowed design of the lieutenant-governor of New Brunswick, into effect.

But, looking a little more minutely at the terms of this agreement, the objections to it are obvious. In the first place, it would make our movement upon the question of the boundary a retrograde movement. Instead of having made any advance toward the acquisition of our rights, and termination of the question in dispute, our position would not really be so favorable as it was before the occurrence of those events which have induced this "memorandum." Then we had exclusive jurisdiction over this portion of the territory. Under the agreement we should only have a concurrent jurisdiction with the province of New Brunswick, for we could not expel a night-trespasser without in the first place agreeing with the provincial government as to the manner of doing it. Its language is thus: "And if future necessity should arise for dispersing notorious trespassers, or protecting public property from depredation by armed force, the operation shall be conducted by concert, jointly or separately, according to agreements between the governments of Maine and New Brunswick."

Again this agreement is inadmissible, because of the irregularity of its terms. By it Maine is absolutely to withdraw her forces. But are the forces of the British government also to be withdrawn? Not at all. That government is simply to refrain from attempting to do what it never had the right or power of doing, that of expelling us from the territory. It is understood that a regiment of British troops, lately arrived from Quebec, is now at Madawaska, and there they may remain for ought to the contrary in the terms of the agreement, erect fortifications to their hearts' content, and exercise any power they please short of attempting to expel us from the territory.

Another objection to this agreement arises from its equivocal phraseology upon one point which might prove to be hereafter the source of much misunderstanding and difficulty. One of them is in regard to whether the armed posse under the land agent and sheriff is included in the "armed force" by the "memorandum" to be withdrawn from the territory. If the agreement should be construed against us, in this respect, we could not hereafter expel a single trespasser unless the governor of New Brunswick should kindly agree with us upon some mode in which it might be effected. To such an arrangement I trust Maine will never assent. She has been sufficiently trammelled heretofore in the exercise of her rights, and will not now voluntarily force new shackles for herself.

What, then, shall be done? The people of the state surely are not desirous of hurrying the two nations into a war. Such an event is anxiously to be avoided if it can be without dishonor. We owe too much to the union, to ourselves, and, above all, to the spirit and principles of christianity, to bring about a conflict of arms with a nation having with us a common origin, speaking a common language, and bound to us by so many ties of common interest without us by the most honorable necessity. Un-der these circumstances, I would recommend that, when we are fully satisfied, either by the declarations of the lieutenant-governor of the province of New Brunswick, or otherwise, that he has abandoned all idea of occupying the disputed territory with a military force, and of attempting an expulsion of our party, that then the governor be authorised to withdraw our military force, leaving the land agent with a sufficient posse, armed or unarmed, as the case may require, sufficient to carry into effect your original design, that of driving out or arresting the trespassers, and preserving and protecting the timber from their depredations.

From such an act of jurisdiction—an attempt so right and proper in itself as this, and so imperatively called for by the circumstances of the case, we should not be driven by any power on earth. We ought not, however, wantonly to do more than is necessary. We want no military force in the territory, if there be no military force against us. Brave men would not battle with the air. We do want, however, as much as we can, armed or unarmed, as the case may require, to resist the marauders and protect the timber; and we want no more. In pursuing this course, will we maintain our just and honorable position, we do nothing which our sister states can regard as unnecessarily provoking hostilities, and nothing which our provincial neighbors can view as indicating a hostile or even illiberal feeling.

These are my views, briefly and imperfectly expressed. Whether they coincide with your own or

not, I repeat my determination to obey, so far as I may be able, whatever instructions you may be pleased to give.

JOHN FAIRFIELD,
Council chamber, March 12, 1839.

NOTE. Since the foregoing message was prepared, I have received a note from sir John Harvey, a copy of which is herewith communicated. From the spirit manifested, I shall entertain the hope that he will take such a course as will enable Maine to pursue that indicated in the foregoing.

WAR PROCEEDINGS IN NOVA SCOTIA.

Legislative council chamber, 26th Feb. 1839.

On motion of the hon. Mr. Stewart, Resolved, That a committee be appointed to prepare and report such resolutions and other measures, as it may be proper to adopt in consequence of the invasion of the province of New Brunswick, by an armed force from the state of Maine.

Ordered, That Mr. Stewart, Mr. Ratchford, Mr. Wilkins, Mr. Campbell and Mr. Almon, be a committee to prepare the said resolutions.

Legislative council chamber, Feb. 27, 1839.

The committee appointed under the resolution passed yesterday, reported a series of resolutions, whereupon, on motion of the honorable Mr. Stewart, the following resolutions were unanimously passed:

Whereas, it appears to this house, that, under the pretence of removing trespassers, a forcible brood has been made by the authority of the state of Maine, upon that part of the province of New Brunswick which is claimed by the United States, but of which the exclusive possession and jurisdiction have ever been in Great Britain; and that the government of the said state has adopted measures to levy an armed force, and to raise a large sum of money, with the avowed object of committing further outrages upon the sovereignty and dominion of her majesty; And, whereas, as by agreement between the imperial government and that of the United States, Great Britain is to remain in such exclusive possession and jurisdiction, until the right thereto shall be determined, and negotiations are now pending for the amicable adjustment and determination of the said claim.

Resolved, unanimously, That this house regards with the deepest indignation, the said and unprompted attempt to wrest, by violence, the said possession and jurisdiction from our empire, distinguished as such by its justice, as by its power and greatness, and this house condemns as utterly unworthy and frivolous, the pretence by which the said state attempts to vindicate its extraordinary and most unjustifiable proceedings.

Resolved, unanimously, That these measures, if persisted in, may bring a destructive and unnatural war and its attendant horrors upon the people of two nations, whose common origin, language, and interest, render every well disposed inhabitant of both countries anxious to preserve uninterrupted the peace and friendly intercourse which have for a long period so happily existed.

Resolved, unanimously, With humble reliance upon Divine Providence, and looking for protection and assistance to the parent state, this colony will use its utmost endeavor to vindicate the sovereignty and defend the rights of Great Britain, whenever they may be assailed. And our fellow subjects in the sister colony may confidently rely that the people of Nova Scotia will, to the utmost of their power and ability, aid them in resisting every attempt to take forcible possession of a territory, the custody and safe-keeping whereof have been entrusted to them by their sovereign, until she shall have commanded them to surrender it.

Resolved, unanimously, That this house will cordially unite with the other branches of the legislature, in devising such measures as may be requisite to adopt in the present emergency to vindicate the sovereignty and integrity of the empire.

Resolved, unanimously, That a humble address be presented to his excellency the lieutenant-governor with these resolutions, praying that he will take such steps as he may think fit, to make known the sentiments of this house, and of the people of this province, to the government and the brave and loyal people of New Brunswick.

At five o'clock this day the president and members of the legislative council waited on his excellency the lieutenant-governor with the following address.

The humble address of the legislative council:

To his excellency lieutenant general sir Collin Campbell, K. C. B. lieutenant-governor and commander-in-chief, in and over the province of Nova Scotia, and its dependencies.

May it please your excellency—The legislative council have passed the accompanying resolutions,

upon the subject of the recent outrages which have been committed upon that part of the province of New Brunswick claimed by the state of Maine, and the legislative council humbly pray your excellency to transmit them to the right honorable the secretary of state for the colonies, to be laid at the foot of the throne—and the legislative council further pray your excellency to transmit copies thereof to his excellency the governor-in-chief, and to his excellency sir John Harvey, the lieutenant governor of New Brunswick.

His excellency's reply.

Mr. President and honorable gentlemen of the legislative council

The sentiments and expression contained in these firm and spirited resolutions are most gratifying and acceptable to me.

You designate the unprovoked conduct of the authorities of Maine in its true colors, as being utterly unworthy and frivolous in endeavoring to vindicate its unjustifiable proceedings, by attempting to wrest from a neighboring state, during a period of peace, the custody of a territory with which they had been intrusted by their sovereign.

It is most gratifying to me to find that a feeling of entire unanimity prevades the legislature and people of this province, to assist in resisting, to the utmost, any aggression that may be attempted upon New Brunswick, and you may be assured that the parent state will afford you every aid and support.

I shall have great pleasure in transmitting to the right honorable the secretary of state, to be laid at the foot of the throne, sentiments so honorable from so highly respectable a body, and I shall not fail to communicate these resolutions to his excellency the governor general of British North America, and to his excellency sir John Harvey.

C. CAMPBELL.

Government house, 27th Feb. 1839.

RESOLVES OF THE ASSEMBLY.

Resolved, unanimously, That in consequence of information this day received from New Brunswick, of the proceedings on the part of the state of Maine, involving a proposed invasion of the neighboring province, this house deems it necessary to suspend all other business at present, in order to concert such measures as may be necessary to prepare for joining in repelling any such invasion, and defending the just rights of the neighboring province, as well as our own.

Resolved, That Messrs. Howe, Young, Doyle, Des Barres and Forrester, be added to the committee on the military defence of the province—that the committee wait upon his excellency the lieutenant governor, to request his excellency to furnish any information he may have received from New Brunswick.

1. Resolved, unanimously, That one-third of the militia force of the province between the ages of 15 and 45, be drafted by direction of his excellency, the lieutenant governor, and officered for active service, to the extent of eight thousand men.

Resolved, unanimously, That his excellency the lieutenant governor be authorized to require every regiment or battalion to select two hundred volunteers for every six hundred men, rank and file between the ages of 18 and 45, or in the like proportion for a greater or less number.

3. Resolved, unanimously, If a sufficient number of men in each regiment or battalion do not volunteer, that his excellency be authorized to fill up the number from the draft of such regiment, agreeably to law.

4. Resolved, unanimously, That such lists of men who shall have volunteered, or been drafted as aforesaid, when returned and approved by his excellency the commander-in-chief, or such person as he shall appoint for the purpose, shall be considered the lists of men liable to be first called on for actual service.

5. Resolved unanimously, That the lieutenant governor be authorized to appoint officers, to command such drafts or bodies of volunteers, for the regiment or battalion to which such drafts or volunteers may belong, or make such other arrangement, as may secure efficient officers to command such drafts or volunteers.

6. Resolved, unanimously, That his excellency the lieutenant governor be authorized to call into actual service, so many and such of the said drafts, or bodies of volunteers, as he may deem proper, and to make the necessary regulations for consolidating any number of such drafts or bodies into a regiment or regiments, as may be requisite and necessary, and to appoint lieutenants, adjutants and staff to each such regiment, in order to render the same efficient for actual service.

7. Resolved, unanimously, That his excellency the lieutenant governor be authorized to order any such

drafts or volunteers, when required for actual service, into barracks, and to march them from one part of the province to another, as the exigency of the service may require, and beyond the frontier of this province, when necessary.

8. Resolved, unanimously, That his excellency the lieutenant governor be authorized to accept the service of any volunteer companies now formed, or which may be formed in this province, and to consolidate them into regiments or battalions, and to appoint officers for the same, and to take such measures generally as may be requisite to render, such battalions, regiments, or companies efficient for actual service; Provided, that such volunteer companies be willing to volunteer for service either in this province or in the adjoining province of New Brunswick.

9. Resolved, unanimously, That all non-commissioned officers and private soldiers, called into actual service, over and above the pay and allowance provided by her majesty, shall be entitled to additional pay from the treasury of the province.

10. Resolved, unanimously, That this house will make suitable provision, for the widows and orphans of such officers, non-commissioned officers, and rank and file, who may fall in actual service.

11. Resolved, unanimously, That his excellency the lieutenant governor be requested to direct an immediate enrolment to be made of the whole militia force of the province, between sixteen and sixty years of age, and to have the same divided into classes agreeably to law, and to have full and accurate returns made forthwith to the office of the adjutant general of militia, of such enrolment, and of the state, condition and efficiency of the arms, and of the quantity of ammunition possessed by each regiment or battalion of militia, or company of artillery.

12. Resolved, unanimously, That provision be made by law, for the due and proper organization of the militia, and for promoting its efficiency, by squad, company and regimental or battalion drills.

13. Resolved, unanimously, That his excellency the lieutenant governor be authorized to expend a sum of one hundred thousand pounds, if necessary, in the payment of the militia and other services incidental to the protection of this and the adjoining province, from invasion, and that this house will provide for the same.

After a very able and animated address from the hon. J. Uniacke, the house adopted the foregoing resolutions, and the hon. E. M. Dodd, who, in every case supports the dignity of the house, trusted the speaker would allow an exception to the rules customary, when he proposed that three hearty cheers might be given, to be joined by the gallery which, we rejoice to say, was heartily responded to by every individual present. Never have we before witnessed such a heart-string scene, nor never before were such cheers heard in our house of assembly.

The assembly resolutions were passed unanimously, and as a proper finale to the whole proceedings, one of the members, more loyal, or more valorous than his peers, moved that the house give three times three cheers, and that the assembled spectators be allowed to join in upon the occasion. The cheers were duly given, and the assembly adjourned.

PENNSYLVANIA.

The following letter from the late governor, Mr. Ritner, to the committee on the militia system, is in reply to a resolution calling for certain information relative to the ordering out of troops to suppress the mob at the meeting of the legislature.

Harrisburg, 5th Feb., 1839.

SIR:—I received at a late hour last evening your communication of yesterday's date, containing a resolution adopted by the committee on the militia system of the house of representatives, of which you are chairman, requesting me to inform the committee whether at the time I issued my orders to major general Patterson, to call into service the volunteer troops under his command, I notified the brigade in the 1st division, through the adjutant general, the time of service for which the said detachment was required—and also whether I issued an order to general Alexander, of the 11th division P. M. to discharge the troops under his command; and if so, at what time said order was issued.

I unequivocally but respectfully protest against the right of the legislature, or either branch of it, or any of its committees, to ask, or compel me to account for, or explain my official conduct, either examining me under oath, or addressing me in writing. If my official conduct has been in violation of the laws, there is a mode by which it can be investigated and punished. To that constitutional test I am most willing to submit.

Having thus protested with regard to my acts while governor of this commonwealth, I now, as a

private citizen, waive my rights, and express my readiness to explain to you, to the legislature, and the public, every act of my official life. I court for the whole, the most rigid scrutiny, and especially for that part of it, connected with the unhappy disturbances which disgraced the seat of government during the greater part of last December.

In reply then to the somewhat peremptory demand of the resolution—I say: That I did not notify the brigade inspectors, through the adjutant general, of the time of service for which the detachment of the 1st division P. M. would be required, for the simple reason, that the adjutant general was then at his residence in Bedford county, and if I had waited until I could have communicated orders through him, the stain of blood might have been added to the stigma which now rests upon the character of the state, and the adoption of the amendments to the constitution might have been prevented by the continuance of the riot.

The emergency admitted of no such delay; neither could I then know how long the troops might be required; but I am proud to say, that I conscientiously believe, that the prompt measure then adopted, was mainly instrumental in restoring order, and preventing bloodshed. That the course pursued was within the limits of executive authority, in case of insurrection against the laws, I never had any doubt; and that it was so, is established by the fact, that the commanding generals felt no hesitation in obeying the orders issued on the occasion. They are both officers who know their duties, and who would not be induced to comply with an illegal order.

I would also beg leave to inform, that no orders were issued by me to either of the major generals, or to any other officers, (during the late rebellions and disgraceful riot), except those that are on file, and on record, in the secretary of the commonwealth's office, or in the possession of the general named in the resolution; of course copies of the orders which the committee seem desirous of obtaining from me, may be obtained officially from the sources just mentioned, to which I respectfully refer you. Your fellow-citizen, JOS. RITNER.

To col James Woodburn, ch. com. on the militia system, H. R.

GETTYSBURG RAIL ROAD—VETO MESSAGE OF THE GOVERNOR.

To the senate and house of representatives of the commonwealth of Pennsylvania.

GENTLEMEN:—It will always be with reluctance that I shall feel myself constrained to refuse the executive assent to any matter of legislation which has passed the representative and senatorial branches of the legislature. I would not, however, be in the line of duty to approve of a measure, in the justice or expediency of which I cannot concur. After mature deliberation and reflection, I have decided that I cannot approve of the resolution entitled "resolution relative to the Gettysburg rail road," presented to me on the 20th ultimo, and accordingly returned it to the senate, in which it originated with the following reasons for so doing.

The constitution provides that "no money shall be drawn from the treasury but in consequence of appropriations made by law." To preserve this salutary provision in its spirit, we should never permit that to be done indirectly which it prohibits from being directly. Hence we have seen the constant care and attention of the legislature to prevent the canal commissioners from incurring debts beyond the appropriations from time to time made. This would be altogether nugatory if, when a distinct and specific amount is appropriated, the canal commissioners by continuing the contractors at work after the appropriation to the object is exhausted, could involve the state in further responsibilities without the sanction of legislative enactment.

By the act of the 18th February, 1836, incorporating the bank of the United States, the 9th section of which authorises the canal commissioners to survey and locate the road in question, and to put not less than 20 nor more than 30 miles thereof under contract, the sum of two hundred thousand dollars is specifically appropriated to this work, and the 12th section expressly provides that "the canal commissioners shall not be authorized to incur any debt on the faith of the commonwealth, in any way or manner beyond the appropriation aforesaid." Here the original act by which this road was introduced into the public improvements of the state, without previous survey or examination, and with nothing to recommend it to public favor but the influence which its friends could bring in support of an act of legislation, since repeatedly and constantly disapproved by the people, prohibits the expenditure of money upon it beyond the specific appropriation.

On the 19th December, 1837, an act passed both branches of the legislature, appropriating forty-five

thousand dollars towards the construction of the Gettysburg rail road, to be applied in payment of work actually done prior to the 1st day of January (then) next, and directing the canal commissioners to give notice to the contractors to suspend their work upon said road from and after the said first day of January. By a course wholly unexpected, and which, for the character and reputation of the commonwealth, it is hoped will never be considered a fit example for imitation, this 1st day of January, 1838, was made in point of law to mean the 1st of January, 1839, and thus the intention of the legislature, solemnly expressed by both branches, was for a time frustrated.

By an act of the 14th April, 1838, the further sum of one hundred and ninety-five thousand dollars was appropriated to this rail road, to be applied to the work already under contract, and the resolution which had previously passed the legislature, as before stated, and which became a law on the 9th of January, 1838, was repealed. But by the 6th section of this act it is provided that "the canal commissioners shall not be authorized to incur any debt (on the faith of) the commonwealth in any way or manner beyond the appropriation aforesaid, and no part of the aforesaid appropriation shall be applied to any other than the several specific purposes to which it is appropriated by the preceding sections of this act, nor shall any contracts be entered into for any new lines of canal or rail road not mentioned in this act, or for any extension of the lines herein named, beyond the limits prescribed by this act."

It was therefore the duty of the canal commissioners to have stopped the work on the road the moment the specific appropriation thereto was exhausted. But it appears this was not done, and the subject was brought to the attention of the legislature in the previous part of the present session. By a resolution passed by both houses, and approved on the 19th of February last, it was declared that from and after the 1st day of March, 1839, the work on the Gettysburg rail road should be suspended, and a temporary loan of one hundred and fifty thousand dollars was authorized for the purpose of paying the contractors on said road for work done, or that ought to be done, previous to that day, including the retained per centage, the accounts of the contractors to be settled by the auditor general and state treasurer, in the usual manner, according to law. In ten days after approving this resolution, I am called upon to approve another resolution, providing that the contractors on this road shall be permitted to continue their work until the first day of May next, unless they should sooner be paid the amount due them. What circumstances have transpired to change the determination expressed in the resolution of the 19th of February I have not been informed, and being left to gather the reasons for adopting the resolution, now returned to your body, from its language, I infer that they consist in the fact of the funds not being forthcoming on the 1st of March, to pay the contractors the amount claimed to be due them, and, therefore, the state is to incur a further debt in pursuing this work already suspended.

Whilst the commonwealth is bound to meet all her lawful engagements, persons entering into contracts with her, through her agents, are bound to ascertain and know the extent of the authority given by law to such agents. In the present instances, the contractors were bound to know the amount of the appropriations made, and that it was unlawful for the canal commissioners to expend any further sums, or to involve the state beyond such amounts.

If they continue the work afterwards, it was at their own risk, and to permit them now to go on, in the embarrassed state of the public treasury, and increase the expenditure on a work which a committee of your body, after a personal examination, declared to have been begun in folly, and the prosecution of which would be madness, would not, in my judgment, be promotive of the interests of the commonwealth, but would be a useless waste of the public money, and a legislative recognition and sanctioning of acts done in positive violation of existing laws.

Again expressing with a conscientious sense of duty, to dissent with the representatives of the people in this matter, I return the resolution to the senate for their further action thereon, according to the constitution of the commonwealth.

DAVID R. PORTER.

MR. WEBSTER'S ARGUMENT

In the supreme court of the U. States, Feb. 9, 1839.

The record, (said Mr. W.) presents this case:

The bank of the United States is a corporation created by a law of the state of Pennsylvania. By that act, the bank, among other functions, possesses that act of dealing in bills of exchange. In the month of January, 1837, having funds in Mobile, this bank, through the instrumentality of its agent,

Mr. Poe, purchased a bill of exchange to remit to New York. This bill, drawn at Mobile upon New York, and endorsed by Wm. D. Primrose, the defendant in this case, having been paid either at New York or by the drawer, the bank of the United States has instituted this suit in the circuit court of Alabama to recover the money due on the bill.

In the court below, it was decided that the contract by Poe in behalf of the bank was void, on two grounds: First, because it was a contract made by the bank of the United States in the state of Alabama; whereas a bank incorporated by the state of Pennsylvania can do no act out of the limits of Pennsylvania; Secondly, because Alabama has a bank of her own, the capital of which is owned by the state herself, which is authorized to buy and sell exchange, and from the profits of which she derives her revenue; and, the purchase of bills of exchange being a banking operation, the purchase of such bills by others, at least by any corporation, although there is no express law forbidding it, is against the policy of the state of Alabama, as it may be inferred from the provisions of the constitution of that state and the law made in conformity thereto.

It is admitted that the parties are rightfully in court. It is admitted also that the defendant is a citizen of Alabama, and that all the citizens who compose the corporation of the bank of the United States are citizens of the state of Pennsylvania, or of some other state besides Alabama. The question is, can they as a corporation do any act within the state of Alabama? In other words, is there any thing in the constitution or laws of the state of Alabama which prohibits, or rightfully can prohibit, citizens of other states, or corporations created by other states, from buying and selling bills of exchange in the state of Alabama?

In his argument, yesterday, for the defendant in this case, my learned friend, (Mr. Van de Graf), asked certain questions, which I propose to answer.

Can this bank, (said he), transfer itself into the state of Alabama? Certainly not.

Can it establish a branch in the state of Alabama, there to perform the same duties and transact the same business in all respects as in the state of Pennsylvania. Certainly not.

Can it exercise in the state of Alabama any of its corporate functions. Certainly it can.

For my learned friend admits its right to sue in that state, which is a right that it possesses solely by the authority of the Pennsylvania law by which the bank is incorporated.

We thus clear the case of some difficulty by arriving at this point, the admission on both sides that there are certain powers which the bank can exercise within the state of Alabama, and certain others which it cannot exercise.

The question is, then, whether the bank can exercise within the state of Alabama, this very power of buying a bill of exchange?

Our position is, that she can buy a bill of exchange within the state of Alabama; because there are no corporate functions necessary to the act of buying of a bill of exchange; because buying and selling exchange is a thing open to all the world, in Alabama as well as every where else; because, although the power to buy and sell bills of exchange be conferred upon this bank by its charter, and it could not buy or sell a bill of exchange without that provision in its charter, yet this power was conferred upon it, as were other powers conferred by its charter, to place the bank upon the same footing as an individual—to give it not a monopoly, nor an exclusive privilege, in this respect, but simply the same power which the members of the corporation, as individuals, have of unquestionable right to exercise. The banker, the broker, the merchant, the manufacturer, all buy bills of exchange as individuals; the individuals who compose a corporation may do it; and we say that they may do it, though they do it in the name of, and for, the corporation. We say, undoubtedly, that they cannot acquire power under the Pennsylvania charter to do acts in Alabama, which they cannot do as individuals, but we say that the corporation may do in their corporate character, in Alabama, such acts, authorized by their charter, as the members thereof would have a right to perform as individuals.

The learned counsel on the other side was certainly not disposed to concede, gratuitously, any thing in this case. Yet he did admit that there might be a case in which the acts of a corporation, created by one state, if done in another state, would be void. He supposed the case of a rail road company in one state sending an agent into another state to buy iron for the construction of the road. Without conceding expressly the point of law in that case, he admitted that it would be a case very different from the present; and he gave as a reason

for this admission, that it would be a single special act, necessary to enable the corporation to execute its functions within the state to which it belonged, and in this respect differing from the case now under consideration. In what circumstance, it may well be asked, do the cases differ? One act only of the corporation of the bank of the United States is set forth in this record, and that act stands singly and by itself. There is no proof before the court that the corporation ever bought another bill of exchange than that which is the subject of this suit. Transactions of this nature must necessarily come one by one before this court, when they come at all, and must stand or fall on their individual merits, and not upon the supposition of any policy which would recognize the legality of a single act, and deny the validity of the dealings, or transactions, generally, of which that act is a part.

Then, as to the other reason stated by my learned friend in support of the idea that such a purchase of iron might be supported, he says it is, because, that, in that case, the purchase being made abroad solely to enable the corporation to perform its functions at home, might be considered legal, under the law of comity from one state to another.

Now, (said Mr. Webster), that supposed case is precisely the case before the court. Here is the case of a corporation established in Philadelphia, one of whose lawful functions is to deal in exchange. A Philadelphia merchant, having complied with the order of his correspondent in Alabama, draws a bill upon him for the amount due in consequence, goes to the bank of the United States and sells the bill.

The funds thus realized by the bank from the purchase of bills of exchange accumulate in Alabama. How are those funds to be brought back by the Philadelphia corporation within its control? The bank has unquestioned power to deal in bills of exchange. Can there be such a thing as dealing in exchange, with a power to act only on one end of the line? Certainly not. How, then, is the bank of Philadelphia to get its funds back from Alabama? Suppose that it were to send an agent there, and buy specie. Can the bank ship the specie? Can it sign an agreement for the freight, insurance, and charges of bringing it round? To do that would be an act of commerce, of navigation—not of exchange.

A power conferred upon a bank to deal in exchange would be perfectly nugatory, unless accompanied by a power also to direct its funds to be remitted. The practical result of a contrary construction would be, that this Pennsylvania bank may carry on exchange between Philadelphia and Reading, or Philadelphia and Lancaster, but not, by possibility, between Mobile, or any other city, or place in the south, or even with New York, Trenton, or Baltimore. Out of Pennsylvania it could only buy and remit. It could get no return. An exchange that runs but one way! What sort of an exchange is that?

Having cleared the case of some of these generalities, Mr. Webster proceeded to the exposition of what he considered a constitutional, American view of the question.

The record of this case finds that these plaintiffs, the members of the corporation of the bank of the United States, are citizens of other states, and that the defendant is a citizen of Alabama. Now, in the first place, (to begin with the beginning of this part of the question), what are the relations which the individual citizens of one state bear to the individual citizens of any other state of this union?

How did this matter stand before the revolution? Were these states ever colonies, what was the relation between the inhabitants of the different colonies? Certainly it was not that of aliens. They were not, indeed, all citizens of the same colony; but certainly they were fellow-subjects, and owed a common allegiance; and it was not competent for the legislative power to say that the citizens of any one of the colonies should be alien to the other. This was the state of the case until the 4th of July, 1776, when this common allegiance was thrown off. After a short interval of two years—after the renunciation of that allegiance—the articles of confederation were adopted; and now let us see what was the relation between the citizens of the different states by the articles of confederation. That government had become a confederation. But it was something more—much more. It was not merely an alliance between distinct governments for the common defence and general welfare, but it recognized and confirmed a community of interest, of character, and of privileges, between the citizens of the several states.

"The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union," said the 4th of the articles of confederation, "the free inhabitants of each of these states shall be entitled to all the privileges and immunities of free citizens in the sever-

citizens, and the people of each state all have a right to ingress to and from any other state, and shall enjoy therein all the privileges of trade and commerce," &c. This placed the inhabitants of each state on equal ground as to the rights and privileges which they might exercise in every other state. So things stood at the adoption of the constitution of the United States. The article of the present constitution, in fewer words and more general and comprehensive terms, confers this community of rights and privileges in the following form: "The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states." However obvious and general this provision may be, it will be found to have some particular application to the case now before the court; the article in the constitution serving as the expanded form of this article in the constitution.

But this article of the constitution does not confer on the citizens of each state *political* rights in every other state, as admitted. A citizen of Pennsylvania cannot go into Virginia and vote at an election in that state; though, when he has acquired a residence in Virginia, and is otherwise qualified, as required by her constitution, he becomes, with formal adoption as a citizen of Virginia, a citizen of that state politically. But, for the purposes of trade, commerce, buying and selling, it is evidently not to the power of any state to impose any hindrance or embarrassment, or lay any excise, toll, duty, or exaction, upon citizens of other states, to place them, coming there, upon a different footing from her own citizens.

There is one provision, then, in the constitution, by which citizens of one state may trade in another without hindrance or embarrassment. There is another provision of the constitution by which citizens of one state are entitled to sue citizens of any other state in the courts of the United States.

This is a very plain and clear right under the constitution; but it is not more clear than the preceding.

Here, then, are two distinct constitutional provisions conferring power upon citizens of Pennsylvania and every other state, as to which they may do so in Alabama or any other state: citizens of other states may trade in Alabama in whatsoever is lawful to citizens of Alabama; and it, in the course of their dealings, they have claims on citizens of Alabama, they may sue in Alabama in the courts of the United States. This is American, constitutional law, independent of all comity whatever.

By the decisions of this court it has been settled that this right to sue is a right which may be exercised in the name of a corporation. Here is one of their rights then, which may be exercised in Alabama by citizens of another state in the name of a corporation. If citizens of Pennsylvania can exercise in Alabama the right to sue, in the name of a corporation, what hinders them from exercising in this same manner this other constitutional right, *the right to trade*? If it be the established right of persons in Pennsylvania to sue in Alabama in the name of a corporation, why may they not do any other lawful act in the name of a corporation? If no reason to the contrary can be given, then the law in the one case is the law also in the other case.

My learned friend says, indeed, that suing and making a contract are different things. True; but this argument, so far as it has any force, works against his cause. For it is a much more distinct exercise of corporate power to bring a suit than to make an agent or a contract. Why does he not undertake to be true when it says that a corporation of one state may sue in another? Why, that the corporation is there, in court, ready to submit to the court's decree, a party on its record. But in the case of a purchase of the bill of exchange, such as is the subject of this suit, what is assumed? No more than that George Poe bought a bill of exchange and paid the value for it on account of his employers in Philadelphia. So far from its being a more natural right for a corporation to be allowed to sue, it is a more natural right to be allowed to trade in a state in which the corporation does not exist. What is the distinction? Buying a bill of exchange is said to be an act, and therefore the corporation could not do it in Alabama. Is not a suit an act? If not doing? Does it not in truth involve many acts?

The truth is, that this argument against the power of a corporation to do acts beyond the territorial jurisdiction of the authority by which it is created, is refuted by all history as well as by plain reason.

What have all the great corporations in England been doing for centuries back? The English East India company, as far back as the reign of Elizabeth, has been trading all over the eastern world. That company traded in Asia before Great Britain had established any territorial government there,

and in other parts of the world where England never pretended to a territorial authority. The bank of England, established in 1694, has been always trading and dealing in exchanges and bills on London, Amsterdam, and other parts of Europe. Numerous other corporations have been created in England for the purpose of exercising power over markets and things in territories wherein the power of England has never been exerted. The whole commercial world is full of such corporations, exercising similar powers, beyond the territorial jurisdiction within which they have legal existence.

I say, then, that the right, secured to the people of Pennsylvania, to sue in any other state in the name of a corporation, is no more clear than this other right of such a corporation to trade in any other state; nor even so clear; it is a further-fetched legal presumption, or a much greater extent of national courtesy or comity, to suppose a foreign corporation actually in court, in its legal existence, with its legal right of acting in its own name, than it is to allow an ordinary act to be done by its agent, on its own account, to be a valid transaction.

Mr. W. here referred to an opinion of this court directly bearing on this question. It was the case of *the bank of the United States vs. Deveaux*, decided in 1809. The bank here mentioned was the first bank of the United States, which had not, like the first, express authority given in its charter to sue in the courts of the United States. It sued, therefore, as its plaintiffs sued, in its name as a corporation; but with an avowal, as here, that its members were citizens of Pennsylvania, the action being brought against a citizen of Georgia. The only question was, whether the plaintiffs might not exercise their constitutional right to sue in the courts of the United States, although they appeared in the name of their Pennsylvania corporation; and the court decided that they might. "Substantially, and essentially," said chief justice Marshall, "the parties in such a case, where the members of the corporation are aliens, or citizens of a different state from the opposite party, come within the spirit and terms of the jurisdiction conferred by the constitution on the national tribunals." "That corporations composed of citizens are considered by the legislature as citizens, under certain circumstances, is to be strongly inferred from the registering acts. It never could be intended that an American registered vessel, abandoned to an insurance company composed of citizens, should lose her character as an American vessel, and yet this would be the case, if it were declared that the members of the corporation were to sue in their own name, out of view, and merged in the corporation."

The argument here is, that citizens, in the name of their corporation; because, in such a name, the law recognizes them as competent to engage in transactions, hold property, and enjoy rights proper for them as citizens.

If the court agree in this language of its own opinion as far back as the year 1809, it must be admitted that the rights of the people of Pennsylvania, as citizens of the United States, are not merged in the act of incorporation by which they are associated, and under which they are parties to this suit. If it were as a human being that did not argue to the obscure for the more obscure, it was certainly the life and chief justice of the United States. And what was his argument to prove that the citizens of one state may sue in another by a corporation? It is to be true said, that they may sue by a corporate name, because they are recognized by the court by a corporate name; whilst, directly opposing this conclusion, it has been held in this case, in the court below, that, whilst a corporation of one state may rightly sue in another, it cannot do any other act therein.

In this view of the case, (said Mr. W.), I see no occasion to invoke the law of comity or international courtesy to our aid. Here our case stands, independently of that law, on American ground, as an American question.

Now, as to the reason of the case. What possible difference can it make if these citizens of Pennsylvania can trade, buy and sell bills, in Alabama, whether the trading, or buying and selling, be under one agency or another? That Poe, (the agent of the bank of the United States at Mobile), could, under a power of attorney from a citizen of Philadelphia, buy and sell bills of exchange in Alabama, will not be denied. If, without an act of incorporation, several citizens of Philadelphia should form an association to buy and sell bills of exchange, with five directors or managers of its concerns; those five directors may send as many agents as they please into other states to buy bills of exchange. &c. Having thus formed themselves into this associated company, and appointed agents for the

purpose of transacting their business, if they should go one step further, and obtain a charter from Pennsylvania, that their meetings and proceedings may more methodical, and the acts of the association more regular, and the acts of the difference, in the eye of reason, between the acts of the members of such a corporation, and the acts of the same individuals associated for the same purposes without incorporation, and acting by common agents, correspondents, or attorneys? The officers of a bank are but the agents of the proprietors; and their purchases and sales are loaded upon their property, and directed by their will, in the same manner as the acts of agents of unincorporated associations or partnerships. The Girard bank, we all know, was never incorporated until after Mr Girard's death; yet its proprietor, during a considerable part of his life, and until his death, acted as a broker. Could he not, during his life, send an agent into Alabama, and there purchase bills of exchange? And if his neighbors over the way chose to ask for an act of incorporation from the state of Pennsylvania, are they thereby any less entitled to the privileges common to all other citizens, than Stephen Girard was?

I agree, certainly, generally, that a state law cannot operate extraterritorially, as the phrase is. But it is a rule of law that a state authority may create an artificial being, giving it legal existence; and that that being, thus created, may legally sue in other states than that by which it is created. It follows, of course, as a consequence of the right of suit in another state, that may obtain judgment there. If it obtain judgment, it may accept satisfaction of that judgment. If a judgment be obtained in Alabama by the bank of the United States, would not acknowledgment of satisfaction by an agent of the bank be a satisfaction of the decree of the court? How is the fruit of a suit to be gathered, if the bank, by its agent, cannot do this act? What benefit can it do to this bank to be allowed to sue in Alabama, if it cannot take the money and for? But it is said, by the bank, because it cannot recover money in Alabama, because it cannot do an act there. According to this argument, although the power to appeal to law and the power to recover judgment exist, yet the *fructus legis* is all dust and ashes.

On the commercial branch of this question, (Mr. Webster continued), he would say but little. But thus much he would say: the state of Alabama cannot make any commercial regulation for her own emolument or benefit, such as should create any difference between her own citizens and citizens of other states. He did not say that the state of Alabama may not make corporations, and give to them all privileges which she do not give to her citizens. But he did say, that she cannot create a monopoly to the prejudice of citizens of other states, or to the disparagement or prejudice of any common commercial right. Suppose that a power of laying occasion to purchase bills of exchange should be the credit of bills sold by the bank of Alabama; or suppose (what is within the reach of possibility) that the bank of Alabama should fail; may not a citizen buy bills elsewhere? Or is it supposed that the state of Alabama can give such a preference to any institution of her own in the buying and selling of exchange, that no exchange can be bought and sold within her limits but by that institution? It would be, doubts, doing the state great injustice to suppose that she could entertain any such purpose.

In conclusion of the argument upon this point, (said Mr. Webster), I maintain that the plaintiffs in this case had a right to purchase this bill, and to bring judgment upon it. For the same reason that they had a right to bring this suit, they had the right to do the act upon which the suit was brought.

But, if the rights of the plaintiffs, under this constitutional view of the case, be doubted, then what has been called the comity of nations obliges the court to sustain the plaintiffs in this cause.

The term "comity" is taken from the civil law. Vattel has no distinct chapter upon that head. But the doctrine is laid down by other authorities with sufficient distinctness, and in effect by him. It is, in general terms, that there are, between nations at peace with one another, rights, both national and individual, resulting from the comity or courtesy due from one friendly nation to another. Among these is the right to sue in their courts respectively; the right to travel in each other's dominions; the right to pursue one's vocation in trade; to the citizens proper of each country, which belong they are not precluded from doing by some positive law of the state. Among these rights, one of the clearest is the right of the citizen of one nation to take away his property from the territory of any other friendly nation, without molestation or objec-

tion. This is what we call the comity of nations. It is the usage of nations, and has become a positive obligation on all nations. I know (said Mr. Webster) that it is but customary or voluntary law; that it is a law existing by the common understanding and consent of nations, and not established by the government of nations by any common superior. For this reason, every nation, to a certain extent, judges for itself of the extent of the obligation of this law, and puts its own construction upon it. Every other nation, however, has a right to do the same; and it, therefore, any two nations differ irreconcilably in their construction of this law, there is no resort for settling that difference but the *ultima ratio regum*.

The right of a foreigner to sue in the courts of any country may be regulated by particular laws or ordinances of that country. He may be required to give security for the costs of suit in any case, or not to leave the country until the end of the controversy. He may possibly be required to give security that he will not carry his property out of the country till his debts are paid. But it, under pretence of such regulation, any nation should impose unreasonable restrictions or penalties on the citizens of any other nation, the power of judging that matter for itself lies with that other nation. Suppose that the government of the United States, for example, should say that every foreigner should pay in the public treasury ten, twenty, or fifty per cent. of any amount which he might recover by suit in our courts of law. Or would not the practice be such an extension upon the citizens of other nations but a just ground of complaint; and, if not redressed, a ground of war, much more sufficient than most of the causes which put nations at arms against one another? What is, in fact, now the question, which has assumed so prominent an aspect, between the government of France and Mexico? One of the leading causes of difference between the two countries, so far as I understand it, is not that the courts of Mexico are not open to the citizens or subjects of France, but that the courts do not do justice between them and the citizens of Mexico; in other words, that French subjects are not treated in Mexico according to the comity of the law of nations. [Mr. Webster said he did not speak of the merits of this question, into that he did not enter; he spoke only of things alleged between the parties.] The court (said Mr. Webster) into Vattel, and you will find that this very right to carry away property, the proceeds of trade from a foreign friendly country, by exchange, is a well understood and positive part of the law of nations. Suppose that there existed no treaties between the United States and France or England, guaranteeing these rights to each other's citizens; those rights would yet exist by tacit consent and permission. Suppose this government, in the absence of treaties, were to shut its courts against the citizens of either nation, (to do so would be only a violation of the comity of nations,) and should grant them no redress upon complaint being made; it might unquestionably be ground of war against the United States by that nation.

There are in London several incorporated insurance companies. Suppose a ship insured by one of these companies was wrecked in the Chesapeake bay. A big cargo was wrecked in the Chesapeake bay, and the vessel insured by which she was insured, demanding whether the insurers may not come and take this property, and bring an action for it, if necessary, in any court in this country, state or federal? They may recover by an action of tort against the wrong-doer. They may reply their property, if necessary, or sell it; or reft it; or send it back. Unquestionably, if any country were to debar the citizens of another country of the enjoyment of these common rights within its territorial jurisdiction, it would be cause of war. I do not mean that a single act of that sort would be a declaration of war; but it would be an act of should bring on a war; but it would be a violation of our duty under the law of nations, as to justify war. According to the present construction of the contract below, these insurance companies would be deprived of their rightful remedy. You let them sue, indeed; but that is all.

Mr. Webster here referred to a case tried some time ago in the circuit court of the Massachusetts district, in which he was counsel, in which a vessel insured in Boston was wrecked in Nova Scotia, and was abandoned to the insurers. The insurance office sent out an agent, who did that which the owner of the vessel said was an acceptance of the abandonment. On the question whether the agent of the Boston office accepted the abandonment, (said Mr. Webster), the court decided the case. If we had said that we sent him down, it would be, but that his agency ceased when he got to

the boundary line of the state, and he could do no act when he got beyond it, and the court has agreed with us, we might, perhaps, have gained our cause. But it never occurred to me, nor probably to the court, that the agency of our agent terminated the moment that he passed the limits of the state.

The law of country is a part of the law of nations; and it does authorize a corporation of any state to make contract beyond the limits of that state.

How does a state contract? How many of the states of this union have made contracts for loans in England? A state is sovereign, in a certain sense. But, when a state sues, it sues as a corporation. When it enters into contracts with the citizens of foreign nations, it does so in its corporate character. I now say, that it is the adjudged and authorized law of the world, that corporations have the same right to contract and to sue in foreign countries as individuals have. By the law of nations, individuals of other countries are allowed in this country to contract and sue; and we make no distinction, in the case of individuals, between the right to sue and the right to contract. Near can such a distinction be sustained in law in the case of corporations. I have, in history, in the books, many laws of nations to be found (except the disputed case from Virginia) in which a distinction is drawn between the rights of individuals and of corporations to contract and sue in foreign countries in regard to things, generally, free and open to every body? In the whole civilized world, at home and abroad, in England, Holland, and other countries of Europe, the equal rights of corporations and individuals, in this respect, have been indisputed until now, and in this case; and if a distinction is to be set up between them at this day, it is with the counsel on the other side to produce some semblance of authority or show of reason for it.

But it is argued, that though this law of comity exists as between independent nations, it does not exist between the states of this union. That argument appears to have been the foundation of the judgment in the court below.

In respect to the law of comity, it is said, states are nations; they have no national sovereignty; a sort of residuum of sovereignty is all that remains to them. The national sovereignty, it is said, is conferred on this government, and part of the municipal sovereignty. The rest of the municipal sovereignty belongs to the states. Notwithstanding the respect which I entertain for the learned judge who presided in that court, I cannot follow in the train of his argument. I can make no diagram, such as this, of the partition of national character between the state and the general governments. I cannot soap it out, and say so far is national, and so far municipal; and here is the exact line, where the one begins and the other ends. We have with us *Alachua Laplace*, and we never shall have, with his *Alachua nige Poltigue*, able to define and describe the orbit of each sphere in our political system with such exact mathematical precision. There is no such thing as arranging these governments of ours by the laws of gravitation, so that they will be sure to go on forever without impinging. These institutions are practical, admirable, glorious, blessed creations. Still they were, when created, experimental institutions, and if the convention which framed the constitution of the United States had set down in it certain general definitions of powers, such as have been alleged in the argument of this case, and stopped there, I verily believe that, in the course of the fifty years which have since elapsed, this government would have never gone into operation.

Suppose that this constitution had said, in terms, after the language of the court below, *all national sovereignty shall belong to the United States; all municipal sovereignty to the several states*; I will say, that however clear, however distinct, such a definition may appear to those who use it, the employment of it in the constitution could only have led to inter-confusion and uncertainty. I am not prepared to say that the states have no national sovereignty. The laws of some of the states—Maryland and Virginia, for instance—provide punishment for treason. The power thus exercised is certainly not municipal. Virginia has a law of abridge that is a power exercised against a foreign nation. Does not the question necessarily arise, when a power is exercised concerning an alien enemy—enemy to whom? The law of escheat, which exists in many states, is also the exercise of a great sovereign power.

The term "sovereignty" does not occur in the constitution at all. This constitution treats states as states, and the United States as the United States; and by a careful enumeration declares all the powers that are granted to the United States, and all the rest are reserved to the states. If we pursue, to the extreme point, the powers granted, and the powers reserved, the powers of the general and state gov-

vernments will be found, it is to be heard of, impinging, and in conflict. Our hope, is, that the candor and patriotism of the states, and the wisdom of this government, will prevent that catastrophe. For myself, I will pursue the advice of the court in *Deussen's case*; I will avoid nice metaphysical subtleties, and all such needless theories; I will keep my feet out of the traps of general definition; I will keep my feet out of all traps; I will keep to things as they are, and go no further to inquire what they might be, if they were not what they are. The states of this union, as states, are subject to all the voluntary and customary law of nations. [Mr. Webster here referred to, and quoted a passage from Vattel, page 61, which he said, clearly showed that states conformed together as are the states of this union, must be considered as such component parts of the law of nations as any others.]

If, for the decision of any question, the proper rule is to be found in the law of nations, the law adheres to the subjects. It follows the subject through no matter in what place, high or low. You cannot escape the law of nations in a case where it is applicable. The air of every judicature is full of it. It pervades the courts of law of the highest character, and the court of *pic-poudre*, ay, even the constable's court. It is part of the universal law. It may share the glorious eulogy pronounced by Hecker upon law itself, that there is nothing so high as to be beyond the reach of its power, nothing so low as to be beneath its care. If any question be within the influence of the law of nations, the law of nations is there. If the law of comity does not exist between the states of this union, how can it exist between a state and the subjects of any foreign sovereignty?

Upon all the considerations that I have given to the case, the conclusion seems to me inevitable, that if the law of comity does not exist between the states of this union, it cannot exist between the states individually and foreign powers. It is true a state cannot make a treaty; she cannot be a party to a new chapter on the law of nations; but the law which prevails among nations—the customary rule of judicature, recognized by all nations—binds her in all her courts.

I have heard no answer to another argument. If a contract be made in New York, with the expectation that it is to be there executed, and suit is brought upon it in Alabama, it is to be decided by the law of the state in which the contract was made. In a case now before this court, there has been a decision by the court of Alabama, in which that part of New York, and admitted in Alabama. Why take notice in Alabama of the law of New York? Because, properly, there are cases in which the courts in Alabama feel it to be their duty to administer that law, and to enforce rights accordingly. That (said Mr. Webster) is the very point for which we contend, viz: the court in Alabama should have given effect to rights exercised in that state by the plaintiff in the present case, under the authority of Pennsylvania, without prejudice to the state of Alabama.

After all that has been said in argument about corporations, they are but forms of special partnership, in some of which the partners are severally liable. The whole end and aim of most of them, as with us, is to concentrate the means of small capitalists in a form in which they can be used to advantage.

In the eastern states, manufactures too extensive for individual capital are carried on in this way. A large quantity of goods is manufactured and sold to the south, out of cotton bought in the south, to the amount of many millions in every year. Upon the principle of the decision in the court below, the manufacturers of the goods and the growers of the cotton would be equally precluded from recovering their dues. What will our fellow-citizens of the south say to this? If, after we have got their cotton, they cannot get their money for it, they will be in no great love. I think with these new doctrines, about the comity of states and nations,

Again, look at the question as it regards the insurance offices. How are all marine insurances, fire insurances, and life insurances, effected in this country, but by the agency of companies, incorporated by the several states? And the insurances made by these companies beyond the limits of their particular states, are they all void? I suppose that the insurances against fire, effected for companies at Hartford, in Connecticut, alone, by agents all over the northern states, may amount to an aggregate of some millions of dollars. I remember a case occurring in New Hampshire, of a suit against one of those companies for the amount of an insurance, in which a recovery was had against the company; and nothing was said, nor probably thought, of such a contract of insurance being illegal

on the ground that a corporation of Connecticut could not do an act or make a contract in New Hampshire. Are those insurances all to be held void, upon the principle of the decision from Alabama?

And as to notes issued by banks: if one in Alabama hold the notes of a bank incorporated by Pennsylvania, are they void? If one be robbed of such notes, is it no theft? If one counterfeits those notes there, is it no crime? Are all such notes mere nullities, when out of the state where issued?

Reference has been made to the statute books to show cases in which the states have forbidden foreign insurance companies from making insurances within their limits. But no such prohibition has been shown against insurances by citizens of, or companies created in, the different states. Is not this an exact case for the application of the rule *exceptio probat regulam*? The fact of such prohibitory legislation shows that citizens of other states have, and that citizens of foreign powers had, before they were excluded by law, the right to make insurances in, and every one of the states.

Mr. Webster next called the attention of the court to the deposit law passed by congress on the 23d of June, 1836. It was (said he) one of the conditions upon which, under that act, any state bank should become a depository of the public money, that it should enter into obligations "to render to the government all the duties and services heretofore required by law to be performed by the late bank of the United States, and its several branches or offices;" that is, to remit money to any part of the United States, transfer it from one state to another, &c. But that act required, also, something more; and it shows how little versed we in congress were (and I take to myself my full share of blame), in the legal abstractions of the doing of acts in one state by corporations of other states. The first section of that act provides, that "in those states, territories, or districts, in which there are no banks," &c., the secretary of the treasury "may make arrangement with a bank or banks in some other state, territory or district, to establish an agency or agencies in the states, territories, or districts, so destitute of banks, as banks of deposit," &c. Here is an express recognition by congress of the power of a state bank to create an agent for the purpose of dealing as a bank in another state or territory.

It has been said that, as there is no law of comity under the law of nations between the states, it remains for the legislatures of the several states to adopt, in their conduct towards each other, as much of the principle of comity as they please. Here, then, there is to be no negotiation between the states, to determine how far they will observe this law of comity. They are thus required to do precisely what they cannot do. States cannot make treaties nor contracts. A state cannot negotiate. It cannot even hold an Indian talk! And now, I would ask, how it happens, at this time of the day, that this court shall be called upon to make a decision contrary to the spirit of the constitution, and against the whole course of decisions in this country and in Europe, and the undisputed practice under this government for fifty years, overturning the law of comity, and leaving it to the states, each to establish a comity for itself?

Mr. W. here took leave of the question of the power of a corporation created by one of the states to make contracts in another.

I now proceed (said Mr. W.) to consider whether there be any thing in the law or constitution of the state of Alabama which prevents the agent of the bank of the United States in that state from making such a contract as that which is the foundation of this suit.

It is said that the buying of a bill of exchange by such agent is contrary to the policy of the state of Alabama; and this is inferred from the law establishing the bank of Alabama; that bank being authorised to deal in bills of exchange, and the constitution of the state authorising the establishment of no other than one bank in the state.

This (said Mr. W.) is a violent inference.

How does the buying or selling of bills of exchange in Alabama, by another purchaser than the bank of Alabama, infringe her policy? Because, it is said, it diminishes the profits which she derives from the dealings of the bank. Profit is her policy, it is argued; gain her end. Is it against her policy for Mr. Biddle to buy bills, because his bank is incorporated; and not against her policy for Mr. Girard to buy bills, because his is not incorporated? Or, how far does she carry this policy imputed to her? Is no one to be allowed to buy or sell bills of exchange in Alabama but a bank of her own, which may or may not be in credit, and may or may not be solvent? It would be strange indeed, were any state in this union to adopt such a policy as this.

But, if the argument founded on this inferred policy of Alabama amounts to any thing, it proves, not that incorporated citizens of other states cannot buy or sell bills there, but that it is the policy of Alabama to prevent other citizens from buying bills at all in Alabama.

I think (said Mr. W.) that there is no justification for the inference of any such policy on the part of the state of Alabama. By referring to Aikin's Digest of the laws of that state, it will be found that she has carried her policy a little further than merely the establishing of a bank. Her public officers are authorised to receive the notes of banks of other states in payment of dues to her; and she has enacted laws to punish the forgery of notes of other banks. Now, taking her acts together, considering them as a whole, the inference which has been drawn from her establishment of a state bank under her constitution is certainly not sustained.

To consider this argument, however, more closely: it is assumed by it, first, that the state meant, by her legislation, to take to herself all the profits of banking within her territorial limits; and, secondly, that the act of buying and selling a bill of exchange belongs to banking.

The profits of banking are derived more from circulation than from exchange. If the state meant, through her bank policy, to take all the profits of banking, why has she not taken all the profits of circulation? Not only she has done no such thing, but she protects the circulation of the notes of banks of other states.

Mr. W. begged now to ask the particular attention of the court to this question: What is banking? Alabama, in reference to banking, has done nothing but establish a bank, and given it the usual banking powers. And when the learned counsel on the other side speak of banking, what do they mean by it? A bank deals in exchange; and it buys or builds houses also; so do individuals. If there be any thing peculiar in these acts by a bank, it must be not in the nature of the acts individually, but in the aggregate of the whole. What constitutes banking, must be something peculiar. There are various acts of legislation by different states in this country for granting or preventing the exercise of banking privileges. But has any law ever been passed to authorise or to prevent the buying by an individual of a bill of exchange? No one has ever had of such a thing. The laws to restrain banking have all been directed to one end, that is, to restrict the unauthorised circulation of paper money. There are various other functions performed by banks; but, in discharging all these, they only do what unincorporated individuals do.

What is that, then, without which any institution is not a bank, and with which it is a bank? It is a power to issue promissory notes with a view to their circulation as money.

Our ideas of banking have been derived principally from the act constituting the first bank of the United States, and the idea of that bank was borrowed from the bank of England. To ascertain the character and peculiar functions of the bank of England, Mr. W. had referred, and referred the court, to various authorities; to McCulloch's Commercial Dictionary; to Smollett's continuation of Hume's England; to Godfrey's History of the bank of England, in Lord Somers's Tracts, 11th volume, 1st article; to Anderson's History of Commerce, &c.

The project of the bank of England was conceived, Mr. W. said, by Mr. Paterson, a Scotch gentleman, who had travelled much abroad, and had seen somewhere, (he believed in Lombardy), a small bank which issued tickets or promises of payment of money. From this he took the idea of a bank of circulation. That was in 1694. At that time neither inland bills nor promissory notes were negotiable or transferable, so as to enable the holder to bring suit thereon in his own name. There was no negotiable paper except foreign bills of exchange. Mr. Paterson's conception was, that the notes of the bank of England should be negotiable like notes, or transferable from hand to hand, payable at the bank in specie, either on demand, or at very short sight. This conception had complete success, because there was then no other inland paper, either bills or notes, which were negotiable. The whole field was occupied by bank of England notes. In 1698 inland bills were made negotiable by act of parliament; and in the fourth year of queen Anne's reign promissory notes were made negotiable. Of course, after this, every body might issue promissory notes; and where they had credit enough, they might circulate as money. There is not much of novelty in the inventions of mankind. Under this state of things, that took place in England which we have seen so often take place among us, and which we have put to the account of modern contrivance. Large companies were formed, with heavy amounts of capital, for purposes not professedly banking; one, especially, to carry on the mining business on a large scale. These companies issued promissory notes, payable on demand, and these notes readily got into circulation as cash, to the prejudice of the circulation of the bank of England. But parliament being at this time in great want of ready money for the expenditures of the war on the continent, the bank proposed to double its capital, and to lend this new bill of it to government, if government would secure to the bank an exclusive circulation of its notes. The statute of the 6th of Anne, chapter 22, was accordingly passed; which recites that other persons and divers corporations have presumed to borrow money, and to deal as a bank, contrary to former acts; and that upon it is enacted, that "no person, nor more than six persons in partnership, shall borrow, use, or take up any money on their bills and notes, payable at demand, or at less than six months from the borrowing." This provision has been often re-enacted, and constitutes the banking privilege of the bank of England. Competition was not feared from the circulation of individual notes. Hence individuals or partnerships of not more than six persons have been at liberty to issue small notes, payable on demand; in other words, notes for circulation. And we know that in the country such notes have extensively circulated; but private bankers in London in the neighborhood of the bank, though it was lawful, have not found it useful to issue their own notes. So that the banking privilege of the bank of England consisted simply in the privilege of issuing notes for circulation, while that privilege is forbidden, by law, to all other corporations, and all large partnerships and associations.

This privilege was restrained in 1826, so as not to prohibit banking companies, except within the distance of sixty-five miles of London; and, at the same time notes of the bank were made tender in payment of all debts, except by the bank itself. This provision may be considered as a new privilege; but it does not belong to the original and essential idea of banking. Mr. McCulloch remarks, and truly, that all that government has properly to do with the banks is so far as they are banks of issue. Upon the same principle, the banks of other countries of Europe are incorporated, with the privilege to issue and circulate notes, as their distinctive character. Here Mr. W. explained the character of the bank of Belgium, &c. Now, how is it in our own country? When our state legislatures have undertaken to restrain banking, the great end in view has been to prevent the circulation of notes. Mr. W. here referred to the statute books of Massachusetts, Maine, Rhode Island and New Hampshire, for restraining unauthorised companies from issuing notes of circulation. He then turned to the statute of Ohio, imposing a punishment for unauthorised banking. Her law defines, in the first place, what constitutes a bank, viz: the issuing of notes which pass by delivery, and intended for circulation as cash. That (said Mr. W.) is the true definition of a bank, as we understand it, in this country. Mr. W. referred also to the laws of other states, Maryland, New Jersey, Missouri, Pennsylvania, Delaware, North Carolina, South Carolina, Virginia, Georgia, all to the same effect. The law of the state of Alabama herself, said he, is much more important, in this view of the case, than that of any other state. The constitution of the state of Alabama was established in 1819; the law creating the bank of Alabama was passed in 1823. The constitution and this law are all the authorities from which the inference has been drawn of the policy of the state of Alabama. Did she suppose by this law that she was establishing such a monopoly of the purchase of bills of exchange as has been contended for in this case? Certainly not. For, by a law passed afterwards, she restrained the circulation of unauthorised bank notes; that is, notes not issued by some authorised banks. But did she, also, restrain dealings in exchange? She did no such thing. Nor is there any thing, either in the constitution or the law of the state of Alabama, which shows that by banking she ever meant more than the circulation of bills as currency. There is nothing, therefore, in any law, or any policy, of Alabama, against the purchase of bills of exchange by others as well as by the bank of Alabama. She has prohibited, by law, other transactions which are clearly banking transactions; but she has not touched this. If even her banking policy includes as well buying exchange as circulation, and she guards against competition in the one, and leaves the other open, who can say, in the face of such evidence, that it is her policy to guard against what she leaves free and unrestrained?

Is there any thing in the constitution, or any ground in the legislation of Alabama, to sustain the

allegation which has been made of her policy? If not, is the existence of such a policy to be established here by construction, and that construction far-fetched?

Mr. W. here rested his argument on this case, which, he said, had been discussed by others so ably as not to justify his occupying the time of the court by going further into it.

The learned counsel on the other side had, in the course of his argument of yesterday, alluded to the newspapers, which, he said, had treated the decision of the court below scornfully. Mr. Webster said he was sorry to hear it, for the learned judge had acted, in his decision, he had no doubt, under a high sense of duty. I have been told, (said Mr. W.) but I have not seen it, that a press in this city, since this case has been under consideration in this court, has undertaken to speak, in a tone something approaching to that of command, of the decision upon it to be expected from this court. Such conduct is certainly greatly discredit to the character of the country, as well as disrespectful and injurious to the court.

A learned gentleman on the other side said, the other day, that he thought he might regard himself, in this cause, as having the country for his client. He only meant, doubtless, to express a strong opinion that the interest of the country required the case to be decided in his favor. I agree with the learned gentleman, and I go, indeed, far beyond him in my estimate of the importance of this case to the country. He did not take pains to show the extent of the evil which would result from undoing the vast number of contracts which would be effected by the affirmation here of the judgment rendered in the court below, because his object did not require that; his object was to diminish the prospect of mischief, not to enlarge it. For myself, I see neither limit nor end to the calamitous consequences of such a decision. I do not know where it would not reach, what interests it would not disturb, or how any part of the commercial system of the country would be free from its influences, direct or remote. And for what end is all this to be done?

What practical evil calls for so harsh, not to say so rash, a remedy? And why, now, when existing systems and established opinions, when existing law and the public sentiment, have both concurred in what we have been taught, practically, so safe and so useful, why now, and why here, seek to introduce new and portentous doctrines? If I were called upon to say what has struck me as most remarkable and wonderful in this whole case, I would, instead of indulging in expletives, exaggerations, or exclamations, put it down as the most extraordinary circumstance, that now, within a short month of the expiration of the first half century of our existence, under this constitution, such a question should have been made; that now, for the first time, and here, for the last place on earth, such doctrines as have been heard in its support should be brought forward. With all the respect which I really entertain for the court below, and for the arguments which have been delivered here on the same side, I must say that, in my judgment, the decision now under revision by this court is, in its principle, anti-commercial and anti-social, new and unheard of in our system, and calculated to break up the harmony which has so long prevailed among the states and people of this union.

It is not, however, for the learned gentleman, nor for myself, to say, here, that we speak for the country. We advance our sentiments and our arguments, but they are without authority. But it is for you, Mr. Chief Justice and judges, on this, as on other occasions of high importance, to speak, and to decide, for the country. The guardianship of her commercial interests; the preservation of the harmonious intercourse of all her citizens; the fulfilling, in this respect, of the great object of the constitution, are in your hands; and I am not to doubt that the trust will so be performed as to sustain, at once, high national objects, and the character of this tribunal.

TWENTY FIFTH CONGRESS,

THIRD SESSION—SENATE.

March 3. Mr. Pierce moved that his friend, the senator from Georgia, (Mr. Culbert), be permitted to record his vote in the journal on the passage of the bill giving to the president of the U. States additional powers for the defence of the U. States in certain cases against invasion, and for other purposes, as he was absent from extreme indisposition when the vote was taken.

Mr. Benton observed that, if there was any one case in the world on which he would agree to dispense with this important rule, it would be this—in which the senator was compelled, from extreme indisposition, to be absent when the vote was taken on an important question, on which every gentle-

man wished his vote to appear. But he deemed the rule of such vital importance, that it ought not to be departed from in any instance.

The president was under the impression that the rule being imperative, it could not be departed from without the unanimous consent of the senate.

Mr. Pierce would not have made this motion, but for the peculiar circumstances of the case. At an important bill to provide for the defence of the country had been brought in from the other house, and the question on its passage taken late at night, soon after the senator from Georgia had been compelled, from extreme indisposition, after a protracted and exhausting session, to leave the chamber. Under these circumstances, the senator from Georgia wished his vote to appear on the journal in favor of the bill.

Mr. Benton observed that the very decision made by the chair, was given when he first came into the senate, by Mr. Gaillard, the then presiding officer, who was one of the most urbane gentlemen he ever knew. Mr. Gaillard declared that, if the mover was not adhered to, there would be no termination of the business of the senate. If one gentleman was permitted to come in under certain circumstances, another gentleman would claim to come in under other circumstances, and there would be no knowing where it would end.

The president said the motion was already decided on.

Mr. Ruggles asked leave to withdraw the memorial of Thomas Jefferson Smith, which he had presented some days since, for the reason that he had discovered that it contained language derogatory and personally offensive towards W. A. Whitehead, another memorialist on the same subject, whose memorial had been withdrawn for a similar reason by the senator from Michigan. He observed that he certainly should not have presented it, had he been aware of the indecorum in the language of the memorial, to which his attention had since been called.

Mr. Smith, of Indiana, presented several joint resolutions of the legislature of that state, which, on his motion, were ordered to be laid on the table and printed, it being at too late a period of the session to take any further order upon them.

An act for the improvement and survey of certain rivers, and the repairs of certain roads in Florida, was taken up, and Mr. Allen offered as an amendment a proposition for the United States to apply the proceeds of their stock in the Louisville and Portland canal to the purchase of stock held by individuals, with the view to absorb the ownership of the stock; which was supported by Messrs. Allen, Walker, Benton and Crittenden, and opposed by Messrs. Clay, of Alabama, Smith, of Connecticut, and Sevier, and was rejected—ayes 6, noes 23.

The bill was then read a third time and passed. The bill to provide for taking the sixth census or enumeration of the inhabitants of the United States, was read a third time and passed.

An act to authorize the construction of certain improvements in the territory of Wisconsin, and for other purposes, was taken up, and after some remarks from Messrs. Hubbard, Walker, Clay, of Alabama, Norrell, Buchanan and Lyon, it was laid upon the table.

A great number of bills from the house, whose titles have been heretofore given, were read a third time and passed.

A message was received from the house of representatives, stating that they had suspended the joint rule, so as to permit the house to send to the senate the bill making an appropriation for the erection of a fire-proof building for the post office department, and asking their concurrence therein; which was agreed to.

The bill was then taken up, carried through its several stages as in committee of the whole, and by unanimous consent, read a third time and passed.

Mr. Clay, of Alabama, moved to reconsider the vote on the passage of the bill to incorporate the Washington Male Orphan Asylum and Manual Labor School in the city of Washington. This bill, he said, had passed in the course of the evening without exciting much attention in the senate, and he himself assented to its passage, without being acquainted with its details. The truth was, he looked towards the seat of the senator from Ohio, who he understood intended to oppose this bill, and not seeing him there, he supposed that his objections were removed. Since the passage of the bill, however, he had examined some of its details, and he was convinced that had they been understood, it could not have passed the senate. It allowed this corporation to take charge of any unprotected orphan found in this city, and work him till twenty-one years of age, or bind him out to any other person. The bill also took the control of these orphans from the chancery court, and left them there with

out any remedy, wholly at the disposal of this corporation, whether well treated or not—a thing unheard of in the legislation of any civilized country. He said not so too harsh a term when he said, that he had authorized the corporation to catch every unprotected orphan in the District, and hold them in servitude. The bill was degrading to this unfortunate class of persons, and was opposed to principles that had been deemed sacred for ages. By the laws of the country from which we have derived our jurisprudence, the care of these orphans is confided to one of their highest judicial tribunals; but this bill takes the orphan from the courts, and turns him over, without appeal, to an irresponsible corporation.

Mr. Allen thanked his friend from Alabama for calling the attention of the senate to this subject. The principle of the bill was simply this: it was to incorporate a few citizens of this district to take charge of all the unfortunate orphan children found within its limits, and to work them till of age. The bill did not impose on the corporation the obligation of teaching these children trades, or, in fact, of teaching them any thing at all. The whole of the unfortunate orphan children of this District who have no one to protect them, are to be turned over to this corporation, to be worked as slaves till they are twenty-one years of age. And this was not all. This corporation was to have the power of transferring the services of these children to any one they pleased; and no court whatever would have the power of releasing them from servitude. He would undertake to say, that if the whole history of the civilized world was searched into, a parallel to this bill could not be found. It was odious for its injustice, odious for its cruel and odious for its rapacity; and the whole of this odious principle was covered up in a mass of words. It was very imposing, too, in its title, being called, or rather miscalled, an orphan asylum. If there was any thing true on earth, it was that governments should be the protectors of the poor, the fatherless, and the needy; and here you propose to turn over the most unfortunate of these to a heartless corporation, to be worked as slaves. Mr. A. contended that though congress, as the local legislature of the District, had the guardianship of these orphans, it had no right to transfer them to a corporation. Nothing could be said to justify this bill.

Mr. Wall made a few remarks in defence of the bill, contending that it was not liable to the objections of the senators from Ohio and Alabama, and went into a history of the rise and progress of the institution, which, he said, was founded in motives of benevolence.

After some remarks from Mr. Clay, of Alabama—the question was taken on the reconsideration, and carried; and the bill was then laid on the table.

A message was received from the house of representatives, stating that they had not concurred in the amendments of the senate to the bill making appropriation for the civil and diplomatic expenses of the government for the year 1839; the amendments were, first, to strike out the provision that the printing of the executive departments should be done by contract; and the second was, striking out the provision for distributing copies of the Documentary History of the United States to the members of the senate and house of representatives.

Mr. Wright moved that the senate insist, and that a conference with the house be asked; which was agreed to.

Numerous bills from the house were acted on; after which the senate took a recess until 6 o'clock.

Evening session. Mr. Wright, on the committee of conference, appointed to consider the disagreement of the two houses on the amendments of the senate to the general appropriation bill, reported that the managers appointed to conduct the conference on the part of the senate, and the managers on the part of the house, had agreed to recommend to their respective houses to adopt the following course: that the senate should recede from so much of its amendment as provides for the manner of executing the printing for the executive departments, with an amendment providing that the printing shall be done in the city of Washington; and that the senate insist on so much of their amendment as relates to the distribution of the Clarke and Force papers to members of the senate, leaving it in the power of the house to make the distribution to its own members, while any such distribution to members of the senate is prohibited.

Mr. Benton said he never would agree to this report, and he demanded the yeas and noes on concurring in it. This system of distributing books had grown up to an enormous abuse, indeed the most enormous abuse in our government. He would oppose it to the last; and if the appropriation bill was lost in consequence, and the government stopped, why let the responsibility rest on

those who would incur the risk for the sake of securing to themselves three or four hundred dollars' worth of books.

Mr. Wright asked that the questions on concurring with the recommendations of the committee of conference be taken separately, which was accordingly ordered.

Mr. Tallmadge inquired whether the bill would be lost, in case either of the two houses would agree to *recede* from the ground taken by them.

The president answered that that question was not before the committee; but it was obvious that if one house should insist on its amendments, and the other should insist on its disagreement, and no compromise could be effected, the bill would be lost.

Mr. Tallmadge observed that if the house of representatives saw fit to vote for a distribution of books to its members, he would be willing to let them take the responsibility, and settle the matter with their constituents. He would, therefore, vote for concurring with the recommendations of the committee of conference.

Mr. Norvell said that if any principle was involved, it applied as well to the distribution to the members of the house as of the senate. He should, therefore, vote against concurring in the report.

Mr. Walker rose for concurring with the committee. If that was not done, the result would be that the whole bill making appropriations for the civil and diplomatic expenses of the government would be lost. The government, throughout all its departments, legislative, executive, and judicial, would be brought to a close; and that, too, at a period of all others the most unfortunate. Other senators might think it would be less dangerous to lose this bill than to suffer members of the house to vote themselves a few books. He hoped the senator from Michigan would reconsider his determination, and let the report of the committee be concurred in.

Mr. Benton said that the consequence of the senate adhering to the resolution it had taken on the subject of the distribution of these books, might be the loss of the bill now pending; and as that bill contains the appropriations necessary for keeping the government in action, gentlemen were a great deal alarmed at the danger of the government's stopping short. They would like to see the result of the vote? It will rest on those who have personal interests in these books; and those members, therefore, who are to receive these books, ought not to be permitted to vote on this question, in which they are personally interested.

The president here said that the discussion was not in order, that, by the joint rules, when a committee of conference was asked for by one house, and assented to by the other, the report of the conference, together with all the papers, should first be presented to the house that assented to the conference. Under this rule, therefore, the report and papers were sent by the secretary to the house of representatives.

A message was received from the house of representatives, stating that the house had concurred in the report of the committee of conference on the amendments to the general appropriation bill, and resolved that the bill do pass accordingly.

The question was then taken on concurring in that part of the recommendation of the committee of conference as relates to the printing of the executive departments, and carried.

The question then recurring on concurring in that part of the report which relates to the distribution of the Clarke and Force documents—

Mr. Benton warmly opposed concurring in the agreement. He objected to it because it made a distinction between the two houses—allowing a distribution of books to the members of the house, while it refused a distribution of the books to the senate. He objected to it because a distribution of books to either house was wrong in principle. Several gentlemen seemed to fear that if the senate insisted on its amendment, the appropriation bill would be lost, and the wheels of government stop; but could they suppose there was any member of either house who would be willing to break up this government for the sake of retaining his share of these books, which was not worth more than three hundred and thirty dollars at the price they cost the government, and which it sold to Mr. Templeman, or any other bookseller, would not bring the full or quarter of that sum. Now he was determined, as far as it depended on him, to put it to the test, whether any member of congress would be willing to put an end to this government for the sake of retaining his three hundred and thirty dollars' worth of these books.

Mr. B. here enlarged on the growing evil of this system of distributing books to members of congress; and in illustration, alluded to the manner in which another proposition to distribute books had

been run through the senate last night. A resolution was offered by a senator from Massachusetts, (Mr. Webster), to distribute among the members two volumes relating to the land laws. He had given full notice of his opposition to this resolution, and his intention to oppose it when it came up for consideration. Yet, in the course of a fatiguing session of eight or nine hours, he had been absent from his seat but a few moments, and in those few moments this distribution was galloped through. It was presented to the senate while he (Mr. B.) was in his seat; objected to by him; then withdrawn; taken up in his absence, and hastily run through. This being a wrong concern was one of the most crying abuses in our system. There was no end to it—it ran round in a continued circle. In the first place, a sufficient number of books are ordered to supply the members of a congress. At the ensuing session, the new members are to be supplied; and this is easily done, and in the following manner: some of the members who had already received copies, may sell them to Mr. Templeman, and he sells them at a small advance to the publishers, and they are furnished to the new members at government prices as new books, who, in their turn, sell them to Mr. Templeman, and the process goes on *ad infinitum*, so that the original fifteen hundred copies may supply fifteen thousand members, the government, at every re-election of the senate, paying the full price. He hoped the senate would insist on its amendment, and let the people of the country see what members of congress were willing to break up the government to hold on to the books they had voted to buy.

Mr. Clay, of Alabama, said he had never voted for a purchase or distribution of books in his life. He was opposed to the whole matter, and thought it a most serious abuse. He would not, however, incur the hazard of such a serious embarrassment as would result to the government from the loss of the appropriation bill. He would, therefore, vote for agreeing to the report of the committee of conference, and let the members of the house take the responsibility of voting books for themselves.

The question was then taken on agreeing with the report of the committee of conference, and decided in the affirmative—yeas 24, nays 7, as follows:

YEAS—Messrs. Buchanan, Calhoun, Clay, of Alabama, Campbell, Foster, Fulton, Hubbard, King, Lewis, Merrick, Nicholas, Nor ell, Pierce, Ranne, Sevier, Smith, T. Johnson, Sanborn, Swift, Tallmadge, Walker, Webster, Williams, of Maine, Williams, of Mississippi, and Wright—24.

NAYS—Messrs. Allen, Benton, White Niles, Robinson, Smith, of Connecticut, and White—7.

The honorable William R. King having temporarily retired from the chair.

Mr. Tallmadge submitted the following resolution:

Resolved, That the thanks of the senate be presented to the honorable William R. King, for his able, impartial, and dignified conduct as presiding officer of this body.

Mr. Davis heartily concurred in the resolution, and hoped that it would meet with the unanimous concurrence of the senate.

Mr. Southard hoped the word "unanimous" would be inserted in the resolution.

Several members were heard at the same time expressing the same wish.

Mr. Tallmadge modified his resolution by inserting the word unanimous, and the resolution was then unanimously adopted.

Mr. Tallmadge moved that a joint resolution for the distribution, in part, of the Madison papers, be taken up; which was agreed to, and the resolution was passed.

Mr. T. moved that the 16th and 17th joint rules be suspended, so as to permit this resolution to be sent to the house for concurrence; which was also agreed to.

On motion of Mr. Wright,

Ordered, That the secretary inform the house of representatives that, having completed the legislative business before them, the senate was ready to adjourn.

A message was received from the house of representatives by Mr. Garland, their clerk, stating that they had passed a joint resolution for the appointment of a joint committee, to wait on the president of the United States and inform him that the two houses of congress had completed the business before them, and were ready to adjourn, if he had no further communications to make.

On motion by Mr. Hubbard, the resolution was approved in, and Mr. Hubbard and Mr. Fulton were appointed on the part of the senate.

A message was received from the house of representatives, stating that they had passed the joint resolution of the senate for the distribution, in part, of the Madison papers.

Mr. Benton, asked what resolution? He had been in his seat, with the exception of a few minutes, the whole day and the whole night, and he had not the least recollection of any resolution of the kind having passed, and this was the first intimation he had that any such resolution was before the senate.

Mr. Allen also said that he had no knowledge of any such resolution having passed, and he believed he was in the chamber at the time of its passage.

Mr. Williams, of Mississippi, stated that he was in the chair when the consideration of the resolution was called for by the senator from New York, (Mr. Tallmadge). The resolution was taken up, considered and adopted, with all the forms that are used on the passage of a resolution. He wished to know if the senator from Missouri intended to impute any incorrectness of conduct to the chair in the proceedings on the resolution.

Mr. Benton. Not at all—not at all. He was out of his seat at the time, and knew nothing of what was done, or how it was done; he only knew it was quickly done. He was out of his seat but a few minutes; was invited out of it into a near room; was, in fact, invited out several times before he went; and was out but a few minutes. He knew nothing of what was done until since he came back.

He certainly imputed no blame to the senator from Mississippi, neither thought it, or imputed it.

Mr. Trich said he had looked at the resolution, and found that it contained the certificate of the secretary, that it had passed. Without making any complaint as to the irregularity with which that resolution passed, he would only say, that if their secretary, or the secretary of any other body, distributed books under a resolution thus passed, he would so far as he (Mr. W.) was concerned, do it upon his responsibility.

Mr. Tallmadge said, that as to the responsibility attending this resolution, he avowed himself willing to meet it there or before the country. He had called on the resolution, and it had been acted on at his instance. He acknowledged that advantage had been taken of time and circumstances, but the same advantage had been taken of him and others in various instances. He did not pretend to be much of a Jackson man, but he was perfectly willing, as regarded his participation in this matter, to meet the responsibility.

Mr. Hubbard, from the joint committee appointed to wait on the president of the United States and inform him that the two houses of congress having finished the business before them, were ready to adjourn, provided he had no further communications to make, reported that they had performed the duty assigned them, and had received for answer that the president had no further communications to make to congress, and requested them to wish to each member of the senate a safe return to his family and his home.

Mr. Trich moved that the senate now adjourn. Mr. Hubbard hoped that the senate would not adjourn until they had consummated the business before them; that they would disregard this message, which had been sprung upon them—and spring upon them in an irregular manner, during the discussion of a pending question—and complete the business before them.

The question on adjournment was taken and decided in the negative.

Mr. Benton said this resolution could not pass. It was in the power of any one member to stop it, and he should use every effort to do so. It was then after midnight—it was two o'clock—there is not a quorum of the senate present; messages of adjournment have passed between the two houses and with the president, and no act, save the adjournment, can be done except by unanimous consent, which hides and covers up irregularities. The resolution had better be dropped; it cannot be passed until the senate is present. Mr. B. said it was now after two o'clock, and half past two o'clock, and he moved that the senate do now adjourn, and that the hour be entered on the journal. It was now half past two o'clock on the 4th day of March, and the constitutional existence of the senate was at an end. This was the fact, and he wanted it on the journal.

Mr. Tallmadge inquired if the motion to enter the hour on the journal was in order.

The president stated that by the rules, any member who moved an adjournment had the right to have the hour at which such motion was made entered on the journal.

The entry was accordingly made on the journal. The president said that before taking the question on adjournment, he would ask the indulgence of the senate, for a few remarks. He regretted exceedingly that he had left his situation in the chair for a moment, as it had led most probably to unpleasant feelings. He had hoped that at this hour, when they were about to separate, no-

thing would have occurred to mar the harmony of the body, or interrupt the feelings of personal kindness so appropriate to the occasion. He had endeavored, while presiding over their deliberations, to which he had been called by the kindness of the senate, to discharge his duties to the extent of his ability—faithfully he believed, honestly he knew he had; and he regretted, deeply he regretted, that any thing should have occurred during his temporary absence from the chair, to induce unpleasant feelings, and prevent a harmonious adjournment.

Mr. Benton said that every word spoken by the president [Mr. King], went into his heart, and found a resting place there. Like him, he wished a harmonious adjournment; like him, he wished all to separate with feelings of personal kindness; and that for very purpose he had moved the adjournment. It was the quiet and easy way to get rid of an unpleasant subject; to avoid a struggle which will lead to no results; for the resolution could not become a law. He wished to drop it as it was; and then there would be nothing to mar the kind feelings which prevailed, and which all would wish, with the president, to see preserved.

The question was then taken on the adjournment, and decided in the negative—ayes 6, noes 12, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Hubbard, King and Williams, of Mississippi—5.
 NAYS—Messrs. Foster, Fulton, Lyon, Merrick, Nicholas, Norvell, Roane, Southard, Tallmadge, Walker, Wall and Wine—12.

Mr. Benton said it was now entered on the journal that it was half past 2 o'clock in the morning, and no quorum, only eighteen members present; and he now made a motion, which was addressed to the president himself. In doing so, he would cite the example of Mr. Mason, whom they all knew, and to whom no man was more scrupulous. Mr. Mason held that at 12 o'clock at night, on the 31 of March of the short session, his powers as a senator ceased, and if the senate was not willing to adjourn at that time, he went away. Now, Mr. President, (said Mr. B.) I believe that at this hour half past 2 o'clock in the morning of the 4th of March, you have no authority here, and I have no right to address you. I therefore mean to make the question with you, whether, at this hour, you have power to act. The chair has given notice that he is going to sign the resolution, and I object to it. It is the 4th of March, and no quorum.

The president said it was a very common thing at the close of the congress to sit and do business after midnight on the 31 of March.

Mr. Benton said he knew it was, but in such cases the fact was kept out of the journals; all appeared there to have been done on the 31 of March. The journal went on headed the 31, and the approval of the president bears date the 31. But now this is not the case. The time is marked on the journal; it is marked the morning of the 4th, and the whole proceeding will be invalid on its face.

The president was of opinion that he could not sign the resolution when a quorum of the senate was not present, and so stated to the senate.

Mr. Benton said, as there was no quorum present, he hoped the senate would adjourn.

Several members said they hoped not; that a quorum would be soon present, and said that the chair could dispatch the sergeant-at-arms after the absences.

Mr. Benton said he had no right to send the sergeant-at-arms after members; that all power over senators was at an end.

The question was then taken on adjournment, and decided in the negative.

Mr. Merrick then made a few remarks in relation to the passage of the resolution. He said he was interested in the senate, but knew not of the passage of this resolution. In fact, he did not know that the resolution had been presented for the consideration of the senate, until he was informed that it had passed. He was in favor of the object of the resolution, and would have voted for it if he had been aware of its having been before the senate.

Mr. Walker said, in regard to the resolution, he had understood such a one was to be offered, and not having been offered, he had concluded that it had been abandoned. The first actual knowledge he had of the resolution being before the senate, was hearing its title pronounced by the voice of his colleagues, (Mr. Williams). I did not know what it meant. He read the resolution. I heard him distinctly put the question; and the various questions that are usually put on the passage of a resolution, were put as fully, and as clearly as they generally are, and the question was carried as fairly, and the senate was, as full, as it was when a majority of the acts passed by that body were carried.

Mr. Roane said that he knew no more of the passage of that resolution than the child unborn. He

must have been in the chamber at the time, but he had never heard it called up, nor any question taken on it. With respect, however, to these Madison papers, he looked on them in a very different light from the trash that was so often published by congress. He had received this very evening, from a distinguished gentleman in Virginia, a letter asking information about them. It was a letter abounding with good sense, and ploring a proper estimation on these papers. With this letter in his hand, he went round to the seat of his friend from Missouri, and endeavored to soften his rigid resolution with regard to the distribution of books, so as to make the Madison papers an exception. He endeavored to put these papers in contrast with the trash that was put abroad under the sanction of congress, which may, perhaps, form the materials for a spurious history of the country. He represented that these Madison papers had already been published, and that there would be an abridgement, after paying for them, to put them away in the garret, with the trash that has lumbered there among the cobwebs of time. The senator from Missouri stated the terms on which he would agree to the distribution of this particular work, and that was to make a general distribution throughout the union and into every state; and he desired me to go to the secretary's table, and get the clerk to make out a list of the general distribution of documents, and then he would support it. Mr. R. then descended at length on the great value of the Madison papers; the importance that the information contained in them should be disseminated as widely as possible, and the absurdity of locking them up from the public view, after having paid for printing them. He did not consider the works of James Madison of the same nature with those publications with which it had been the custom of the two houses to supply their members—a custom more honored in the breach than in the observance—and he hoped that the resolution of the senator from Missouri, with regard to distributing books, would not, like the rigid laws of the Medes and Persians, be applied to them.

Mr. Benton said the reference of the senator from Virginia (Mr. Roane) to him was correct; he had refused to agree to a distribution of the Madison papers to the members of congress, but was willing to a general distribution, according to the general distribution of documents, and desired the senator from Virginia to get that list from one of the clerks, and either omit the members of congress, or a quorum to pay the cost. This general distribution would carry the work into every state—its senate and house of representatives—its executive offices—its colleges and universities—to all the literary offices of the general government—to the library of congress—to the offices of the secretary of the senate and clerk of the house of representatives, and many others. It would distribute eleven or twelve hundred copies, and place them in every part of the union, and in the best hands for preservation and for use. Gentlemen were debating as if the only alternatives were between an exclusive and gratuitous distribution of these papers to members of congress, or a consignment of them to the worms in the garret, and an everlasting loss of them to mankind. This was rather wild. The distribution which he proposed would have saved them from the worms, would have given them to the whole union, and to all mankind; it would have curtailed nobody but members of congress.

The president said that on further consideration, and consulting the clerk, he was of opinion that it did not require a quorum to be present at the time the signing of the resolution. It was not proper to be done by the chair to authenticate the act. Holding this opinion, he would now proceed to sign the joint resolution.

Mr. Benton said the signing could only be done in the presence of the senate, and there was no senate when there was no quorum. Every signing was a public act. The presiding officer gave an audible notice of it; the senate ceased to act; no senator could speak; nothing could be done while the president was signing. Mr. B. was ready of opinion that acts could only be signed when the senate was formed and a quorum present.

The chair then signed the resolution.

Mr. Allen said that the resolution could not now go to the president for his signature. There is no committee of the house of representatives which is necessary to form the joint committee, to call the members on the part of the senate to carry it out. The house of representatives had adjourned and dispersed, and the two members who composed part of the joint committee to take bills to the president, had ceased to exist as members of congress; the body to which they belonged had ceased to exist.

The resolution could not be carried; there is no authority existing which could carry it.

Mr. Foster said that he would carry it. He was a member on the part of the senate of the joint committee, and he had once carried a bill to the president alone, but he had ascertained that he had made a mistake.

[Mr. Foster and Mr. Merrick, the committee on the part of the senate, then left the chamber with the joint resolution.]

Mr. Benton said the impediments were not yet surmounted, there was a little difficulty to be encountered, when the committee got back. He had the rules in his hand, and would read them at the proper time. It is now 4 o'clock on the morning of Monday the 4th of March; the house of representatives adjourned and gone, and no quorum here. There are obstacles ahead.

Mr. White said he would state what he knew respecting the passage of this resolution. He had just come into the senate chamber, when he heard the senator occupying the chair [Mr. Williams] ask if a resolution should be taken up. He gave a very particular designation it escaped my ear. The presiding officer put the question, and it was passed, several voices voting in the affirmative. Not knowing what it was, what it contained, I asked for the reading of it, and it was handed to me. As there was no discussion on the subject, no division asked, and none taken, and consequently deeming the question an unimportant one, he voted neither ay nor no. He himself was opposed to the principle of distributing books among the members of congress; but none of those whose head he was accustomed to follow on this subject, opposing this resolution, and on looking around and observing that the senator from Missouri [Mr. Benton] was not in his seat, he thought it was an unimportant matter, and did not expect to hear any thing more about it.

[The committee who waited on the president for his signature to the joint resolution, having arrived in the senate chamber.]

Mr. Benton rose to a point of order—to have things done in order. One of the most salutary acts of the two houses is that of sending bills to the president to be signed; it has to be done in a prescribed form, and reported and recorded in a prescribed form. Upon this depends all the questions connected with the two days' constitutional right of the president to retain a bill—his culpability if he does not return it—the prevention of the return by the adjournment of congress—the efficacy of the bill as a law if not returned in time, unless prevented by an adjournment. All this makes the presentation of the bill to the president one of the most formal and serious acts of legislation; and therefore the rules had carefully provided to make the presentation a matter of record in each house of congress—a record, the verity of which could not be impeached, and which would require no extrinsic evidence to support it. A standing committee was to carry it; that committee was to be joint; it was to be composed of two members from each house; and these two members of each house were to make report to their houses, respectively, that the bill has been presented, carefully stating the day on which it was presented; and then this report was to be entered on the journals of each house.

[Mr. B. here read the rules, to show that he stated them correctly.]

He said these rules could not have been complied with in this case. The joint standing committee was dissolved by the dissolution of the house of representatives. The hall committee of the senate was a novelty without the other hall from the house of representatives. No record could be made in the house of representatives, which had been adjourned for two hours, and no such record can be made here, as the rules imperatively require. I call the attention of the secretary of the senate to the rules in the entry which he is to make. The senators will report what they have done; and that is, they went without the committee of the house to the president, and went on the 4th of March; and there ends the work for which we have been kept here so many hours. It drops now, as I proposed it should drop three hours ago.

Mr. Merrick reported that within the last hour the committee had placed in the hands of the president a joint resolution for the distribution, in part, of the Madison papers.

Mr. Tallmadge moved that the senate adjourn sine die.

Benton asked if a majority of the senate could adjourn sine die. He thought they could only adjourn from day to day, until a quorum was present.

The president decided that the senate could adjourn sine die, and

The senate adjourned, sine die, at 20 minutes past 4 o'clock, A. M.

CHRONICLE.

A new continent. Capt. Pendleton, of the whole ship Caledonia, recently arrived at S oinington, reports having met at Talcahuana with commodore D'Urville's exploring expedition. The new continent the commodore spoke of discovering in S. lat. 60, capt. Pendleton has no doubts Palmer's Land discovered by the Americans in 1820-21. Commodore D'Urville told him—

The briny pyramidal shower from the blows of the Leviathans of the deep were continually in view during the day light, in every direction, and were constantly so near, a d around the corvettes, that ever and anon could be heard the sounding roar of those giants of the ocean breaking through the air in their spoutings to obtain their respirations.

The crews of the French squadron, from the bad construction of the vessels, suffered greatly from scurvy.

Lead ore. The York Republican of Thursday says; "We were shown a few days ago by a gentleman, an apparently very rich specimen of lead ore, which he informed us was discovered in the quarry of Mr. Adam Babn, in Hellam township, about midway on the turnpike road between York and Wrightville. The same quarry has produced very numerous specimens of lead ore, and the following is the result. We are not informed of the extent of the vein of lead ore, which had just been discovered, and was not traced far when the specimen was taken out which was exhibited to us."

Presidents of the United States. The Savannah Georgian of Friday, the 15th instants, says: "Ex-president Jackson to-day completes his 72d year, having been born on the 15th of March, 1767. General Washington died in his 63th year; Mr. Adams, the elder, in his 91st; Mr. Jefferson in his 84th; Mr. Madison in his 86th; and Mr. Monroe in his 73d year. Ex-president J. Q. Adams is now in his 74th or 75th year; Mr. Van Buren is 57 or thereabouts.

London gin shops. The rev. Dr. Weight, curate of St. George the Martyr, in his address on the opening of the national schools in that parish, stated that a calculation had been made of the number of persons that frequented fourteen gin shops in that parish in a week, and the following is the result: 14,243 men, 15,550 women, and 18,339 children, making a total of 299,137, or 7,419 per diem in each.

Havre general hospital. "An act of impartiality," says the London Atlas, "which deserves to be recorded, has lately been shown by the authorities of Havre, who, desirous of extending the usefulness of the general hospital of the town, and anxious to promote the comfort of the foreign inmates, chiefly composed of British and American seamen, have appointed Mr. Parrall, an English practitioner, resident in the place, to be one of the medical officers of the institution and head of the foreign ward. This is, probably, the only appointment of the kind on the continent."

Tobacco inspection. Inspected in the city and county of New York, in the year 1835, with the average price per pound, and the probable value thereof, as near as could be ascertained:

7,920 hds., mostly Kentucky, weighing net 7,504,000, at \$10,	\$750,400 00
Amount of the gross receipts of the office in 1833,	13,738 25
Expenses, comprising clerks hire, warehouse rent, coopers, laborers, nails, and other materials,	16,719 50
Net receipts	\$2,078 75

In the city of Philadelphia, from the 12th March, 1833, to 31st December, 1833, the quantity of tobacco inspected was 3,470 hds.

In Baltimore, during the year 1833, the quantity of tobacco inspected was 23,626 hds.

Another steambot burned. A slip from the New Orleans Bulletin brings us an account of the burning of the steambot *Galenia*, captain Delahoussaye, on the 7th inst., while navigating the bayou Teche, about 14 miles from the mouth of the bayou. The passengers were all in bed when the alarm was given, and scarcely had time to escape with their lives. The origin of the fire is unknown. It broke out in the hold nearly under the ladies' cabin—and the principal part of the cargo being of a combustible nature, in a few moments the boat was completely enveloped in flames. The officers and crew used every exertion to save the lives and property of the passengers. From the Planter's Banner we take the following account of the cargo and passengers.

A quantity of provisions was thrown overboard and will be recovered. She had 40,000 sugar and 100,000 molasses on board, 20,000 of which was in casks. The boat was insured to the amount of \$5,000. Capt. Delahoussaye will lose about \$7,000. J. P. Miller has lost \$2,000 in merchandise; Messrs. Davidson, of Cincinnati, \$2,000 in merchandise; Messrs. Hartman and Peot, of this place, have also lost merchandise to the amount of about \$1,000. Mrs. Morse, of St. Martinsville, lost \$25 and her baggage—not 3,000 as reported by the Bulletin.

The *Galenia* was declared beyond her usual time, in consequence of having got aground in lake Chicot. Annexed are the names of as many passengers as we could procure.

Mrs. Delahoussaye, Mrs. Pelier Delahoussaye, Mr. and Mrs. Davidson and children, Mrs. Mace, P. D. Richardson, E. P. Dwight, W. Moore, Dr. Sullivan and N. L. McCasle.

Fast travelling. It is stated in the Wilmington (N. C.) Journal that the mail is now carried from New York to Charleston, (by way of the Wilmington and Raleigh rail road) in eighty-four hours.

Pennsylvania appointments. The Harrisburg Keystone states, that the 2d of April has been fixed by the supreme court for the argument in Philadelphia of the quo warranto writ against Judge Darlington, of Chester county. This question involves the principle of judicial rotation under the amended constitution, and is of great importance, both to judge Darlington and all future judges of the courts of common pleas. The counsel for the commonwealth are the attorney general and colonel J. M. Porter, and for the respondent Mr. Sergeant and Mr. Meredith.

For Liberia. The executive committee of the colonization society at Washington, announces that the ship *Saluda* is expected to arrive at Philadelphia, about the middle of June, and that she will return to Liberia, and will be ready to take emigrants or goods, from Philadelphia about the 25th of July, and from Norfolk, where the ship will touch for the purpose, about the 1st of August. The *Saluda* is fitted out as a packet, is a fast sailer, and has the best accommodations for passengers. This affords a favorable opportunity for emigrants.

The temporary state loan of seventy-five thousand dollars has been taken by the Harrisburg bank.

Consul. The president of the United States has also appointed Manuel Alvarez consul for the city of Santa Fe, in Mexico.

Maryland. At a meeting of the whig members of the legislature of Maryland, held on Tuesday evening, the 19th inst. at Annapolis, Revery John, esq., of Baltimore, and John N. Steele, of Dorchester county, were appointed senatorial delegates from that state to the whig national convention.

New Hampshire. Among the devices at the recent election was a hand bill, issued at the Newport office. It was a wood engraving of a coffin, about a foot long, with a death's head and bones at the top, and upon which was the following inscription, in starting characters:

IN MEMORY OF

JONATHAN CILLEY,

The Independent Democratic Representative in Congress, from the State of Maine,

who was deliberately murdered in open day,

BY HENRY A. WISE,

(Whig leader in Congress, from Virginia.)

FEBRUARY 23d, 1838.

Democrats of New Hampshire! The blood of the murdered Cilley cries to you from the ground for vengeance! Remember that the whig party are all implicated in this most atrocious MURDER; for they openly approve of it! Note, then, the Democratic tincter, and prostrate the whig party as they have the LAMENTED CILLEY.

Judge Wilkinson and Mr. Mardach have been acquitted at Harrodsburg, Ky. They were principals in the murderous affray that occurred at the Galt House, in Louisville, last winter, which resulted in the death of one or more persons. The jury were out but three or four minutes; eleven of the jurors were for rendering a verdict of "not guilty" without leaving the box, but the twelfth objected to that course. Col. Robertson, Mr. Hardin, judge Rowan, and the hon. S. S. Prentiss, of Miss., were the counsel for the accused.

The baths of Philadelphia. Owing to the copious supply of water from Farmont, it is the good fortune of Philadelphia enjoy the luxury of bathing, in a way superior to most cities of Europe or America, as the following table will show. It is taken from the last year's report of the watering committee:

The city proper has 1,673 private baths,	paying	\$5,061 00
Doing public, one of which pays		300 00
The other 9 pay		360 00
Northern Liberties, 195 private baths,		877 50
Spring Garden, 217 " "		976 50
Southwark, 45 " "		202 50
Mayensheng, 22 " "		103 50
Kensington, 1 " "		6 00
	2,164	\$7,587 00

Two thousand one hundred and sixty-four baths, supplied with an *undiminished* quantity of water, for seven thousand eight hundred and eighty-seven dollars!

Not. Gazette.

Appropriations by congress. As soon as we can find room for it, we will publish the list of appropriations made at the last session of congress. The following summary will suffice for the present.

Civil and diplomatic	\$9,010,031 57
Army, fortifications, and military academy	16,556,233 65
Navy	5,130,731 64
Revolutionary and other pensioners	2,199,020 15
Current expenses of the Indian department	1,745,007 25
Preventing and suppressing Indian hostilities	1,856,774 00
To promote the progress of the useful arts	9,259 92
Private claims	45,065 27
	\$36,862,242 78

Louisiana. Governor Roman has vetoed several internal improvement bills passed by the Louisiana legislature. They were acts, loaning the credit of the state in the form of bonds, to the amount of \$4,500,000, in favor of incorporated companies, to expedite the construction of the Sabine and Port Hudson rail road; the Atchafalaya rail road; the Barataria and Lafourche canal; and the Baton Rouge and Clinton rail road.

His objection is to the system of loaning bonds to internal improvement companies, as not sufficiently safe to the state, from their generally unproductive character. He has also objections arising from the amount of borrowing and the interest to be paid, and the interference of the proposed loan with former loans, and the credit of the state.

The bill granting the aid of the state to the New Orleans and Nashville rail road company has passed both branches of the legislature. This measure will secure the completion of the rail road, from New Orleans to the Mississippi state line.

The English bark *Ambassador* lately arrived at the port of Houston, Texas, from Liverpool, and is to be taken on to Galveston, and Port Hudson, and to the market. This is the commencement of a direct trade between England and Texas.

The house of representatives of the state of Michigan has passed a bill incorporating a state bank, with nine branches. The Detroit papers suppose that it will also pass the senate.

Earthquake at Porto Rico. Porto Rico papers received in New Orleans give the particulars of the disasters which happened at St. Lucie, in consequence of the late earthquake which was felt in almost all the French Antilla islands. The commotion is said to have continued for more than thirty seconds, and even all the houses built of fine stone were considerably, if not of less damage. The parochial church of Castries, an edifice remarkable for its beauty and strength, has been thrown down in many places. The iron casern known by the name of the casern of *Mons Fortune*, bears the marks of the shock, and most of the pavilions in which the officers dwell are uninhabitable. The town of San Juan, the capital of the island, has suffered. The belfry of the church has fallen, and most of the houses have been overturned. The total losses amount to a considerable sum.

Illinois. During the late session of the Illinois legislature, liberal provision was made for the prosecution of works of internal improvement. A rail road is ordered to be built from Rushville to Erie, on the Illinois river, and \$100,000 appropriated for its construction. Another rail road is ordered to be built at Carlinville, to intersect the Alton and Terre Haute road. Appropriations are made for the Embarras, Spoon and Big Muddy rivers, and additional ones to the Little Wabash and Rock river. Twenty-five thousand dollars were ordered to be distributed out of the internal improvement fund, to purchase raw cottons made in two years since, which have no rail road to the market through them, Cass county gets \$3,500. Scott is also to get \$2,000, to be expended on the road leading from Winchester to Augusta, in Pike county. A bill was also passed appropriating \$4,000,000 for the continuation of the Illinois and Michigan canal. This sum, it is supposed, will secure the certain and early completion of the work.

Baltimore American.

Commerce of Philadelphia. We learn from the Commercial List, that during the years 1837, and 1838, the number of arrivals on goods, and passengers, and from foreign countries direct into the port of Philadelphia, have been as follows, viz:

	Value of imports.	Amount of duties.
1837,	\$10,130,438	\$1,820,993 21
1833,	10,417,815	2,109,955 30

Showing a considerable increase during the past year. The prospects for the present year are flattering, as the number of arrivals have greatly increased, and many of the cargoes have been large and valuable.

Rhode Island. The democratic republican convention of this state have nominated Nathaniel Bullock, of governor, and Benjamin B. Thurston for lieutenant governor, of Rhode Island.

Mississippi. The Natchez Courier estimates the debt of the state at sixty millions of dollars, which will be paid in about fifteen years.

Temperance. The Lynn Freeman says, "the cause of temperance has had an unfavorable effect upon the receipts of our inland house. A few years ago we had now enough there to make, in shoe making and repairs of roads, over \$2,000,000 worth of carrying on the farm. Now there are not enough to carry on the farm."

The burning mine. The Paville Emporium, in speaking of Mr. Dougherty's coal mine near that place, which took fire in January, two persons being suffocated by it, adds that "it still continues to burn, and no exertions have impeded the progress of the flames. The mouth of the drift and every air-hole have been tightly closed for plaster, and in a few moments it has burst forth in another quarter with a volcanic explosion. At first, the coal was so hot that the clippings and loose coal were on fire; but from the length of time and increasing fury of the flames, it is now almost beyond doubt that the solid body of coal is burning. It is the jugular vein—the largest in Broad mountain, and its great eminence precludes the possibility of extinguishing the flame by turning the course of some stream."

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞The painful event which compelled the editor of the "REGISTER" to absent himself from his post during the present week, will render an apology for the contents of the present number unnecessary.

DEATH OF HEZEKIAH NILES
It is our painful duty to announce the death of HEZEKIAH NILES, the founder of this work, who died at Wilmington, Delaware, on Tuesday morning last, in the 63d year of his age. In the absence of the editor of the "REGISTER," we can do no more than give place to the following notice of his father's death, from the Delaware Journal of the 3d instant. A more extended biographical notice will be published hereafter.

From the Delaware Journal.
DIED, this morning, at his residence in this place, HEZEKIAH NILES, esq. in the 63d year of his age.

Mr. Niles will long be remembered as the able and patriotic editor of the Baltimore Weekly Register, a work which, during the better days of the republic, exercised a most salutary influence upon the policy, institutions and interests of the country. As a writer, his style was forcible, perspicuous and original; his memory was a storehouse of facts and statistics; and in every thing he wrote or published, an ardent patriotism, only equalled by as ardent a love of truth, and gave to his writings a popularity, weight and influence throughout the country, honorable alike to him and to those who so justly appreciated the united influence of talent, truth and patriotism. The Register, by its character and circulation in every part of the civilized world—was read in the palaces of kings, in the haunts of commerce, and in the cabin of the pioneer; it is referred to as an authority in courts of justice and in legislative assemblies; and at this day, constitutes the best and truest foundation extant of the history of our country, for the period over which it extends. As the founder and editor of a work, which contains a fuller and more faithful record than any other, of all the facts and events of his time; which sustained with enlightened and patriotic zeal the best and dearest interests of his country; which nobly advocated the cause of order, law and morality, the name of Hezekiah Niles will take a high stand among the patriots and benefactors of his country.

In private life, the deceased was one of the most amiable of men. A truer, or more constant friend, never lived—nor a more deeply attached husband and father. The gentler elements were so entirely mixed up with his nature, that harshness or unkindness found no abiding place in his bosom.

About three years since, with health broken down by the unremitting labor of more than twenty years, he removed from Baltimore to his native place—Wilmington—the residence of his youth and early manhood, the spot to which he had always looked back with fond affection, as the scene of his happiest days, and the haven in which he wished to find his final repose. He came but to linger, to suffer and to die. A distressing disease—one of those visitations with which an inscrutable Providence afflicts alike the just and the unjust—laid him on a bed of lingering illness and pain, from which he has at length found relief in that change which must come to all; and to none whose memory will be more deeply cherished than that of Hezekiah Niles.

☞We sincerely congratulate our readers upon the pacific aspect of the northeastern boundary question, which having gone back to the general government, (from which, by the way, it should never have been wrested), is, we hope, in a fair train of adjustment. The means by which this desirable change in the condition of the question was effected, are explained in the correspondence published in another page, which reflects the highest honor upon all the parties to it—but especially upon gen. Scott, whose untiring zeal, enlightened forecast and prudence, have been mainly instrumental in effecting the present settlement of the question.

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☞We have this week commenced the publication of the reports of the majority and minority of the committee appointed to investigate the defalcations of Samuel Swartwood, &c., and hope to complete them in five successive numbers of the "REGISTER" without materially interfering with the insertion of other articles claiming attention, although they make a book of 293 pages of document size. A copy of these reports could not, perhaps, be purchased for the price demanded for the entire volume of the "REGISTER," of the contents of which they will constitute a very small portion, and they will, no doubt, be acceptable to our readers, one of whom in an hundred have not seen a copy of the reports as published by order of the house of representatives.

☞The legislature of Pennsylvania adjourned on the 27th ult. to meet on the 9th inst.

APPOINTMENTS BY THE PRESIDENT.

Deputy postmasters.
Azariah C. Flagg, at Albany, N. Y.
James S. Gurnell, at Washington, D. C.
Samuel Workman, at Washington, Pa.
Alexander Galt, at Norfolk, Va.
Officers of the customs.
Charles J. F. Allen, appraiser, Boston; vice Levi R. Lincoln, removed.
Nicholas Willis, collector, Oxford, Maine; vice John Willis, deceased.
Edward A. Raymond, appraiser, Boston, vice John Crowninshield, resigned.

Land officers.

Thomas H. Kennedy, receiver of public moneys, New Orleans; vice Richard M. Carter, resigned.
Marvellous Eastlan, register of the land office, Springfield, Illinois; vice Stephen A. Douglass, resigned.

BOMBARDMENT OF BUENOS AYRES. The Boston Transcript of Tuesday evening contains the following extract of a letter to a gentleman in that city, dated

Rio Janeiro, Feb. 1, 1839.

There is a French frigate now in port which will sail day after to-morrow for the river, with materials on board for the purpose of bombarding or taking Buenos Ayres. The French are determined to assault the place; the government informed the English admiral of their intentions, and the latter despatched a vessel which arrived yesterday with orders for the English squadron to proceed down to protect the English residents there, otherwise to receive them on board. Before you receive this, Buenos Ayres will be in the hands of the French, or else the former will have yielded to the demands of the latter. This you can depend upon as being correct. Yours, truly,

SPECIAL MINISTER TO ENGLAND. The Eastern Argus of Monday denies, on authority, that the governor of Maine, its congressional delegation, and a majority of the members of the legislature, have signed an application to the president for the appointment of Mr. Webster as special minister to England.

In reply to the above, the N. Y. Commercial asserts that the recommendation has been made, and that the papers connected with it have been transmitted to the president.

CONNECTICUT ELECTIONS. The elections are over in that state, and the result is in favor of a whig governor, and a gain of six members to congress of the same politics. We annex a list of the members of congress elect, with their majorities.

Hartford county,	Jos. Trumbull	1050
New Haven and Middlesex,	Wm. L. Storrs	329
New London,	T. W. Williams	87
Fairfield,	T. B. Osborne	355
Litchfield,	Truman Smith	510
Tolland & Windham,	John H. Brockway	576

MASSACHUSETTS. Mr. Parmenter, on the fourth trial, has been re-elected to congress from the fourth congressional district of Massachusetts. The whole number of votes on the first trial was 9,065. At the second and third trials the number was about the same. At the fourth trial the whole number of

votes was raised to 9,931, being the largest vote ever thrown in the district.

<i>First trial.</i>		<i>Fourth trial.</i>	
Brooks,	4,317	Brooks,	4,432
Parmenter,	4,397	Parmenter,	4,970
Scattering,	351	Scattering,	529

A very large proportion of scattering votes were cast by whigs.

BANK SUSPENSIONS. Accounts from New Orleans states that the Commercial rail road bank at Vicksburg, has suspended specie payments. This is the bank whose stock has been running down in New York and Philadelphia for some days past, and the accounts, now received, show that the holders of the stock, who forced it into market, acted on information.

The branch of the bank of Darien, located in Savannah, has suspended specie payments. A letter from Savannah says the bank, and most likely all its branches, will follow suit. The state of Georgia owns half the stock.

The bills of the Hawkinsville bank of Georgia, and the Monroe R. R. bank of Macon are also refused by the other banks.

The N. York Express of Friday says—The news from the south is worse. Letters in town state that all the banks in Mississippi, except the Union bank at Jackson, have suspended specie payments.

STOCKS, &c. The Philadelphia U. S. Gazette states that the change in the presidency of the United States bank, slightly affected the stock in the market, as the announcement of that change came late in the morning.

Vicksburg bank stock looked downwards again and confidence in its worth was of course diminished. In New York the U. S. bank stocks sold at from \$12 to \$10. A further decline was expected.

The New York Express of Saturday last says, that the announcement that Mr. Bidde had resigned his post as president of the United States bank, created a great deal of excitement in Wall street this morning. Crowds of soon collected to learn the cause of the resignation. The impression at first was, that the resignation would have an unfavorable influence on stocks. The letter, however, soon became public, and, when the fact was announced that the bank was left in great prosperity, and that Mr. Bidde only desired repose from his labors, the public mind became quite relieved. Stocks, instead of falling, advanced. Even the stock of the bank of the United States was sustained.

Stocks. Notwithstanding the great excitement in the street, there was a general rise of stock. A good feeling manifested—increased confidence—large sales—Delaware went up—Kentucky rose—Harlem up—and stocks generally improved. United States, which was expected to fall, sold at 113-4 a 112, the same as yesterday.

From the U. S. Gazette of yesterday.

Notwithstanding the frequent complaints of the scarcity of money, we perceive that there is an advance in prices of stocks. For sales at the first and second boards we refer to the regular report. We learn, however, on inquiry, that considerable business was transacted after the close of the regular and normal meetings. For Vicksburg, holders demanded 38, while 57 were offered and refused—84 was offered for Kentucky, 84 asked. Wilmington and Baltimore rail road stock looks up again, 51 were bid, and 52 asked. For U. S. Bank 114 were bid and 115 asked.

Several shares of Philadelphia bank were made at 103, and subsequently some were sold at 106, and the same was offered for more but refused. This is a much more favorable state than we have reported for several days, and we hope that it is indicative of the approach of ease in the money market. The New York Journal of Commerce says: Letters from London, by the Siddons, say that colonel Gamble, president of the Union bank of Florida, has just completed the negotiation for which he went out, of a million and a half of Florida stock."

AMERICAN SECURITIES IN ENGLAND. A letter to the editors of the New York Courier, dated London, February 21, says:

"The feeling in relation to American securities is daily more favorable. Inquiries in relation to state

bonds are very general, and many new descriptions meet a ready sale.

Among those recently offered, the Indiana sterling five per cents, and Florida six per cents, have both found purchasers at 95.

Those of Indiana have been negotiated, it is understood, through the house of Horsley Palmer, esq. for account of the *North American Trust and Banking company* of New York.

As the present feeling continues, the stocks of the state in good credit will hereafter find currency in the market to an extent that has not been realized since the ever memorable revision of 1836-7.

TREASURY NOTES (OFFICIAL). Treasury department, April 1, 1839. The whole amount of treasury notes authorised by the act of October 12th, 1837, has been issued,	
viz:	\$10,000,000 00
Of that issue there has been redeemed the sum of	8,529,136 50
Leaving outstanding of the first issue the sum of	\$1,470,863 50
In lieu of those redeemed there has been issued under the act of 21st May, 1835	\$5,709,810 01
Of that issue there has been redeemed	1,671,166 50
Leaving of the second issue, outstanding the sum of	\$4,038,643 51
	5,509,507 01
The amount issued under the provisions of the act of 2d March, 1839, is	2,080,985 14
Making the aggregate outstanding	\$7,590,492 15
LEWY WOODBURY, sec. of the treasury.	

DR. DYOTT, THE BANKER. The Philadelphia papers state that the grand jury of that city have found a true bill containing the following counts:

1. Colluding and contriving with T. B. and C. W. Dyott, to conceal goods, value \$100,000.
2. Fraudulently conveying to T. B. and C. W. Dyott, goods, value \$50,000.
3. Colluding and contriving with Th. W. Dyott, jr. to conceal goods, value \$50,000.
4. Fraudulently conveying to T. W. Dyott, jr. goods, value \$2,000.
5. Colluding and contriving with M. B. Dyott, to conceal goods, value \$30,000.
6. Colluding and contriving with W. Wells to secrete \$480 in money.
7. Fraudulently conveying to Julia Dyott furniture, value \$1,000.
8. Concealing goods and merchandise, value \$50,000.
9. Concealing \$300,000 in money.
10. Concealing \$100,000 in money.
11. Concealing \$10,000 in money.

All with the expectation to receive future benefit to himself, and with the intent to defraud his creditors.

THE GREAT PRESBYTERIAN CHURCH CASE. This great and exciting controversy has been decided by the verdict of the special jury, impanelled in the case, in favor of the new school party. A quo warranto was taken out at the relation of the trustees elected by the new school party, to eject from office the trustees appointed by the old school party in the general assembly of 1835. Judge Rogers of the supreme court of Pennsylvania, before whom the cause was tried, charged the jury in favor of the relators, holding the excoision of the four synods of the Western Reserve, Geneva, Genesee and Utica, by the general assembly, in 1837, to be unconstitutional and void. On the question of organization he charged the jury that if the delegates were prevented from hearing the question or voting by the clamors, arts or measures of the new school party or audience, then the Bemen or new school assembly was illegal formed, and the relators must fail; but if they believed the confusion to have been the act of the defendants or of those who supported the Elliott, or of the school assembly, then they could take no advantage of their own wrong act, and the verdict must be for the relators. Messrs. Meredith, Wood and Randall for relators—Messrs. Ingersoll, Preston and Hubbell for defendants. The jury retired for a few minutes, and returned with a verdict against the defendants. The defendants have moved for a new trial on the law.

LOSS OF LIEUTENANT PAUL. The New Orleans Bulletin contains the following particulars of the loss of lieutenant Paul:

U. S. Ship *Vandavia*, off Tampico bay, March 11, 1839.

Messrs. Editors: About one o'clock yesterday morning, being forty miles to the northward and eastward of our present anchorage, acting lieutenant Henry J. Paul, whilst relieving the deck, lost his foothold and fell overboard from the poop.

In falling he struck the after gun, and was so stunned that he was unable to reach the left buoy, which was cut away immediately by lieutenant Gist, and fell but a few feet from him. The ship was instantly hove to, and a boat lowered for the purpose of making search. During its absence blue lights and false fires were burnt on board, and the sea was so lighted up that he might have been easily found. In an hour the boat returned with the left buoy, but our esteemed and unfortunate mess-mate had sunk to rise no more. Very respectfully, your obedient servant. J. VAUGHN SMITH, Surgeon.

STEAMBOAT ACCIDENT. The New Orleans Bulletin of the 26th ult. states that in ascending the Mississippi river, a few miles below Memphis, on her voyage to Louisville, the steamer Diana was discovered to be on fire. The moment the alarming fact was known, the hatches were closed and covered over with wet blankets, to arrest the progress of the flame, which was about bursting from the hold where it was first kindled. The boat was rounded to, and her head turned to the shore. In a few minutes she was at the land. The passengers and deck load were then safely deposited on the bank. The captain and crew afterwards proceeded to extinguish the fire, in which they succeeded, but not without the most strenuous exertions. The boat itself sustained little or no injury, but all the cargo in the hold was more or less damaged. The accident occasioned a detention of only six hours; after which the Diana resumed her voyage to Louisville.

IMPRISONMENT FOR DEBT. The committee on imprisonment for debt in the Massachusetts legislature, introduced on the 24th ult. the following comprehensive bill on that subject.

Be it enacted, &c. as follows:—From and after the fourth day of July next, no person shall be imprisoned on any civil process founded in any action or proceeding instituted exclusively for the recovery of any debt: *Provided*, that nothing herein contained shall be construed to affect any provisions of law for the punishment of acts of fraud.

LEGISLATURE OF MARYLAND. On Tuesday last the bill, which seems to be an annual proposition, for the incorporation of a Real Estate bank, was finally disposed of in the house of delegates, by referring it to the consideration of the next general assembly.

Maryland improvements. The house of delegates had, yesterday afternoon, under consideration, the bill reported on Monday, by Mr. Spence, from the committee of ways and means, entitled an act to provide ways and means to meet the subscriptions on the part of the state, to works of internal improvement. This bill contains provisions for the conversion of the state six per cent. bonds issued to the Chesapeake and Ohio canal and Baltimore and Ohio rail road companies under the act of 1835, into 5 per cent. sterling bonds; and we learn, as stated in substance yesterday, that there is now good grounds for indulging the hope, that this bill, after undergoing such amendments, as will secure the necessary degree of aid to all the leading works of improvement in which the state is interested, will in that shape receive the sanction of both houses, and become a law. A consummation devoutly to be wished, as placing the great interests of Maryland on a sure foundation.

P. S. Since writing the above, we learn by our letter to-day from Annapolis, that the bill has been under discussion in the house, and that several amendments, offered with a purpose of defeating the measure, had been "unanimously voted down." Thus, and thus far, the auguries are quite favorable.

[Ball. Patriot.]

ATTEMPTED MAIL ROBBERY. The Richmond Courier of Monday says:—We understand that there was an attempt made to rob the mail between Fredericksburg and Potomac creek, on Saturday morning. The mail cart which preceded the passenger stages, was about a mile from the creek on the road to Fredericksburg, when attacked. It was overthrown, and the driver was so much weakened by his fall and the blows he received from the robber, as to be unable to defend the mail.

Fortunately, one of the passenger stages arrived just as the villain was about to cut loose the mail, and he ran off without it. The man who made the attack seemed to be alone.

THE U. S. FRIGATE CONSTITUTION. The following is a list of the officers attached to the U. S. frigate Constitution, bearing the broad pennant of commodore Alexander Claxton:

Captain—Daniel Turner.
Lieutenants—E. W. Carpenter, Wm. H. Kennon, R. R. Pukham, Thomas D. Shaw, William Smith, Peter Turner.
Flag lieutenant—Franklin Buchanan.
Fleet surgeon—Thomas Dillard.
Purser—McKean Buchanan.
Acting master—George McCreery, passed midshipman.

Assistant surgeons—Charles D. Maxwell, Samuel Jackson.

Passed midshipmen—James E. Brown, Lewis C. Sartori, Montgomery Hunt, Maxwell Woodhull, Francis S. Haggerty.

Midshipmen—W. C. B. S. Porter, Silas Bent, Henry H. Harrison, George H. Cooper, John P. McFarland, John H. M. Madison, Richard T. Renshaw, John S. Maury, Wm. H. McCrohan, Charles W. Hays, Martin Duralde, Aaron K. Hughes.

Chaplain—J. P. B. Wilmer.

Commodore's secretary—Robert O. Glover.

First lieutenant of marines—J. C. Rich.

Boatswain—Robert H. O'Neill.

Gunner—Gustavus Newman.

Carpenter—John Cahill.

Saltmaker—Nathaniel B. Peed.

Purser's clerk—Robert Balls.

CENAGA LAKE. Certainly nothing can much surpass the novel beauties of the scenery of this lake. The water transparent as the most polished mirror, and its surface undisturbed by a single ripple. Numerous volcanic islands, or large clumps of dark green bushes, whose branches dip into the lake, are scattered in all directions. Large birds of the most spotless white plumage had settled on the boughs, at sight of which, joined to the perfect transparency of the sky above, and the sweet blandness of the morning air, filled as it was with delicious perfume, transported us back to the nursery tales of fairy land. All that was wanting to complete the illusion was to be shut out from the presence of those foul-mouthed beasts, the bogas, who were the only mar to the enjoyment of so lovely a scene.

Even the very dullest of my companions could not share the admiration, and feel with me the effect produced by the surrounding view, which was thus so enchantingly presented. Far away in the back ground towering in view, the mountains of the Santa Marta range. To witness a sunrise on the Cenaga is certainly worth all the harassing fatigue one is obliged to endure in order to reach it. [Stewart's Bogota.]

FLORIDA. On Monday afternoon last fifteen of capt. Rowell's men, on a scout near the Sandy Ford in Jefferson county, discovered the trail of Indian on the plantation of Mr. Patterson. On pursuing a short distance, two Indians were discovered setting on the fence; a dash was made by the scout under lieutenant Wynn, when, on nearing the fence, they were fired on by a large party of Indians concealed behind it. Two men were killed and two wounded, one supposed mortally. The volunteers returned to the scene, and the Indian, who was one of their party, made a hasty retreat, leaving one of their party dead on the field. Early next morning captain Newsum's company, a company of dragoons, and regulars, and volunteers from Monticello, to the number in all of about two hundred men, went in pursuit. The trail was very large, and was pursued to the Augustine road, where the party scattered and again united a short distance south of the road where the trail was again taken by our forces. The course of the Indians was towards the large swamp and hammocks on the Ecofeence. The party was estimated to number from 70 to 80. The individuals killed were George Donaldson and Daniel Finn an old resident in the neighborhood. Joshua Gray and W. Anderson wounded, the latter supposed mortally. [Floridian of 23d March.]

In the last Georgian we find the subjoined gratifying intelligence:

We rejoice in being able to correct the intelligence heretofore published of the death of major Noel, of the army. It was communicated by our correspondent, who is incapable of stating what he had no reason to believe, and the painful feelings which his friends must have experienced on learning it, we regret were excited by our publication, the correctness of which was not then questioned, as the wound was previously stated to have been mortal. He is spared, we trust, to confer still more honor on his self, his friends and his country.

"Garey's Ferry, E. F., March 22, 1839.

"Dear sir: The news of major Noel's death has proved to be untrue. He is alive and getting well

Gen. Taylor and staff are expected here, to-day. Harvey leaves shortly for Indian river. Another letter, (with an extract of which we have favored) dated Fort Hamilton, March 22d, says: Eight companies of the 4th artillery are to be landed and proceed to Fort Columbus as soon as the 7th infantry arrives to receive them. Captain Brown's at Suymra, and captain Washington's at Augustine, have not been designated for relief, by the middle of April I think not many of the 4th artillery will remain in the nation. The 7th infantry is daily expected at Tampa, and general Taylor will probably arrive here this evening."

AN ODD FISH—POISSON D'AVRIL. The Boston friends of the 1st April contains an account of a most curious monster, said to be in the possession of Robert T. Lincoln, esq., agent of the New York Western Lumber company, who has just returned from St. Peters river, near the head of steamboat navigation, on the Upper Mississippi! It is called an *American Orang Outang, or Wild Man of the Woods*. The following is the description of the animal, which makes a good "April fool" story!

"By invitation of Mr. Lincoln, who is an old acquaintance, we went down to his rooms to examine this monster. He is a horrid looking creature, and his hands are very strongly of the fabled satyrs, as we detected them in our own mind. He is about eight feet three inches high, when standing erect, and his frame is of giant proportions in every part; his legs are not straight, but like those of the dog, and other four-footed animals, and his whole body is covered with a hide very much like that of a cow. His arms are very large and long and ill proportioned. It does not appear from his manner that he has ever walked upon "all fours." The fingers and toes are mere bunches, armed with stout claws. His tail is covered with thick, coarse, black hair, like the mane of a horse. The appearance of his countenance, if such it may be called, is very disgusting—nay, almost horrible. It is covered with a finer and lighter coat of hair than the rest of the body; there is no appearance of eye brows or nose; the mouth is very large and wide, and similar to that of a baboon. His eyes are quite dull and heavy, and there is no indication of cunning or activity about them. Mr. Lincoln says he is beyond dispute voracious, as he universally rejects bread and vegetables, and eats flesh with great avidity. He thinks it is of the orang outang species; and from what we have seen, we are inclined to consider him wild animal, somewhat resembling a man. He is, say the least, one of the most extraordinary creatures that has ever been brought before the public, on any part of the earth, or the waters under the earth, and we believe will prove a difficult puzzle to the scientific. He lies down like a brute, and does not appear to possess more instinct than common domestic animals. He is now quite tame and quiet, and is only confined by a stout chain attached to his legs.

"This is the first creature of the kind, we believe, ever found on this continent. It was to be expected, however, that in penetrating the remote recesses of the new world, monsters would be found, and that natural curiosities brought to light; and it has been a matter of surprise to many that so little of the marvellous has ever been discovered. But we need not tell what the wilds of the far northwest, the shores of Lake Superior, the regions of the Rocky mountains, and the vast territory of the Oregon, say yet bring forth."

PRISON INVESTIGATION. The committee of the House of assembly, directed to investigate Mount Pleasant state prison, have finished their arduous labors, and returned to Albany. Their report may be expected next week. What that report may be, we are unable to say; but we have no hesitation in declaring that there is sufficient testimony of a clear and unimpeachable character in the hands of the committee, to fasten the charges of ignorance and incompetence on some of the inspectors, and peculation upon others, while on the part of the agent and deputy, the scourging of convicts with lotions, slugging their limbs in a vice, whipping with cats upon with wire, shooting convicts in their cells, inflicting from one to five hundred lashes with a six lidded cat, the feeding, or rather starving men upon scarcity and insufficient allowance of unwholesome food, have been proven a part and parcel of their great system. [H. River Chronicle.]

ACCOUNT OF AMERICAN MANUFACTURES BY AN ENGLISHMAN. At a great anti-corn law dinner recently given at Manchester, England, one of the speakers in the course of his remarks, made the following statement; that in 1814 the people of America consumed one hundred bales of cotton. Last

year the consumption was nearly three hundred thousand bales, entirely the growth of the short period which has elapsed since 1814. She now stands in point of consumption, where we stood in the year 1816. Sixteen years ago, Lowell, the Manchester of America, was a desert. Its forest echoed no sound but that of the cataract. Its iron spins and manufactures forty thousand bales of cotton per annum. There is a concentrated water power, amounting to five thousand horses' power, which equals one-half of the water power of Great Britain which is applied to the cotton manufacture and to one-sixth of all the steam power so applied. In 1832, America exported two millions, eight hundred thousand dollars worth of cotton goods. In 1836, and half of 1837, she exported twenty thousand bales of her cotton manufactures round the Cape of Good Hope to India and China, and thirty-four thousand bales to the markets of America. Neither is it in the cotton manufactures alone that she is advancing. In 1835, she had seventeen millions of sheep and lambs. In 1838, twenty-three millions, which, at three pounds per head, give sixty millions pounds of wool, the whole of which is manufactured there. Inferior woolsens are sold as cheap in New York as in the cloth-halls of Leeds. For the last two years our manufacturers have worked without receiving any profit.

IMPORTANT DISCOVERY CONNECTED WITH RAIL ROADS. During the last month or six weeks, crowds of persons, evidently of a superior class of society, have to the surprise of the inhabitants of the quiet neighborhood of Soho, been seen wending their way towards, and inquiring their way to, an obscure house No. 6 Canille street, near Soho square. In the course of the past week the excitement has greatly increased by a vast assemblance of the nobility, members of the administration, fellows of colleges and of scientific institutions, eminent engineers, naval architects, surveyors, rail road directors, painters, and a whole host of the patrons of arts and sciences, of whom were (as we found out by following in the wake) attracted thither by the exhibition of a model of a locomotive steam engine, which, in the opinion of the most apparently simple and unpretending acting and harmonising therewith, are destined to work the following wondrous changes and improvements in the present system of steam carriage conveyance—a desideratum and a "consummation devoutly to be wished."

"The engines and trains cannot possibly go off the railway or upset.

"They can run on any required curve with speed, safety and minimum degree of friction.

"They can ascend and descend all activities that can be required in railways, and with speed and convenience.

"They are relieved of all the dead weight rendered necessary by the present system, and are no heavier than is required to bear the load of goods and passengers.

"The carriage bodies and weight will be almost on the ground.

"They will be less expensive than those at present in use; and the immense expenditure of tunnelling, embankments, cuttings, &c. &c. will be entirely avoided.

"The repairs of the railway, the 'wear and tear' of the engines and trains, will be much less expensive than those now in use.

"The inconvenience and enormous outlay of cutting through parks or other peculiarly situated property, is avoided by the power of giving the line any desired direction."

The ingenious inventor and patentee of this new system, which he illustrates with great clearness, is Mr. Kollman, a gentleman well known in the circles of the aristocracy and the scientific circles. He attends in Cambridge street three days in a week, for the purpose of exhibiting his model and engine, the latter of which has been beautifully manufactured at the expense of £3000; and is on the scale of one and a half inch to a foot. [London paper.]

ADJUSTMENT OF THE BOUNDARY QUESTION.

From the *Globe of Monday night*. We publish gen. Scott's letter to the secretary of war, announcing the conclusion of an amicable and honorable adjustment of the difficulties which existed on our northeastern boundary. To the high character of gen. Scott and gen. Harvey, who conducted this negotiation, and to the circumstance of the personal relations of friendship and regard existing between them, as well as to the earnest desire of our countrymen, and the republican friends to avoid a collision between the two great families of the Anglo-Saxon race, the matter is indebted for this fortunate result. The country is once again in

the hands of the federal government, to which it rightfully belongs, and no doubt will receive the serious and prompt attention which its importance merits.

Head quarters, eastern division, Augusta, Me. March 26, 1839.

Sir: I have the happiness to enclose herewith two copies of the arrangement entered into through my agency, between the governor of Maine and the lieutenant governor of the province of New Brunswick.

The copy of my official note to sir John Harvey, with his acceptance of the arrangement, is in the hands of the governor of Maine, and another copy of the same official note, followed by the acceptances of the lieutenant governor and the governor, was yesterday transmitted by me to sir John Harvey. At the same time I sent him copies of two orders which were yesterday issued by the governor of Maine—the first disbanding the thousand detached militia which has been held in reserve at this place, and the second recalling the military force of the state from the disputed territory; and directing the organization of the civil posse, that is to be held by the state in that territory. The papers so transmitted, and which bore the signature of the governor of Maine, or that of his adjutant general, were officially certified by me.

I trust that the arrangement between the governor and lieutenant governor, together with my humble agency, in bringing it about, will be satisfactory to the president and the department. The arrangement, I have no doubt, will be executed by the parties to it in good faith and in cheerfulness. In haste I have the honor to remain, with high respect, your obedient servant, WINFIELD SCOTT.

Hon. J. R. Poinsell, secretary of war. As a proof of the friendly disposition of the governor of New Brunswick, we add the following: Government house, Fredericton, March 23, 1839.

MY DEAR GENERAL SCOTT: Upon my return from closing the session of the provincial legislature this day, I was gratified by the receipt of your very satisfactory communication of the 21st instant. My reliance upon you, my dear general, has led me to give my willing assent to the proposition which you have made yourself the acceptable medium of conveying to me, and I trust that as far as the province and the state respectively are concerned and will have been put, by it, to all border disputes, and a way opened to an amicable adjustment of the national question involved. I shall hope to receive the confirmation of this arrangement on the part of the state of Maine at as early a period as may be practicable; and as it is my intention to proceed to Woodstock early in the ensuing week, I request you to have the goodness to address it to me at that place.

I shall certainly use my best endeavors to protect the timber on the valley of the St. John, within the disputed territory, from depredators, and shall probably place, for this purpose, a small civil force at the disposal of the warden.

I grieve to learn that there is so little chance of my seeing you upon the present occasion; but I wish you to give me some ground for holding that I may have the high gratification at as early a period as may be compatible with your many important and arduous duties.

Believe me to remain, my dear general, with sentiments of warm esteem, regard and respect, your faithful friend. (Signed) J. HARVEY.

P. S. I readily consent to all my letters to you, being considered as semi-official, and thank you for the suggestion. (Signed) J. H. Major general Scott, &c. &c.

From the *Augusta (Me.) Journal, March 26*. Head quarters eastern division, U. S. Army, Augusta, Maine, March 21, 1839.

The undersigned, a major general in the army of the United States, being specially charged with maintaining the peace and safety of their entire northern and eastern frontiers, having cause to apprehend a collision of arms between the proximate forces of New Brunswick and the state of Maine on the disputed territory, which is claimed by both, has the honor, in the sincere desire of the United States to preserve the relations of peace and amity with Great Britain—relations which might be much endangered by such untoward collision—to invite from his excellency major general sir John Harvey, lieutenant governor, &c. &c. a general declaration to this effect:

That it is not the intention of the lieutenant governor of her Britannic majesty's province of New Brunswick, under the expected renewal of negotiations between the cabinets of London and Washington on the subject of the said disputed territory, without renewed instructions to that effect from his government, to seek to take military possession of

uat territory, or to seek, by military force, to expel therefrom the armed civil posse or the troops of Maine.

Should the undersigned have the honor to be favored with such declaration or assurance, to be by him communicated to his excellency the governor of the state of Maine, the undersigned does not in the least doubt that he would be immediately and fully authorized by the governor of Maine to communicate to his excellency the lieutenant governor of New Brunswick, a corresponding pacific declaration to this effect:

That, in the hope of a speedy and satisfactory settlement, by negotiation between the governments of the United States and Great Britain, of the principal or boundary question between the state of Maine and the province of New Brunswick, it is not the intention of the governor of Maine, without renewed instructions from the legislature of the state, to attempt to disturb by arms the said province in the possession of the Madawaska settlements, or to attempt to interrupt the usual communications between that province and her majesty's upper provinces; and that he is willing, in the mean time, to leave the questions of possession and jurisdiction as they at present stand—that is, Great Britain holding, in fact, possession of a part of the said territory, and the government of Maine denying her right to such possession; and the state of Maine holding, in fact, possession of another portion of the same territory to which her right is denied by Great Britain.

With this understanding the governor of Maine will, without unnecessary delay, withdraw the military force of the state from the said disputed territory—leaving only, under a land agent, a small civil posse, armed or unarmed, to protect the timber recently cut, and to prevent future depredations.

Reciprocal assurances of the foregoing friendly character having been, through the undersigned, interchanged, all danger of collision between the immediate parties to the controversy will be at once removed, and time allowed the United States and Great Britain to settle amicably the great question of limits.

The undersigned has much pleasure in renewing to his excellency major general sir John Harvey the assurances of his ancient high consideration and respect.

WINFIELD SCOTT.

To a copy of the foregoing, sir John Harvey annexed the following:

The undersigned, major general sir John Harvey, lieutenant governor of her Britannic majesty's province of New Brunswick, having received a proposition from maj. general Winfield Scott, of the United States army, on which the foregoing is a copy, hereby, on his part, signifies his concurrence and acquiescence therein.

Sir John Harvey renews with great pleasure to major general Scott the assurances of his warmest personal consideration, regard and respect.

J. HARVEY.

Government house, Fredericton,

New Brunswick, March 28, 1839.

To a paper containing the note of general Scott, and the acceptance of sir John Harvey, gov. Fairfield annexed his acceptance in these words:

Executive department, Augusta, March 25, 1839.

The undersigned, governor of Maine, in consideration of the foregoing, the exigency for calling out the troops of Maine having ceased, has no hesitation in signifying his entire acquiescence in the proposition of major general Scott.

The undersigned has the honor to tender to major general Scott the assurance of his high respect and esteem.

JOHN FAIRFIELD.

We learn that general Scott has interchanged the acceptances of the governor and lieutenant governor, and also that governor Fairfield immediately issued orders recalling the troops of Maine, and for organizing the civil posse that is to be continued, for the time, in the disputed territory. The troops in this town will also be immediately discharged.

The two branches of the Maine legislature met at half past 5 o'clock on Monday morning.

The governor was informed that the two houses were ready to adjourn. The secretary notified the houses that he had no further communication to make. Votes of thanks were passed to the president of the senate and speaker of the house, and they made speeches of acknowledgment, and the two houses then adjourned.

From the New York Express.

We have seen a letter, dated Bangor, March 24th, which states that a rumor had reached that city, that a party of our troops, consisting of a sergeant and ten men, were sent about six miles north of Fort Fairfield, for the purpose of arresting trespassers; that having arrived at an opening in the woods, they were surrounded by a party of about sixty men; and that a skirmish ensued, in which three of their men

were wounded. The letter states that gen. Holsdon immediately left the fort with 100 men, leaving orders for 100 more to follow immediately, with the intention to cut off the retreat of the belligerent party. An express, it is stated, passed through Fort Augusta.

We have no means of judging of the correctness of the above. The latest news we have from Bangor was brought by the steamer Bangor, which left Frankfort, on the Penobscot, at 5 o'clock on Monday morning. As Frankfort is some twenty miles below Bangor, it is possible that the passengers for the boat left the city early on Sunday, and before this news reached there. The Boston papers of Tuesday do not mention the matter.

The following spiteful paragraph if from the Royal Gazette of Halifax, the good people of which region would desire nothing better than a war between the two countries, on account of the golden harvest they would expect to reap from the event:

"A special minister, it appears, is to be sent to England. If Great Britain consults her own dignity, she will have nothing to do with that envoy—nor ought she to negotiate further on the subject of the disputed territory, while the act 'giving to the president additional powers for the defence of the United States,' &c. is in existence. Had the U. States government rested satisfied with the arrangement entered into with Mr. Fox, for preventing any violent collision upon the northern border of the union, and then determined upon sending a special ambassador to England, all would have been well, and the mission might have been attended with results satisfactory to both parties; but the position they have assumed is grossly insulting to Great Britain, and is one to which she cannot for a moment submit without the sacrifice of all national character."

The following communication from the president was transmitted to the New York legislature, in reply to the resolutions passed by that body, some weeks since, on the subject of the Maine boundary question.

Washington, March 29, 1839.

To the house of assembly of the state of New York.

It affords me great satisfaction to acknowledge the receipt of sundry resolutions of your honorable body expressing its approbation of the course pursued by the federal executive, and of the action of congress, in relation to the controversy between the state of Maine and her Britannic majesty's province of New Brunswick; announcing also the determination of your state to second the efforts of the general government in preserving pacific relations with Great Britain, and to hold herself in readiness if necessary, to aid in resisting encroachments upon the territory of any portion of the union.

For the expression of these sentiments, and for the entire unanimity with which it was made, I tender my respectful and grateful acknowledgments.

The assembly of New York may rest assured that to effect an amicable adjustment of the controversy in question no efforts on my part will be omitted, that are consistent with reason and justice, and with that sacred respect for the character of the country, which being paramount to all other considerations, can never be disregarded. Should these efforts prove unsuccessful, a result I cannot allow myself to expect, the federal government will rely with confidence on the proffered co-operation of your great state; a confidence alike justified by the proceedings which have been communicated to me in your behalf, and by the known fidelity of the citizens of New York to the honor and interests of our common country. With great respect, your obedient servant,

M. VAN BUREN.

BANK OF THE UNITED STATES.

From the Philadelphia Commercial Herald, March 29.

RESIGNATION OF N. BIDDLE, ESQ. will be seen, from the subjoined letter, that this distinguished gentleman, who, for more than twenty years, has presided over the interests of the United States bank with such signal success, has resigned his situation. We learn that Mr. Biddle will, with his family, visit Europe. Thomas Dunlap, esq. has been unanimously elected president of the bank. The vacancy occasioned by the withdrawal of Mr. Biddle could not have been filled by a more able financier than Mr. Dunlap. His election to that most important post will be highly gratifying to the community of which he has been so long a most valuable member.

Bank of the United States, March 29, 1839.

At a meeting of the board of directors of the Bank of the United States, held at the banking house this morning, after the ordinary business of the day was completed, Nicholas Biddle, esq., president, communicated to the board his intention of resigning his place in the institution, and took leave of his colleagues in a brief valedictory, marked not only by his usual felicity of expression, but singularly cha-

acterized by an eloquent pathos, which was wholly irresistible among his old and tried friends—his fellow-laborers for the last twenty years.

Upon Mr. Biddle's withdrawal, the following letter from him to the directors was presented and read:

To the board of directors of the bank of the U. States: Gentlemen: I execute a purpose which, as you are aware, I have long meditated, and which I intimated to the stockholders at their first meeting under the new charter; that of retiring from the direction of the bank. It is now more than twenty years since I entered its service. They have been years of intense labor, and they have earned for me a right to claim the relaxation and repose which at an advancing age and precarious health require. I have waded anxiously for the most appropriate moment at which I could be best spared, but hitherto, whenever I have sought the retirement I so much needed, some difficulty, in which my service was deemed useful, always interposed to detain me. None such exists now. All the political dissensions connected with the bank for the last ten years, have ceased; all its extraordinary efforts for the protection of our national interests are happily ended; and the bank has returned to its accustomed channels of business in peace. I can therefore withdraw, at length, with convenience; and I do it more readily, because I leave the affairs of the institution in a state of great prosperity, and in the hands of able directors and officers.

This separation from friends, with whom I have been so long and so agreeably associated is among the most painful acts of my life; and I pray you to accept, at parting, my sincere wishes for the personal welfare of you all.

N. BIDDLE, president.

Philadelphia, March 29, 1839.

Whereupon Manuel Eyre, esq. was, on motion of Joseph R. Ingersoll, esq. called to the chair, and the following resolution, offered by Mr. Ingersoll, was unanimously adopted, and a committee, consisting of J. R. Ingersoll, Ambrose, White and Caleb Cole esqrs., appointed to present the same to Mr. Biddle.

Resolved, That the directors have learned, with unfeigned regret, the intention of Mr. Biddle to withdraw from his situation as president of the bank of the United States.

For many years, the best interests of the institution under his especial guardianship have been protected and promoted with devoted fidelity, untiring zeal, and shining abilities. In both periods of its corporate existence, it has been exposed to continued assaults and surrounded with complicated difficulties. Power and prejudice have arrayed themselves against it in active hostility; popular feeling an official influence have been exercised in anxious attempts to disturb its arrangements and check it prosperously. But it has not ceased to prosper. More than one moneyed and political crisis has threatened the institutions of the country with serious loss or absolute destruction. The country and its institutions have as often survived the crisis, and they now stand erect, and almost unharmed, from the perils which they have been exposed. During these eventful periods, arduous efforts have been made under heavy burdens have been sustained by the bank of the United States, and the largest and most effective share of successful exertion has been contributed by its presiding officer.

The board of directors owe it to themselves, and to the stockholders whom they represent, in accepting with deep reluctance the resignation now tendered to them, to record their grateful acknowledgment to a gentleman, whose unrivalled skill in finance unwearied devotion to his duties, firm and independent conduct in the midst of obstacles, elevated and honorable principles, and courteous and urbane deportment, have marked with unflinching uniformity an arduous career; who, having performed so much and so faithfully, leaves the institution with which he is identified prosperous in all its relations, strong in its abilities to promote the interests of the several communities by which it is surrounded, cordial in its association with sister establishments, and secure in the respect and esteem of all who are connected with it in foreign as well as domestic intercourse.

It was then moved by J. R. Ingersoll, esq. that the board do now proceed to the election of a director in the place of N. Biddle, resigned, when it appears upon the ballot that Thomas Dunlap was unanimously elected a director to supply the vacancy Mr. Dunlap's resignation of his office as second assistant cashier was presented to the board by J. Cow perthwait, esq. cashier, and accepted.

Whereupon, on motion, the board proceeded to the election of a president, and upon counting the ballots, it appeared that Thomas Dunlap, esq. was unanimously elected president of the bank of the United States; and the same committee were requested by the chairman to inform Mr. Dunlap of his election, and request his acceptance of the appointment.

Upon taking the chair, Mr Dundas said: *Gentlemen:* I beg you to accept my cordial and respectful thanks for the confidence you have been pleased to repose in me. The trust conferred by you on me is one of the deepest responsibility. I feel it my duty to assume this prominent share in the administration of this great institution in the most prosperous condition of public affairs, and in the happiest circumstances of our moneyed transactions, might well appal the most self-confiding, but I follow in instant succession a gentleman whose singular ability, firmness, integrity and skill, have been devoted with untiring energy and on forwardness to the best interests of the stockholders and of his country, for twenty consecutive years, is a task which few, if any, can be found equal. Without your generous confidence, I should shrink from it, and in pledging myself to fidelity, zeal and unremitting devotion to its interests, I must thank myself wholly upon you; upon the talents, assiduity, discretion and unflinching determination for the right which have characterized your board from its origin. In our hands all will be safe; and in the hope of being sustained by your frank support, I now, with undiminished trust in my own powers, tender to you, and to those we represent, the best energies I possess in the service to which you have called me.

THE NORTHERN FRONTIER.

It will be seen by the following extracts that the difficulties on the northern frontier are by no means at an end. Buildings on both sides of the line have been burned, and the excitement of the inhabitants increasing.

The St. Albans Messenger of March 28th, says: Fires on our frontier seem to increase in a fearful rate. For the last two weeks there have been over a score of fires almost every night. Apparently they are alternately each side of the line. Retaliation appears to be the order of the night. We are not able to state the extent of the burning, but presume from the number of fires seen from this place, and that we have heard, that quite a number of buildings have been burned, the greater part of them barns, and the most of them situated in Champlain and Oletown. In the latter place we are informed that a large house was burned on Friday night last, and on the Friday night previous two barns belonging to it. Last Sunday night one or two barns in Albany were destroyed.

A private correspondent of the Burlington Sentinel, under date of March 22, writes: Captain Poirer's company of regulars are ordered to leave next to Rose's Point, and leave to-morrow morning; the company stationed at Troy are also withdrawn, to join the head quarters of the regiment at Pittsburgh.

The excitement at Rose's Point is very great, in consequence of the burnings which have been kept up for nearly two weeks. Quite a number of the families are moving out of the place, or rather the male part of them. You can form little idea of the alarm and confusion which prevail there as soon as night falls.

Every man in the place is on duty, and fifty mounted dragoons are stationed on the lines; yet, with all this precaution, they have fires all around them. Several fires have occurred within sight of the guard, and while they were extinguishing one, another has broken out in another direction.

Latter still. By a letter from Albany, dated Monday last, we learn that implicit reliance may be placed, we learn, that the barns belonging to Mr. Covey, an enterprising farmer, in Albany, were burned by a gang of "loyal volunteers" on the Saturday night previous.

Six or eight head of cattle, two horses and about ten tons of hay were also destroyed. Our correspondent adds that scarcely a night had passed to three weeks, without the heavens being illuminated by the light from some incendiary fire in that vicinity.

From the Montreal Herald.

Clarenceville, 25th March, 1839.

SIR: I beg to inform you of the particulars of a small affair that took place in this neighborhood last night, or rather early this morning. About 3 o'clock an armed party from the United States, in sleighs, drove down on the ice until opposite our picket on Beach Ridge, (the scene of some of their burning), and then commenced firing small arms, but without effect, as our picket had disposed of themselves under cover, awaiting their nearer approach, the distance being too great for precise aim. The brigands then fired a cannon and then decamped in the direction of Alburg Springs. A detachment of the Queen's light dragoons, and the light company of Colonel Dyer's regiment, arrived soon after in support of the picket, and marched up to the line, near which a body of the brigands remained until the near approach of our force.

Upon our arrival at the spot on the ice, from where the firing took place, we found the cannon, a wooden one, burst, and a new United States musket with an iron six pound ball, and a quantity of cannon shot lying scattered about. From the appearance of some pieces of the wooden cannon, I am led to believe that several of the brigands were wounded by its bursting, marks of blood being distinctly visible on the pieces and ice around. The firing on the pickets in this vicinity is not an unusual occurrence, but from the distance the shots came from, and our precaution in placing the sentries under cover, no damage has been received. Had the cannon not burst, we have every reason to suppose that a more extended attack was intended, as we are informed that a considerable force from another point convenient to us was in readiness to march, in and as Nelson, Cook, Gagnon and Grogan are now at the springs, only four miles distant, another attack is expected.

The Montreal Courier states that a barn and stable at St. Johns, belonging to a volunteer named Harrison, were burned by an incendiary on the morning of the 5th.

The recent ordinance respecting the admission of aliens into the province has caused some uneasiness and it is feared that it will prove an impediment to the usual intercourse by steamboats on Lake Champlain. The steamboat company is said to have serious intentions of running their boats no farther than Champlain village.

From the Buffalo Commercial Advertiser.

Colonel Prince, and the Sandwich affair. It will be recollected that after the affair at Sandwich, U. C. much blame was attached to col. Prince for the course which he pursued towards the patriot prisoners who fell into his hands. According to the statements then made of his conduct, it was evidently characterized by wanton cruelty; but we are gratified to perceive that upon an inquiry instituted by the lieutenant governor and major general commanding, colonel Prince is fully exonerated from the imputation of having been guilty of acts of wanton cruelty.

We extract the following paragraph from a general order issued from the adjutant general's office at Toronto the 20th March:

"The lieutenant governor cannot too strongly express his disapprobation of the terms and spirit in which the printed statement has been framed, and of the act, manner, and place of its publication; nor can he omit particularly to notice the very inconsistent and reprehensible conduct of colonel William Elliott, who, in the first place, presided at a public meeting, at which the course of summary execution adopted by colonel Prince, to a limited extent, at Windsor, was strongly recommended to be indiscriminately pursued on all occasions of invasion; and afterwards pledged himself to the truth of statements, highly colored and exaggerated, implicating that officer, and having a direct tendency to lower the character of the militia service, in which colonel Prince and his accusers were alike engaged, as well as to aggravate the feelings of hostility along the frontier, already, unhappily, too much excited."

The order then declares that "these circumstances impose on the lieutenant governor the painful necessity of dispensing with the future services of colonel William Elliott in her majesty's militia of the Upper Province."

The London Spectator, in speaking of Lord Durham's report on Canadian affairs, says:

"It should be as gratifying to the American people as to the colonists who it most concerns. For the first time, an eminent English statesman treats colonists with the respect which is due to a free people; concealing nothing from them, not attempting to delude them with vague generalities, but admitting and enforcing their just causes of complaint, proving their grievances, and insisting that their interests should be consulted, by allowing them to manage their own local affairs in their own way. For the first time, an eminent English statesman officially avows in respect for the Anglo-Saxon people of the United States, and honestly attributes the wonderful career of prosperity to the English principle of local self-government, which they inherited from their ancestors and ours. Wellington and Peel seem to long for a war with America, or to imagine that they can avert it by denunciation and threats. Lord Durham shows in what utter ignorance they have charged the American government with bad faith; proves that whatever risk there may be of a war on the Canadian frontier is owing to the lawless and disorganized state of the British dominions; and declares that it is only by giving a government to our own people, who have had none, that we can hope to avert collision, which may end in war. Which is the better statesmanship—whether the wiser diplomacy—Peel's or Durham's? We need not stop to ask a question about the policy of such a nullity as the Melbourne cabinet."

TEN DAYS LATER FROM ENGLAND.

The packet ship Roscoe, captain Delano, arrived Thursday morning, and brought Liverpool papers of the 25 h and London of the 27th ult.

The London papers of the 23d February publish the resolutions of inquiry offered by Mr. Cushing, and adopted in the house of representatives the last of January, relative to the boundary lines between the United States and the British possessions, the alleged violation of neutrality on the Canadian frontier, and particularly in relation to the seizure and destruction of the steamboat Caroline. These resolutions are regarded as breathing a spirit of hostility. The Herald suggests that an English army of observation on the line would produce the happiest consequences on the question of adjustment.

It was known in London that governor Fairfield had communicated a confidential message to the Maine legislature on the subject of the timber deductions.

The earl of Zetland died suddenly on the 19th of February. He was created an earl at the coronation. Former title lord Dundas.

The French government has ordered an extraordinary credit of 2,200,000*l.* to be opened to the minister of marine and colonies, to be thus appropriated: To repair the damages done to the military buildings at Martinique, 500,000*l.*; subvention to the interior service of the colonies, 900,000*l.*; accessory services, 800,000*l.*

The Mexican blockade. The subject of the Mexican blockade was exciting a good deal of attention in London. The blockades are reported as highly injurious to British commerce. Several vessels had returned with their cargoes, and notice had been given that the packets were to be restrained from bringing home specie.

The queen had offered to mediate between France and Mexico, but the offer was rejected. Mexico had intimated a desire for the mediation of England.

Lord Normanby was sworn in as colonial secretary on the 23d of February. His successor in the government of Ireland had not yet been named.

The court circular of February 23d states that on the preceding day the bishop of Vermont, U. S. had an interview with lord Melbourne.

Nothing further of importance in relation to Canada had occurred. In the house of lords on the 19th instant the earl of Winchelsea made a motion for copies of any correspondence that may have taken place relative to the appointment of Mr. Turton.

Lord Melbourne disclaimed having any thing to do with the appointment. He had written a private letter to lord Durham on the subject, stating his disapprobation, and requesting that the appointment might be rescinded. Lord Durham declined, as he considered his honor pledged in the matter.

Lord Durham in reply said:—He had considered, and he still believed, that it was the privilege of all governors to appoint honorary executive councillors. Honorary executive councillors were distinguished from municipal councillors. There was a legal distinction in such offices. Honorary executive councillors were nominated by the governor. There was nothing upon which they could come officially before the government. He distinctly asserted—and he was sure whatever their lordships might think of his Canadian administration that they would give credence to his word—he solemnly assured them that nothing could have induced him to alter any appointment which he might have given to his learned friend, provided that it did not commit the government. He did not shrink from the responsibility of this appointment. He had made it on his own responsibility. He cared not for either the private or the public letters. He had felt his honor pledged. Nothing could have induced him to rescind the appointment. He had tendered his resignation after that. He had tendered his resignation, but nothing could have induced him to accept it. He believed the expression he used at the time was, that he would rather cut off his right hand. Nothing could have induced him to make himself necessary to the vilification which had taken place of that gentleman. As to the public letters, he thought the public had a right to their being published. He was not ashamed of them. He hoped the noble viscount would, at all events, allow him to read that part of his own (lord Durham's) letter which referred to the subject. It would be a satisfaction to him if every word of both the public and private letters were published. He was very much obliged to his noble friend (lord Brougham) for having come forward and said what he had said concerning his knowledge of Mr. Turton's character. He (lord Durham) had known that gentleman from youth. They had been separated by circumstances, he (Mr. Turton) having gone to India and he (lord Durham)

having ever been in England. He obtained in India the appointment of advocate general, being appointed to that situation by lord Combermere. He held the appointment for a length of time. He was confirmed in it by lord Amherst. It was to the satisfaction of the court and council, who took the extraordinary step of voting him a certain large salary, and of passing a vote of thanks to him. He (lord Durhan) after this had not seen why there should be any objection to his giving him this temporary situation in Canada. The advocate generalship was the first legal appointment in India, being tantamount to our attorney generalship. He had felt himself (lord Durhan) not precluded from employing this gentleman and availing himself of his great abilities. This gentleman had been elected by the inhabitants of Calcutta and other towns to high situations. Let him observe that all the circumstances of Mr. Turton were known in India at the time all he had been speaking of took place there concerning him. The noble earl proceeded to say that Mr. Turton was not paid. He had not received any thing. He (lord Durhan) would be ready to meet the noble earl (the earl of Winchelsea) both upon the private and the public question. He would be ready to enter upon the question of adultery as in connection with official employments, though the noble earl must not be surprised if he pledged himself, that if he was obliged to do it, there was no one who had committed adultery who had been officially employed, who might not expect to have his case brought forward by him (lord Durhan) upon that occasion. The noble earl concluded by saying, that if the noble lord (Winchelsea) was at any time disposed to move for the documents which had been referred to, he would be ready to second him.

The earl of Winchelsea said he was not deterred—he was not daunted. He was actuated by public motives. If the noble earl brought forward any case of the description he had spoken of, he (lord Winchelsea) would support him in it.

The motion was then negatived without a division.

London, Feb. 23. This being the eve of the settling day for the account in the English market, it has been chiefly occupied by the brokers and jobbers with the arrangements of their differences. It appears to have proved a "bear" account, and is rather heavier than for some time past. This circumstance has created, as usual, a little more business, but in the quotations there has not been any particular alteration.

A confident rumor has reached us, that lord Palmerston, not being able to withstand the exposure made by Mr. Urquhart, in regard to the Portfolio correspondence, has followed the example of lord Glenelg, and made himself scarce in Downing street.

[United Service Gazette.]

Public attention was excited to an insult said to have been offered to the British flag by the prince de Joinville, who was the officer commanding the corvette, on board which the Mexican pilot, dragged by force from under the protection of the British flag, was compelled to go, in order to steer that vessel, to the harbor of his own countrymen. The London Morning Herald designates it as an act of the most insolent premeditation. It was, however, a mistake on the part of the prince de Joinville, and the rear admiral had made a communication on that subject to the French government.

Motions were made in both houses of parliament on the 18th and 19th instant, "that evidence be heard at their bars in support of a total abolition of the laws relating to coin," negatived in the house of lords without a division, and in the house of commons by a majority of 198 in a house of 533 members present.

London, Feb. 27. Explosion of fire-damp. Twenty-three lives lost. A explosion of fire-damp took place on Monday week, a coal pit near Whitehaven, whereby twenty-three persons lost their lives. The accounts from Prague confirm the statement that Austrian corps of 30,000 men is preparing to march, if necessary, to the Rhine.

The "Courier Belge" publishes a plan which, it says, has been determined on by the conference for the partition of the country, in case that the government and chambers should refuse the treaty of the 24 articles. Antwerp is to be given to England, a part of Flanders to Holland, Hainault to France, and Liege to Austria. We need not say that the plan of partition is most ridiculous, and that the Courier Belge has been imposed on.

The B-lics question was in Paris deemed settled. The accounts from Brussels received in the course of Saturday were held to justify the expectation.

Great activity prevails in the naval ports of France for fitting out an expedition of troops against Mexico.

The French consul at Barcelona has transmitted to the chamber of commerce at Marseilles a copy of

an order issued by the Spanish government, placing the port of Melilla, on the African coast, under a strict state of blockade, until it again submits to the authority of the queen.

The Gazette de Commerce of St. Petersburg publishes a comparative table of the merchandise exported from St. Petersburg, on which duty was paid, during the last four years. The total value is as follows: In 1835, 107,030,066 rubles; in 1836, 129,601,862; in 1837, 136,510,941; and in 1838, 157,325,135 rubles.

The paragraph stating that there had been a fall of a considerable part of the Shakspeare cliff near Dover, and that a skeleton had been found there, is officially contradicted.

From the east. Mr. McNeill, the ambassador to Persia, finally left Teheran on the 31 of January, giving orders to the British officers in the Persian service to proceed to Bagdad, and there wait further instructions. The Persian court had shown no symptoms of a desire for reconciliation with England.

TWO DAYS LATER FROM ENGLAND.

By the packet ship Sheffield, captain Allen, from Liverpool, March 2, we have London papers of the 1st, and Liverpool of the 2d instant. The news is of importance. The cotton market had recovered all the depression previously felt. The trade of Manchester had recovered. The export of gold to the continent ceased, and English funds advanced.

Mr. Stevenson had long interviews with lord Palmerston and lord John Russell on the 28th of February.

Lord Glenelg has expressed to lord Durhan the queen's satisfaction, and that of her government, with his report on the affairs of Canada.

The proceedings of parliament are not of any interest. Lord John Russell has been defeated in the attempt to shut the Westminster theatres during the night. Mr. Seargent Falfour's copy-right law, after a brilliant speech from that gentleman, was passed to a second reading by a majority of 36.

In the house of lords on the 13th of February, some two or three hundred petitions from land owners were presented, against the abolition of the corn laws, and almost as many in favor. Lord Brougham opened the debate on the subject with a long and vigorous speech, concluding with a motion that the petitions be referred to a committee of the whole, with a view to the production of evidence, which was rejected, without division. That of Mr. Villers also, in the commons, was lost by a vote of 361 to 172. Lord Brougham's speech on the subject was one of his most remarkable displays of oratorical power.

On the same day the earl of Winchelsea inquired whether it was the intention of lord Melbourne to lay on the table any papers relating to the appointment of Mr. Turton. Lord Durhan said that lord Melbourne had no part in making the appointment referred to. It was one that did not require the confirmation of any minister—he had made it on his own responsibility; and he was ready to defend it. The person referred to had rendered him an essential service, and if again placed in a similar situation, he would again avail himself of the talents of that person. Lord Brougham took part in the debate. We give a specimen in his caustic treatment of an interruption.

Lord Wicklow—"Hear hear!"

Lord Brougham—"Yes, you cry hear, hear! but you don't understand. (Loud laughter.) Now, I wish you to understand as well as I can, and to comprehend as well as understand, and to digest as well as comprehend—to exercise your excellent understanding as well as your good ears, and then when you have done that to decide justly."

Lord J. Russell hoped to introduce the bill for establishing the government of the Canadas before Easter.

Sir Robert Peel asked if the government contemplated actual legislation on the subject of Canadian affairs. Lord John Russell said he did.

In the house of commons, Mr. Harvey gave notice that he would move an address to the crown relative to lord Durhan's Canadian appointment. He said it might, perhaps, be convenient for him to state, that it was his intention to found on this, the return to that address, a motion that might affect the seats of certain honorable members.

In the house of lords, lord Sandon postponed for a fortnight his motion on the blockade of Mexico. The inquiries into the circumstances attending the assassination of lord Norbury excited much interest. Great anxiety was felt on the subject of the impression of a well-formed boot seen near the scene of the murder.

The Times states that "the attention of the Paris press being still monopolized by the electoral ques-

tion, we cannot find in them a single paragraph that would interest our readers."

The Chartists. On Monday evening the Radical's chapel, at Middleton, was crowded to excess, when John Flint, a schoolmaster, from Heywood, gave a lecture on the propriety of having fire arms; in the course of which he said, that all those who intended to break their shuttles and cut up their looms, if the national petition was rejected, must hold up their hands, and this was done by about three fourths of the parties present. The lecturer added, that he should only wait till the 2d of March. Since meeting, many are expected to give up working after the 2d of March. The firing at night still continues. *[Manchester Guardian.]*

Lord Ebrington has been raised to the peerage and appointed lord lieutenant of Ireland.

Two or three persons suspected of being concerned in the murder of lord Norbury had been taken into custody.

The conduct of the prince de Joinville in taking the Mexican pilot from an English vessel, is again severely commented upon by the opposition journals.

The agitation in regard to the corn laws had somewhat subsided since both houses of parliament had refused to take evidence in committee of the whole. Large meetings, notwithstanding, had been held in several parts of the kingdom.

Much gloom is said to rest upon commercial affairs in Paris. Nine new failures were declared on the 26th. The returns of the receipts and disbursements of the saving bank on the 24th and 25th showed the increase of alarm or of distress. The payments on those days exceeded the lodgments by a sum of more than 200,000; the former having amounted to 700,000; while the latter had been only 492,000. The Debits and the Constitutional public opinion stirring appeals to the electors, and the Quotidienne vehemently protests against the conduct of the government, for the corruption which it alleges is resorted to by the Mole cabinet to procure the return of the ministerial candidates.

Bank of England. The following notice was posted at the bank of England on Thursday last: "The governor and company of the bank of England give notice that on and after the 28th instant they will receive applications for loans upon the deposit of bills of exchange not having more than six months to run, or exchequer bills, India bonds, and other approved securities; such loans to be repaid on or before the 23d of April next. Interest at the rate of 3 1/2 per cent. for sums not less than £2,000."

London, 12 o'clock. The close of session was closed yesterday by the failure of Messrs. Ashley & Son, of Regent street, bankers and army agents; but we are happy to learn that their affairs are in a small compass; their debts, it is said, will not exceed £30,000. The stock market is firm. Consols are 93 to 93 1/2 for money, and 93 1/2 to 93 3/4 for account. New 3 1/2 per cents, 100 1/2 to 100 3/4. Exchequer bills 65 to 66 premium.

Two o'clock. The notice of loans at the bank appears to have had a favorable effect on the stock market. Consols are now 93 to 93 1/2 for money, and 93 1/2 to 1 1/2 for account. Exchequer bills have reached 68 premium. The discord which reigns in the camp of Don Carlos has given confidence to the holders of Spanish bonds, and those securities have risen to 19 1/4. Dutch bonds remain at yesterday's prices. No material variation in shares.

Wrecked goods. For the last two or three weeks considerable quantities of soft goods and hardware, of all descriptions, have been brought to London in wrecks of the Pennsylvania, the Lockwood, and the Victoria, and have, from time to time, been disposed of by public auction. The drapers and hardware dealers, who have been the principal purchasers, have exhibited their respective lots in their windows with (for the worst part) the trifling reduced prices affixed to each article; and by the additional aid of large bills, announcing "further arrivals from the wrecks," "More large lots of goods," "Just arrived, extensive lots of linens, lawns diapers, caubric han kerchiefs, table cloths, covers, &c., from the wreck of the Pennsylvania," and so forth,—the parties, if we may judge from the crowds that beset their premises, have, since the fatal catastrophe that threw these articles in their way, been driving a most successful business, thus verifying the old saying, that "it is an ill wind that blows nobody good." Certain it is the retail sales have been extensive, whether from the cheapness, or supposed cheapness of the damaged goods, or from, in some instances, (who knows!) an idea amongst intended voyagers, or emigrants, that in a shirt or garment, fashioned out of materials that had once been "wrecked," they would possess a charmed habilliment that would serve them against all similar disasters, we shall not say. In one hardware shop in Dale street, we find "250 pair of wrecked fire irons advertised, besides fenders, tea

trays, and finally fish hooks, in bundles of 500, for the small sum of one penny!—for the articles comprise literally from a best bower anchor to a cambric needle." And to crown the whole a quantity of "fire shovels, just made out of wrecked iron." The force of wrecking could no further go. What recommendation this will be to the shovels we are at some loss to conceive; but if we mistake not, the mania that has spread abroad to purchase the articles received from the ill fated vessels, superinduces an absurd suspicion that this is not the only "manufactory of wrecked goods" in the town. Who knows how many pieces of goods that have been "shopkeepers" for many years for lack of purchasers, have been brought down from their dusty shelves, and have been moistened and outwardly smeared with sand and mud, have been displayed amongst the "last lots from the Pennsylvania," before the eyes of sympathizing customers as having veritably been "wrecked?"

[Liverpool paper.]

FRANCE.

London, Feb. 28. The Paris papers of Tuesday have arrived, but bring no news of importance. Ministers were supposed to have suggested much alarm to the electors on the warlike propensities they attributed to the coalition. It was consequently expected that the struggle in the ensuing elections would be more close than had been anticipated.

Each gloom is said to rest upon commercial affairs in Paris. Nine new failures were declared on Monday. The return of the receipts and disbursements of the Saving bank on Sunday and Monday showed the increase of alarm or distress. The payment of those days exceeded the disbursements by a sum more than 200,000*fr.*; the former have amounted to 700,000*fr.* while the latter had been only 100,000*fr.* The Hollando Belgic question had lost all its interest in Paris. It was scarcely mentioned on the Bourse. Nothing new had reached from Brussels. The late frightful executions at Estella, by order of gen. Maroto, appear to have shocked even the best friends of Don Carlos.

Nine new failures were declared in Paris on the 27th. Little or no business was done on the Paris Bourse.

A supply of corn having arrived from Turkey, a fall in the price of bread had taken place.

We cut the following from the Paris correspondence of the New York American, writing under date of February 14.

The National anticipates war between France and the United States, from the Mexican privateering scheme. It argues that a country so powerful as France "cannot allow her commerce to become the prey of New York, Charleston and New Orleans speculators"—that she will be obliged to hang as pirates the pretended Mexican privateersmen, sailing from the ports of the United States—that "the American people *en masse*, jealous as they are of the kind of naval and political supremacy which they arrogate to themselves in the new hemisphere, will raise an outcry for reprisals; which, and the increasing irritation about the blockades of Mexico and Buenos Ayres, the cabinet at Washington cannot long resist, and thus war must ensue."

The intelligence received to-day from Belgium is more and more pacific; the chambers have been convoked at Brussels for the 19th inst. and it is generally expected that the executive government will announce to them its accession to the decision of the London conference. The terms of the king of Holland's resignation to the same fiat, might serve as a good formula, to Leopold. The acquiescence of the Belgian senate is understood to be certain; but opinion is divided concerning the vote of the house of representatives. This body consists of one hundred and three, of whom nearly one hundred will be present. The radicals of Brussels and Paris claim sixty of them, for the desperate project of resistance at all hazards; while the Belgian ministry count upon the same number for the opposite policy. According to all the accounts, the crisis become every day more and more distressing and ruinous for the industrial classes, and sensibly increased the disposition toward submission, which some of the Belgian journals proclaim to be general. It is not known, exactly, what the five allied powers will do, in the very improbable event of a legislative refusal, or a popular convulsion.

SWARTWOUT DEFALCATIONS.

Report of the committee of investigation, chosen by ballot, by the house of representatives, January 17 and 19, 1839, on the subject of the defalcations of Samuel Swartwout and others, and the correctness of the returns of collectors and receivers of the public money; also, the report of the minority of the committee.

RESOLUTIONS CREATING THE COMMITTEE—25TH CONGRESS, 3D SESSION.

Congress of the United States,

In the house of representatives, January 17, 1839.

Resolved, That the communication from the president of the United States, of the 8th of December, 1838, relating to the defalcation of the late collector of the port of New York, except so much as relates to the modification of the revenue laws, be referred to a select committee of nine members, to be appointed by the house, by ballot, whose duty it shall be to inquire into the causes and extent of the late defalcations of the custom house, at New York and other places, the length of time they have existed, the correctness of the returns which have been made by the collectors, and naval and other officers, and the deposit banks, respectively; and all such facts connected with said defalcations as may be deemed material to develop their true character.

Be it further resolved, That the said committee be required to inquire into, and make report of, any defalcations among the collectors, receivers and disbursers of the public money, which may now exist; who are the defaulters; the amount of defalcations; the length of time they have existed; and the causes which led to them; and that said committee have power to send for persons and papers.

The house proceeded to appoint said committee by ballot; and Messrs. *Hurlin*, of Kentucky, *Curfiss*, of New York, *Wise*, of Virginia, *Dawson*, of Georgia, *Smith*, of Maine, *Hopkins*, of Virginia, *Queen*, of Georgia, *Foster*, of New York, *Wagner*, of Pennsylvania, were elected.

ADDITIONAL RESOLUTION CONCERNING THE COMMITTEE—25TH CONGRESS, 3D SESSION.

Congress of the United States.

In the house of representatives, January 19, 1839.

On motion of Mr. *Wise*, Resolved, That the select committee of nine, elected by the house to investigate the late defalcations of public officers, have power to elect a clerk; to employ a printer, to print for its own use its journal and other papers required to be copied for its members; that the committee have leave to proceed to New York or other places for the purpose of prosecuting its inquiries; and that the members thereof be excused from attendance upon the house until it shall have made its report.

REPORT OF THE MAJORITY.

Prefatory remarks.

The select committee chosen by the house of representatives on the 17th and 19th ultimo to investigate the defalcations of Samuel Swartwout, late collector of customs at the port of New York, and of other officers, have devoted to the faithful discharge of the duties assigned them the limited time allowed for the purpose by the shortness of the present session of congress; however, that the whole field of inquiry presented by the resolution appointing the committee could not be properly traversed to report thereon, either satisfactorily to the country or to the committee, during the short remainder of the present congress. This impressed upon the committee, at once, a resolution, which has been rigidly adhered to, of limiting the investigation to such branches of the subjects referred to them as had most deeply excited public anxiety and alarm, and to undertake only so much of these as might be thoroughly exhausted within the allotted period of the committee's researches. But, the important searches which have been attained, notwithstanding the disadvantages adverted to, cannot fail to inspire the country with a confident hope that the spire of obligation which will rest upon the successors of the present congress to resume and complete the great work of investigation and reform of the alarming condition and abuses of the executive departments of the government, from the highest to the lowest, and from the nearest to the remotest functionaries, will secure the prompt and efficient attention which its magnitude demands.

Guided solely by the character of the developments which the investigation imposed upon them by the house has elicited, the committee cannot resist the conviction, that at no period in the history of the federal government has there been deeper or better founded cause than exists at this date to desire a prompt and efficient reform in the "status of reform" which summation of that signal "exists of reform" which public sentiment, many years since, inscribed on the list of executive officers in characters too legible to be overlooked, requiring, "particularly, the correction of those abuses which have brought the patronage of the federal government into conflict with the freedom of elections, and the contraction of those

causes which have disturbed the rightful course of appointment, and have placed our continued power in UNFAITHFUL or INCOMPETENT HANDS."

The first procedure of the committee, after organizing itself for business, was, to visit the city of New York, to inspect there, in person, the original records and papers of the custom house, in conjunction with the examination of such witnesses as might be supposed capable of shedding light upon the inquiry involved by the defalcations of Mr. Swartwout. Thenceforward, this branch of the investigation was conducted pursuant to the resolution of the house, viz: to ascertain "the causes and extent" of those defalcations; "the length of time they have existed;" "the correctness of the returns which have been made by" Mr. Swartwout, and by the naval officer at New York, and by other officers connected with the adjustment of his accounts.

Concurrently with the investigation of Mr. Swartwout's defalcations, those of William M. Price, late district attorney at New York, were likewise kept in view; and the fullest practicable extent of information respecting them has been obtained, and will be adverted to in the sequel of this report.

"The correctness of the returns which have been made" by the present collector of customs and the naval officer, respectively, at the port of New York, was also sought to be examined by the committee while in that city. Considering that "the customs collected at New York equal nearly two-thirds of the whole amount in all the United States," as stated in the special report of the secretary of the treasury on Mr. Swartwout's defalcations (house doc. 13, page 6, of the present session), the committee did not suppose that they should faithfully discharge their duty to the house, or pay a proper deference to that patriotic distrust which pervades the country at the present time, in regard to the affairs of the custom house at New York, were they to limit their inquiries to the returns of the late collector and naval officer, and neglect entirely those of their successors, which must, at all times, be to the country of equal interest with the former, and, at the present time, of even more immediate importance to the security of the national treasury. But, in the execution of so much of this part of their inquiries as related to the present collector at New York, they were compelled to encounter most unexpected obstacles, interposed by the collector himself, and setting at defiance the authority delegated to the committee by the house. The facts connected with the baffled endeavors of the committee to obtain information for the house and country from this officer of the executive branch of the government, who is in immediate charge of and control over public moneys that "equal nearly two-thirds of the whole amount" collected from customs "in all the United States," will be more specially detailed in a subsequent portion of this report.

The committee will remark here, that in the outset of the investigation they have made, they supposed it both proper and safe to place themselves somewhat confidently under the guidance of the several special reports which had been made to the house upon the subject of Mr. Swartwout's defalcations, by the treasury officers, previous to the appointment of the committee; combining, in this view, reports from the secretary of the treasury, the first comptroller, the solicitor, and first auditor of the treasury, as exhibited in house document 13. It, however, very soon became evident that those reports were not to be implicitly relied on as auxiliaries in finding out either the law or the facts of the case; and that, on the contrary, they furnished but an oblique view of both the causes and duration of Mr. Swartwout's defalcations, as also of the law and many material facts which develop the true character of those defalcations. Of necessity, therefore, these reports, although emanating from the highest orders of official functionaries employed in the collection and disbursement of the public revenue, became the subjects of as cautious and critical examination as any other portions of evidence which the case presented; and, as such, it will be obligatory upon the committee to treat them in this report.

In reviewing the details of their labors, so that the progress and results of them may be presented in the simplest form, the committee propose to consider—

- Part 1. The defalcations of Mr. Swartwout.
- Part 2. The defalcations of Mr. Price.
- Part 3. The correctness of the returns which have been made by the present collector and naval officer at the port of New York, respectively.
- Part 4. Defalcations among receivers of the public money.

"Inaugural address of president Jackson, March 4, 1829.

Part 5. Facts connected with the foregoing defalcations, and deemed material to develop their true character.

Each of the devisions thus proposed will properly involve the law appertaining to it, as the appropriate adjunct of its facts. And as the language of the law itself will in each instance be cited in detail, that its authority and injunction may be correctly understood by every one, so the language of the individual testimony relied on in each instance may be adduced, and that its import and force may be left neither to uncertain construction nor doubtful inference. The increased fidelity of their report, in the estimation of the committee, will be, by this mode, an ample offset to its consequent enlargement.

Before proceeding to the general topics of this report, already laid down, it may be proper here to express the deep sense of disappointment and regret of the committee, in not being able to communicate to the house one document that was called for at an early day, regarded as having an important and interesting influence upon the judgment which the house might form on the subject of defalcations among public officers, and the causes which have led to their multiplication. It will be perceived from the following letter, that the committee availed itself of the earliest period after their organization, to make a call upon the president to furnish a list of the defalcations that have taken place among collectors, receivers and disbursers of public money, and other public officers, since the 4th of March, 1829, showing the amount of each, &c.

More than four weeks have now elapsed since that call was made upon the president, and the only information which the committee have obtained to report upon to the house is embraced in the following letter, the distinguishing feature of which information is, that it still more than even the whole remainder of the session will be requisite to answer the call. From this the committee are compelled, reluctantly, to mer, either—

1st. That the accounts and records of the several departments, in general, are so incomplete and defective as not to exhibit, without great labor and delay, the true relations of collectors, receivers and disbursers of the public money, and of other officers, to the government, so as to distinguish debtors from defaulters, and creditors from both; or

2dly. That the number of the defaulters have multiplied so rapidly since 1829, under the system of accountability pursued towards collectors, receivers and disbursers of the public money, and other officers, as to preclude the practicability of securing an account current of their defalcations upon the records of the departments, with all the clerical force at the command of those departments under existing laws and appropriations.

If either inference be just, (and none other of equal weight seems to be fairly deducible from the letter of the secretary of the treasury,) it manifests a general laxity of administration, which demands the earliest application of suitable remedies within the reach of congress and of the country.

For papers Nos. 1 and 2, referred to in the subjoined letter, reference is respectfully made to the journal of the committee.

Treasury Department, February 15, 1839

Sir: The president, on the 23d ultimo, referred to this department the following resolution passed by the investigating committee:

Resolved, That the president of the United States be requested to cause this committee to be furnished by the proper executive department with a tabular showing the defalcations which have occurred among the collectors, receivers and disbursers of public money, and other public officers, since the 4th day of March, 1829; the names of the defaulters; the amount of each defalcation; when each case occurred; the length of time each case has existed; what steps have been taken by the proper departments or officers to prosecute the defaulters and to secure the United States, in each case; and what defaulters are retained in the same offices in which they became defaulters, or have been appointed to other offices."

I accompanied it by a request that all the information desired should be procured early as practicable, and submitted by me to the committee. Accordingly, on the same day, I enclosed copies of it to the other departments, and also to the proper bureaus in the treasury department, and desired that replies might be furnished, so far as in their power, and soon as in their power, to the several inquiries made. I further requested the bureaus connected with this department to employ any extra assistance that could be advantageously applied in hastening their answers.

I would now inform the committee that great progress has been made in respect to those parts of

the answers connected with the register's office, and all which could be made, consistent with the difficulty and extent of the labor, in the third auditor's office. But it is feared that, on account of this labors, and the great mass of previous calls by committees, and by the two houses of congress, which are also to be answered, besides transacting the current business in the different bureaus, the whole detail and tabular statement required cannot be completed during the session. Every effort, however, which, under all the circumstances, can be made, is believed to be exerted to meet the call at the earliest day practicable.

In respect to the last branch of the resolution, asking "what defaulters are retained in the same offices in which they became defaulters, or have been appointed to other offices," I am able at present to present the report of the register, from his office, which exhibits such names as are on his books connected with the state and treasury departments. It is annexed, and contains no name as to this, and but one as to the state department. That one is commodore D. Porter; and by the correspondence annexed, it will be seen that he does not consider himself a defaulter, though he stands charged on the register's books for a complained sum on account of prize money, as explained in the papers (Nos. 1 and 2).

Respectfully,
LEVI WOODBURY,
Secretary of the treasury.

Hon. James Hurlan, *chair. of invest. committee.*

Referring to the order heretofore proposed the committee will now proceed to consider—

PART I.

THE DEFALCATIONS OF MR. SWARTWOUT.

This branch of the report divides itself with reference to—1st. *Their extent.* 2d. *Their duration.* 3d. *Their causes.*

1. THE EXTENT OF MR. SWARTWOUT'S DEFALCATIONS.

There seems to be no cause to doubt the correctness of the reports of the treasury officers, as to the extent of Mr. Swartwout's defalcations, viz: (\$1,225,705 69), *one million two hundred and twenty five thousand seven hundred and five dollars and sixty-nine cents.* At any rate, though the aggregate may be varied by further adjustments, this is no more nor less than the indebtedness which his own books of accounts exhibit against him; and, what is of no less importance than that may be a matter of surprise to the house and country to understand, this indebtedness of Mr. Swartwout to the government, now constituting the measure of his defalcations, great and alarming as it is, is no more nor less than has been shown official quarterly returns, made with periodical regularity, and for the investigation of the accounting officers of the treasury department.

On the accounts of Mr. Swartwout to the end of the last quarter preceeding his leaving the office of collector, viz: up to December 31, 1837, no difference whatever, not to the amount of a dollar, has arisen between him and the accounting officers of the treasury. In regard to all transactions up to that period, all his charges against the government have been found just and allowed; and on the other hand, he has not been found chargeable with any sum whatever, which he had omitted to charge against himself.

There being, moreover, no dispute or omission of items in his subsequent and last quarter's accounts, up to March 28, 1838, it follows that no part of the large defalcation already stated is derived by either travelling out of his own books of official accounts, set against him, or by the actual balance returned by him, since adjudged by the treasury department up to December, 1837.

To these points, the testimony of Mr. Fleming, auditor of the customs and of both the late and present collector at New York, is explicit, as follows:

Examined by Mr. Smith.

Question 113. What is the aggregate difference of the fourth quarter of 1837, as returned by him to the treasury department, and the amount which has subsequently been allowed to him on those accounts by the treasury department?

Answer. I think the treasury department have allowed all the charges made by Mr. Swartwout to such account with the treasury department.

Question 114. Has the treasury department, in the year 1837, charged said Swartwout with any sum which he had omitted in his own accounts, rendered up to said period?

Answer. They have not.

Question 115. Is or is not the balance now claimed to be due by the treasury department from Swartwout, according to house document 13, and

amounting to \$1,225,705 69, derived wholly from the balance found due on his accounts, ending December 31, 1837, as settled by the treasury department, and from the balance of his succeeding quarter of official operations combined?

Answer. It is. (See journal of the committee).

John Underwood, esq., examining clerk in the office of the first auditor of the treasury, and the confidential clerk delegated by the secretary of the treasury to visit New York and inspect the custom house books, in conjunction with the first comptroller and solicitor of the treasury, in November last, thus bears testimony to the same facts:

Examined by Mr. Curtis.

Question 2. Has Mr. Swartwout, in any instance, omitted to debit himself, and credit the United States in his quarterly accounts, with any amount which ought to have been thus entered by him, in order to show the true balance due from Mr. Swartwout?

Answer. I do not know that he has.

Question 4. Upon the quarterly accounts rendered by Mr. Swartwout, would not an examination of them, and a striking of the balance, have shown the true amount due from Mr. Swartwout at any time?

Answer. It would; for, although the particular items of the balance might, from circumstances, differ from the true amount of each, yet the aggregate balance would be a true one. And this will always be so, good, unless a part of the duties secured by and charged to the collector had been suppressed by him. That this has been done by the late collector at New York I know not.

Question 5. Have you, in your investigation of Mr. Swartwout's accounts, or has the treasury department, to your knowledge, ascertained any, and what, sum which ought to have been, but which was not, credited to the United States by Mr. Swartwout, and charged to himself, either under its specific and appropriate head, or under the head of cash and bonds?

Answer. I do not know of any such omission in his quarterly accounts, which are the accounts received at the office of the first auditor.

Question 7. Did or did not the charges against Mr. Swartwout at the treasury, and the debit side of his own account, as rendered by himself to the treasury, include the whole amount of the various items which make up his defalcations, as set forth in the letter of Mr. Gilpin and Mr. Barker, addressed to the secretary of the treasury, dated 15th November, 1838, being paper 15, document 13, H. R. 3d session 25th congress?

Answer. They did.

Question 9. Could you not, from Mr. Swartwout's accounts rendered at the treasury department, ascertain the balance due from Mr. Swartwout, without a resort to the New York custom house books?

Answer. If the accounts for the first quarter of 1838, that is, the closing period of his term, had been forwarded to the treasury, the true balance due from him could have been ascertained there. These accounts, however, were retained at the custom house until they were sent on, at my instance, to the treasury, at the same time I returned to Washington, in November, 1838.

Question 13. Did you, in your examination into the origin and progress of Mr. Swartwout's defalcation, find any new items which ought to have been debited to Swartwout and credited to the United States, in his quarterly accounts, and which had not been so entered?

Answer. I did not.

From the preceding testimony, the committee report, as established facts:

1st. That Mr. Swartwout is a defaulter to government, as appears by his own returns, as adjusted from time to time at the treasury department, in the sum of one million two hundred and twenty-five thousand seven hundred and five dollars and sixty-nine cents.

2dly. That this amount of indebtedness has accumulated upon the face of the quarterly accounts truly returned by him for adjustment at the treasury department, without the omission of any items of either debit or credit thereon, until it became an absolute defalcation.

2. THE DURATION OF MR. SWARTWOUT'S DEFALCATIONS.

The treasury officers unite in representing Mr. Swartwout's defalcations as commencing as far back as in 1830. The secretary of the treasury sums up his own examination on this point, and also the statements of the first comptroller, first auditor, and solicitor of the treasury, thus: "The first misuse of the public money by Mr. Swartwout, as collector, appears to have commenced in 1830. A series of defalcations, in various items of his accounts, seem to have followed, and continued

through each successive year, increasing constantly in amount, till near the close of his official term. See a recent house document 13, p. 4. This would indicate that they have been a character to elude the vigilance of the accounting officers of the treasury for a series of years, and extending back of the period when the present secretary of the treasury, the present first comptroller, the present first auditor, and the present solicitor of the treasury, respectively came into office. But the committee do not concur in this view of the matter, nor do they find the facts to warrant the imprecations of any such early date upon Mr. Swartwout's defalcations.

So far as Mr. Swartwout's interests or reputation are to be affected, it matters not whether any portion of his defalcations be traced back to 1830, or only to 1837; because such a question, respecting dates, is not pretended in any way to alter the aggregate amount. He is equally a defaulter in the sum of \$1,225,705 69, whether he is to be adjudged a defaulter from the earlier or only from the later period mentioned.

Nevertheless, the instruction of the house to the committee, in the resolution of appointment, has required, for obviously sound reasons, that the true dates or precise duration of Mr. Swartwout's defalcations be investigated; and hence the obligation rests upon the committee to present the facts truly as they have been found on investigation.

To comprehend the process by which the treasury officers assume to carry the date of any portion of Mr. Swartwout's defalcation anterior to 1837, it is necessary to pay attention to the system of book-keeping that has existed in the custom house at New York since the year 1799. (See committee's journal, answer 6 of Mr. Shultz.)

There are numerous subordinate accounts kept in the custom house at New York, by way of keeping distinct exhibits of the expenditures made upon distinct objects. The effect is to simplify and systematize the divisions of labor and of responsibility into which the great aggregate of business at the custom house naturally and necessarily resolves itself. On these separate accounts, expenditures made by the collector are charged to the government, and are balanced only when the same charges are transferred to the quarterly account of the collector, upon which he settles all his financial operations for the government at the treasury, unless he enters under some special appropriation made by congress, and then he renders a separate account. But no charge in the quarterly account is allowed until accompanied by a voucher, no items are carried specifically or by name, from the subordinate accounts of the collector thus kept at the custom house, to his quarterly account returned to the treasury, until the requisite vouchers have been obtained, and he is prepared to settle such items finally. When any items are thus settled, they pass out of both the subordinate and the quarterly accounts, in order to indemnify himself in his quarter-yearly settlements at the treasury (required by law) for the amounts, or unsatisfied balances of charges against the government exhibited by these numerous subordinate accounts; and until he obtains vouchers to settle them finally, his course was, and must of need be, to add them together, and carry them, in the aggregate, into his quarterly account, under the general designation of "amount of unsettled accounts," or "amount of unsettled and suspense accounts." This, however, is not done in the nature of a charge, but as a part of a recapitulatory explanation that is contained in every quarterly return of accounts, by way of indicating what amount of actual offsets he has to the balance stated against him, and also what has become of the money he has received to constitute such balance. If, with such an explanation, the accounting officer seeks to admit the account to settlement, the balance passed to his account for the next quarter, and so on.

It should be remembered here, that, of the subordinate accounts thus kept for the convenience of better management of the internal affairs of the custom house, nothing is officially known to, or recognized by, the accounting officers of the treasury department. They are not the offspring of any treasury regulation, but are the arbitrary institutions of the collector. It is from these that he makes up his quarterly account current; but such quarterly account is the one returned to the first auditor of the treasury, and is the only one of final adjustment that is required, or recognized, by the accounting officers of the treasury.

With this explanation, it is manifest that the item of *unsettled or suspense accounts* of the collector, in his quarterly return, only represents sundry assets of items which pertain to his quarterly account; they are not dependent upon, or the growth of, distinct and separate funds from those which enter generally into his quarterly account. Hence,

to separate one of these subordinate accounts, or classes of items, in regard to which a balance may be standing against the collector, from the remainder of such subordinate accounts, or classes of items, in regard to which a much larger balance is standing in his favor, and to pronounce him a defaulter to the government on the former balance, because the other balance in his favor is susceptible of being absorbed by bringing it into an offset to the whole remainder of items of which the collector's quarterly account is composed, cannot be regarded by the committee as a fair and just representation of the collector's accounts, or of his defalcation. But such is the process by which the treasury officers, secretary, comptroller, auditor and solicitor, have made Mr. Swartwout guilty of "a series of defalcations," continued through successive years, since 1830, and prior to 1837.

The committee conceive that there is a propriety in either taking the whole of the items or subdivisions of Mr. Swartwout's suspense account together, and striking a balance thereon at the end of each successive quarter of his term, or in taking each of its subdivisions apart from all the rest, and striking the balance on each at the end of each successive quarter of his term; offsetting thereafter the one by the other, to resolve them into one final balance. By either process, it will appear that at the end of no quarter since 1835, has the true balance of these suspense accounts ever been otherwise than has been returned by Mr. Swartwout in his quarterly accounts to the treasury; and that at the end of no quarter has it been otherwise than a balance largely in favor of Mr. Swartwout. It is obviously most easy, by selecting portions of these subordinate accounts, and separating them from the remainder, to exhibit a balance against him at any time that may be desirable, since the commencement of his accounts. But such a procedure is not to be justified upon any principle of honorable dealing.

Nor is the character or dates of Mr. Swartwout's defalcations at all altered by the fact, that to one subdivision of his subordinate and suspense accounts, he credited the government, or charged himself with moneys from his cash account, or from the treasury, which should have been thus credited or charged to a different subdivision; for thereby the true balance of these accounts resolved quarterly into one aggregate, and, as carried into each quarterly account to the treasury, under the general designation heretofore described, and into the only account known to the treasury, was in no degree lessened, enlarged, or affected. If it were true that the collector has been required to make separate settlements at the treasury on these subordinate accounts, or subdivisions of his quarterly account, then, an erroneous credit of moneys to one subdivision would proportionately affect the other, in such a way which it had been thus directed. Such, however, not being the mode of settlement known to the treasury, or required by Mr. Swartwout, no confusion of *debits or credits*, however great it might be, in the subordinate accounts of the collector at the custom house, could furnish ground for reproach upon the collector's quarterly account current at the treasury department, where nothing is required, cared, or known about his subordinate accounts.

All the items charged upon Mr. Swartwout as defalcations, dating anterior to 1837, are found by the committee to have been entered in the proper quarters of Mr. Swartwout's subordinate accounts at the custom house, to which they appertained, and carried from them, at the proper time, to his quarterly account rendered at the treasury department; forming, at all times, a component part of the aggregate balance exhibited against himself.

They consist of—1st. "Tonnage duties," \$2,271 39, minus \$188 15; 2d. "Forfeitures and penalties," \$39,823 12; 3d. "Treasury warrants," \$39,240 05; 4th. "Office expenses," \$60,291 42; 5th. "Cash retained for refunding merchants," \$80,769 32; total \$121,907 36. Their history will be considered in the next part of this enumeration.

1. "TONNAGE DUTIES."

It is quite apparent that the solicitor and comptroller of the treasury, in their examination of Mr. Swartwout's books at New York, in November last, well might persuade themselves that this item did not amount to a defalcation, or even just charge upon Mr. Swartwout, although charged to himself in his accounts. In their joint report to the secretary of the treasury, (house doc. 13, p. 25), they say: "It may be that this deficit has arisen from errors which have crept into the account during the five years through which it extends. The amount is so small as to give color to this supposition."

The examination of Mr. Fleming, auditor of the customs under both the late and present collector, was as follows, upon this item:

Examined by Mr. Smith.

Question 84. Mr. Swartwout has been represented as a defaulter on his accounts to the amount of \$2,271 39, for "tonnage duty," accruing in the years of 1830, '31, '32 and '33, and which sum has not been debited in his cash accounts. Do you or do you not believe, from the examination you have made of said accounts, that said amount is not properly chargeable to Mr. Swartwout as a defalcation, but should have been set down as error, from which no money was realized by him?

Answer. I believe that said amount was purely an error. A vessel may have been subject to tonnage duty, and yet, from inadvertence, it may not have been collected at the custom house; and when the tonnage account was made up for the treasury, the omission may have been discovered; consequently, the collector would credit the United States for the money, and rely upon collecting it afterwards, and yet never realize it.

Mr. Nathaniel Shultz, the predecessor of Mr. Fleming in the auditor's office of the custom house under Mr. Swartwout, was subsequently called, and the following examination was had of him on the same point:

Examined by Mr. Curtis.

Question 83. Will you examine the statement presented by Mr. Gilpin and Mr. Barker in their letter of the 15th November, 1838, (paper 15 in doc. 13), and say whether their statement of Mr. Swartwout's defalcation prior to (July, 1836), the time you left the custom house, be correct or not; and if incorrect, point out wherein?

Answer. In respect to all that is said about tonnage duties, their statement is erroneous. Mr. Swartwout regularly entered all the tonnage duties and money received thereon, upon his cash book, and other books, and accounted regularly for the same in his quarterly and other returns. I am certain of this, and I show you now, in the book before the committee, the cash book, and other books, that they were so entered and accounted for at the proper times. It is not right to say Mr. Swartwout is a defaulter for any of these items of tonnage duties; and I maintain and show, by the books and returns, that they have been regularly accounted for to the United States.

2. "FORFEITURES AND PENALTIES"

The item of "forfeitures and penalties," now charged as a defalcation, is thus stated by the solicitor and comptroller in their joint report, before named, p. 25:

"The 'forfeitures and penalties' belonging to the United States constitute the second fund," in which there is a deficit. It amounts, in the aggregate, to \$39,823 12. Of this, there occurred

In the year 1832, the sum of	\$29,632 46;
In the year 1833, the sum of	3,674 04;
In the year 1834, the sum of	1,173 09;
In the year 1835, the sum of	5,343 53;

\$39,823 12."

Of this item, the examination of Mr. Fleming was as follows:

Examined by Mr. Smith.

Question 85. In house doc. 13, before named, the solicitor of the treasury reports Mr. Swartwout as a defaulter, in the sum of \$39,823 12, for "forfeitures and penalties" received by him during the year 1832, '33, '34 and '35, and not debited in his cash account. Please to examine the original of Mr. Swartwout's quarterly returns in the custom house books, now before you, and state if the several receipts of money by Swartwout, amounting to said aggregate, are not specifically entered in his quarterly returns to the treasury department, and in the order of their receipt, under the plain designation of "amount of forfeitures received, per abstract" —? If yes, please to copy such entries, verbatim, as you find them on the original of Swartwout's returns, designating the quarter of each year in which they are found.

Answer. There are several receipts of money specifically entered in Mr. Swartwout's quarterly accounts current, and are as follows:

2d quarter 1832, "By amount of forfeitures received, per abstract G"	\$2,200 33
3d quarter 1832, "By amount of forfeitures received, per abstract G"	1,946 61
4th quarter 1832, "By amount of forfeitures received this quarter, per abstract G"	25,107 92

* The reader should bear in mind that the different sources of public moneys received by a collector do not create distinct funds in his hands, and are not known as such by any treasury regulation. They all resolve themselves, as fast as collected, into one fund; and are accounted for by the collector in one return; and are drawn upon, or passed to the credit of the treasury, as one mass.

1st quarter 1833. "By amount of forfeitures received this quarter, per abstract J"	374 35
2d quarter 1833. "By amount of forfeitures received this quarter, per abstract H"	1,612 64
4th quarter 1833. "By amount of forfeitures received this quarter, per abstract J"	1,687 05
3d quarter 1834. "By amount of forfeitures received this quarter, per abstract H"	299 55
4th quarter 1834. "By amount of forfeitures and penalties, per abstract J"	1,080 37
4th quarter 1835. "By amount of forfeitures received, per abstract J"	5,342 53
	\$39,651 35

The aggregate of the above varies somewhat from the aggregate contained in the interrogatory; but in its details it is essentially the same.

Question 86. Have the alphabetically-marked abstracts, referred to in the above entries of Swartwout's quarterly accounts current, as specified in your last answer, been invariably sent to the treasury department with explanatory vouchers, and in company with said quarterly accounts; and are similar vouchers and abstracts sent in explanation of every other item of credit contained in the collector's quarterly returns?

Answer. To the whole of the interrogatory I answer yes.

Examined by Mr. Wise.

Question 90. Were not the "forfeitures" which Mr. Swartwout received all credited to government in his quarterly accounts current; and were they not carried forward regularly in the balances due government on said accounts?

Answer. They were.

The examination of Mr. Shultz on this point was as follows:

Examined by Mr. Curtis.

Question 1. Were you formerly auditor of the custom house at New York? If yes, how long did you perform the duties of that station, and when did you retire from it?

Answer. I was formerly auditor. I think I was about thirty-seven years auditor at the custom house in New York. I retired on the 1st of July, 1836, having been thirty-eight years and four months in the custom house.

Question 4. Did the accounts rendered by you, as auditor of the custom house, to the treasury department, truly set forth the state of the accounts between Swartwout and the United States?

Answer. The accounts of Mr. Swartwout were correct up to the 31st of March, 1836, with the exception of the forfeitures as already stated, as far as my knowledge extended.

Question 5. What reason have you to say they were correct? What means of knowledge had you?

Answer. The accounts underwent a critical examination by me; so that if there was an error of one cent, I had the means of discovering it by proving the accounts.

Question 6. Can you inform the committee when these forfeitures, to the amount of \$40,000, were paid over by the marshal to Mr. Swartwout?

Answer. They were paid by the marshal to him as follows:

2d quarter, 1832	\$2,200 33
3d quarter, 1832	1,946 61
4th quarter, 1832	25,107 92
1st quarter, 1833	374 35
2d quarter, 1833	1,612 64
4th quarter, 1833	1,687 05
3d quarter, 1834	299 55
4th quarter, 1834	1,080 37
3d quarter, 1835	725 02
4th quarter, 1835	5,342 53
	\$40,376 37

Mr. Swartwout gave to me regularly the accounts relating to those forfeitures; they were by me examined and regularly passed to the credit of the United States in the account current for the quarters as they are above stated, and as they were returned to the treasury. A few of the above items were paid to the cashier of the custom house, and about \$40,000 were outstanding or unpaid on the 31st of March, 1836.

In answer 13. Mr. Shultz says:

"The next item is 'forfeitures and penalties,' amounting to \$39,823 12; the amount of this item. I have already shown the committee, by the books, the 'cash book,' the 'book of general accounts,' 'account current book,' (from which last book the quarterly accounts are copied and sent to the treasury department), was regularly credited

to the United States. But Mr. Swartwout retained a large portion of this amount in his hands; and the weekly returns showed that he retained this money at the time, because they did not acknowledge the receipt of it. His accounts forwarded to Washington showed that he owed this money to the United States."

Examined by Mr. Foster.

Question 20. You have stated in your answer to the seventh question by Mr. Curtis that the amount received in the fourth quarter of 1832 by Mr. Swartwout, for forfeitures belonging to the United States, was \$23,107 92. Now, will you state how that sum was credited to the government?

Answer. It was credited in his quarterly return for that quarter, as follows: "By amount of forfeitures received this quarter, per abstract G," \$25,107 92.

3. "TREASURY WARRANTS."

In relation to this item, the examination of Mr. Fleming was as follows:

Examined by Mr. Smith.

Question 22. In the joint report of the comptroller and solicitor of the treasury to the secretary of the treasury, contained in the house document 13, 3d session 25th congress, page 26, in relation to three treasury warrants received by Mr. Swartwout, amounting to \$39,240 05, it is said: "Their receipt appears by his books, but the proceeds have never been debited in his cash account; and their whole amount still remains entirely unaccounted for." Is it, or is it not, true that said treasury warrants are accounted for on Mr. Swartwout's books at the custom house, and form a portion of the aggregate balance due from him to the government?

Answer. It is true that these warrants are accounted for on Mr. Swartwout's books, and that they form a part of the balance due the United States, and have been carried forward in the aggregate balance of each quarter down to the close of his term of office.

Examined by Mr. Owens.

Question 56. Refer to your answer to the 22d question, propounded by Mr. Smith, and say whether the warrants alluded to were accounted for by Swartwout, except so far as they form part of the balance due to the United States, and whether he stands debited with the amount in his cash account?

Answer. For the warrants alluded to, Mr. Swartwout never entered the amounts to his debit in his own cash account; and they were therefore held in suspense, although they continually formed part of the outstanding balance due to the United States.

In answer, (examined by Mr. Curtis), Mr. Shultz says, alluding to the solicitor and comptroller's report, house document 13: "The statement of Messrs. Gilpin and Barker in regard to these items is wholly incorrect. These warrants were, to my knowledge, applied to the purposes for which they were received, and regularly accounted for. I have shown you that they were regularly entered in the 'cash book,' and in the book called 'collector's book of official accounts,' which contains the 'accounts of expenses of his office, and emoluments and fees.' I lay before the committee the last mentioned book, and show the application of each of the said warrants, a quarterly and annual account, returned to the treasury department at the proper time, contain a full explanation of these items."

The same witness was subsequently examined (by Mr. Curtis) as follows:

Question 15. Can you give a statement copied from the "book of fees and emoluments," to show the application of the three treasury warrants?

Answer. In answer to the 13th interrogatory, I yesterday showed the book to the committee, and proved that the proceeds of the three treasury warrants issued in 1834 and 1835 were applied actually to the payment of the clerks for the year 1834.

The markers, gaugers, weighers, measurers, inspectors, &c., and all the officers except clerks, are appointed by the secretary of the treasury, are regarded as public officers, and are paid out of the public money, which is charged in the account of collector with the United States quarterly. The fees and commissions of the collector are appropriated to pay the clerks, and an account of the fees and commissions is kept; and if they fall short of a sufficient sum to pay the clerks, the treasury department sends on warrant upon the treasurer to make up the sum sufficient to pay the clerks. There was a deficiency of fees and emoluments to pay the clerks in 1834.

The three warrants, amounting to \$39,240 05, before mentioned, were received for that purpose. I have made a copy of the account referred to in the answer to the 13th interrogatory, and it shows that the proceeds of those three warrants were applied to pay the clerks. The account is a true copy, and is marked B.

Copies of these accounts, quarterly and annual, with the vouchers, were forwarded to the treasury department.

4. "OFFICE EXPENSES."

In relation to this item, Mr. Fleming's examination was as follows:

Examined by Mr. Smith.

Question 98. On page 26 of house document 13, in the report of the solicitor and comptroller of the treasury, Mr. Swartwout is charged with \$60,291 42, alleged to have been drawn by him for expenses of his office, beyond the actual amount of those expenses, during the years 1835, 1836 and 1837, and that it said sum he is a defaulter to the government. Please state whether each of the sums received by Mr. Swartwout, making up said aggregate of expenses overdrawn, was not carried into and made a component part of the balance of the quarterly accounts returned to the treasury department.

Answer. They were.

Mr. Phillips, cashier of the custom house under Mr. Swartwout, testified as follows:

Examined by Mr. Smith.

Question 42. Please to examine pages 26, 43 and 44, in before named house document 13, and say whether, on the first of March, 1836, the balance of Mr. Underwood, clerk in the office of the auditor of the treasury, with any information relative to any of the defalcations amounting to \$60,291 42, there charged upon Mr. Swartwout under the head of "cash drawn to pay expenses of office, more than amount of same, not debited in cash account," or do you know, or have you ever known, of any such defalcation.

Answer. I have no knowledge of the statement in page 26, document 13, of "cash withdrawn for the alleged purpose of paying expenses of the office, &c., amounting to \$60,291 42, nor of similar statement on pages 43 and 44, and I do not know, or ever have known, any such defalcation.

5. "CASH RETAINED FOR REFUNDING MERCHANTS."

This item of \$80,769 53, since first set apart by Mr. Swartwout, to be examined to be reported to the treasury department in his quarterly accounts, and put on his aggregate balance of cash and unsettled accounts. When originally retained, it was expressly reported in his weekly return to the secretary, "March 26, 1836," as follows: "Retained, for refunding to merchants, \$80,769 53." (See extracts from custom house books in Mr. Fleming's testimony, committee's journal.) And in his succeeding weekly return, dated March 31, 1836, he reported, for that week, as cash received, \$64,905 49. (See same testimony); and in his quarterly return, ending on the same date, March 31, 1836, he reported, as follows: "Cash retained the 31st March, 1836, \$145,675 02." (See continuation of same testimony, committee's journal.) Thus expressly combining the cash of those two weeks into his cash and suspense account. Moreover, Mr. Fleming says, in his 75th answer to Mr. Smith, (committee's journal), that this sum was retained by Mr. Swartwout "with the knowledge of the treasury." It always constituted, thereafter, a component part of Mr. Swartwout's quarterly balance reported by himself to the treasury; and on this Mr. Fleming is interrogated by Mr. Smith, and answered as follows:

Question 75. Could "the large sum of \$80,769 53," described in your last answer, retained by Swartwout in 1836, have become a defalcation if the treasury department had not lost sight of it in the examination of his accounts, inasmuch as you say in your last answer that it was retained "with the knowledge of the treasury?"

Answer. It could not.

With such evidence before them, the committee do not feel justified in sustaining or acceding to the correctness of the view presented to the house and country by the executive and the treasury officers, in house document 13, that Mr. Swartwout became a defaulter at any time prior to 1837 on either of the items of account above enumerated—amounting in all to \$221,907 36. On the contrary, he accounted for them properly to the treasury, but was permitted to retain them until his last quarter of service; and then and not until then, was he required to pay them; and then did he become a defaulter for them, and not before. There has not been discovered any evidence whatever that, in regard to this portion of his present indebtedness, Mr. Swartwout's accounts, either at the custom house or as returned to the treasury, bear any impress of fraud or deception; for what was charged on one of these accounts, was fully charged on another of them. Yet, in fact, if there was any such fraud or deception, it was confined to, and consisted in, the manner of keeping his accounts at the custom house, (with which the treasury, as re-

marked in a former part of this report, had nothing to do), and it ceased with the making out of his quarterly accounts to the treasury, inasmuch as in the latter these sums were always included in the item of "cash and unsettled accounts;" and the only variation between the quarterly returns to the treasury and the accounts at the custom house is found to have been in the fact, that in the former he specified as "cash and unsettled accounts" the very items which are now in question, while at the custom house these items were retained in the unsettled accounts, and not in the cash account. In other words, it was only on the books of the custom house, that he concealed and suppressed the true cash balance in his hands." How then can he be said to have been in default on his accounts with the treasury, at any period for these items?

The examination of Mr. Underwood, the treasury's own agent to investigate the accounts, fully illustrates and substantiates the views here presented and adopted by the committee.

Examined by Mr. Owens.

Question 29. Refer to your answer to the 5th question, propounded by Mr. Curtis, and say whether the accounts of which you there speak corresponded with the accounts as contained in the books of Mr. Swartwout at the custom house at New York, and examined by you, both cash and other books; and if they were at variance, state distinctly in what consisted the difference.

Answer. The quarterly accounts rendered to the treasury corresponded with the accounts at the custom house, so far as to make up the aggregate balance; but on examination at the custom house, of the "suspense account," which in connexion with the "cash on hand," formed one item in the balance of his quarterly account, it appeared that several sums, such as treasury warrants, moneys arising from forfeitures, &c. to a large amount, were retained in his suspense account, which should have been recognized and accounted for in his cash account; in this consisted the difference between the collector's accounts on his books and those returned to the treasury—a difference which, as has been previously stated, did not affect the aggregate balance due from Mr. Swartwout, but only the particulars of said balance.

Question 30. Refer to your answer to the 3d question propounded by Mr. Curtis; say, though he, (Swartwout), omitted no debit or credit to the United States in his quarterly account, as stated in that question, whether he did or did not omit to debit himself with cash received; and state the amount of cash not so debited, from your knowledge of the accounts of Swartwout as rendered to the auditor's department at Washington, and the examination of his cash or other books at the custom house at New York. Be as clear and distinct on the subject as your knowledge will enable you to be.

Answer. In the last answer, I have stated that in the "suspense account," kept by the collector at the custom house, he had entered certain sums to the debit of said account, which should have been charged to the "cash account." The amount of said sums as will be seen by reference to document No. 13, was \$221,907 36. It was, therefore, in the cash account kept by him at the custom house that he omitted to charge himself with the above amount, and not in his quarterly accounts rendered to the treasury, in which it is believed he credited and held himself accountable for all duties received by him.

Question 31. Refer to your answer to the 6th question propounded by Mr. Curtis, and say whether, upon examination of Swartwout's accounts as rendered at the auditor's office, the defalcation could have been readily detected or not; and whether, upon the examination of all or part of the books at the custom house, and in reference to the accounts rendered by Swartwout, the defalcation was not apparent to you; and whether, though the true and aggregate balance of his accounts were concealed by means of fraud or falsehood, he did not in those accounts conceal and suppress the true cash balance in his hands.

Answer. No part of the defalcation could have been ascertained from an examination of Mr. Swartwout's quarterly accounts rendered to the first auditor prior to that arising on the bonds, which would have been made to appear on a thorough examination of them at the time they were received at the treasury. In the collector's quarterly account he always included the "cash and unsettled accounts" in one item of the balance, and there was no means in the first auditor's office of distinguishing the actual cash from the amount of unsettled and suspense accounts. It is therefore only on the books of the custom house, so far as I know, that it appears he concealed and suppressed the true cash balance in his hands.

Corroborative of the view thus taken by the committee, they will quote also another portion of Mr.

Fleming's testimony, which clearly indicates that he would not be led into an answer that would imply it as his opinion that Mr. Swartwout was or can justly be regarded as a defaulter prior to 1837. He leaves such a construction wholly to the responsibility of the executive officers.

Examined by Mr. Smith.

Question 73. What was the amount of Mr. Swartwout's defalcations arising prior to 1837, and subsequent to the year 1839?

Answer. The amount of such defalcations, as exhibited in the report of the secretary of the treasury, in document No. 13, to the house of representatives, was \$336,718 69.

Question 74. Did you or did you not, in your examination of Swartwout's accounts, deduce and furnish to the treasury department the data upon which the treasury's report, referred to in your last answer, is founded?

Answer. I did not deduce and furnish to the treasury department such data. Mr. Underwood, of that department, came on to this city in November last, to investigate the accounts of Mr. Swartwout. The records of the custom house were laid before him, and he proceeded to draw up a statement, gleaned from those records, and from memorandums furnished him by the assistant cashier of the custom house, which enabled him to report to the treasury the indebtedness of Mr. Swartwout. From time to time, in the progress of his work, Mr. Underwood found it necessary to ask explanations from me, in relation to the records of the custom house, to enable him to pursue his labors understandingly.

Examined by Mr. Curtis.

Question 121. Were any of the quarterly returns false? If ye, which of them?

Answer. The accounts of bonds paid for the first and second quarters of 1837, rendered to the treasury department, were false, inasmuch as they did not contain all the bonds that were actually paid, by a very large amount, and which is seen in document No. 13, of the house of representatives.

Again, Mr. Fleming was asked by Mr. Smith: Question 2. When was the first deficiency in Mr. Swartwout's accounts detected by you; and to whom and when did you communicate the first information of your discovery?

Answer. The first deficiency in Mr. Swartwout's accounts was detected by me in the month of June, 1837. I noticed the circumstance to Mr. Phillips, the assistant cashier, at the same time.

Question 3. What was the amount of said deficiency discovered by you in June, 1837; and to whom, and when, if to any other person than Mr. Phillips, did you give information thereof?

Answer. The amount of deficiency was about \$500,000; and the reply of Mr. Phillips, on my communicating to him the intelligence, prevented my mentioning it to others.

Question 4. What was Mr. Phillips's reply, adverted to in your last answer?

Answer. His reply was, that the cash book contained all the bonds that had been paid at the office; the residue were in suspense.

Examined by Mr. Foster.

Question 46. You mention in your answer to the 15th interrogatory, that you have never known, or detected, at any time, any false return or erroneous statement in any quarterly account made by Mr. Swartwout to the treasury department. Now, will you state whether there were not false or fraudulent omissions by Mr. Swartwout in his accounts, which were calculated to mislead and deceive yourself, as auditor, and the treasury department; and if so, what were those omissions, and when, as far as you know, did those omissions take place?

Answer. There were such omissions, (as is now ascertained), and they consisted in Mr. Swartwout's keeping out of his accounts a large sum of money paid to him on revenue bonds; and they took place principally in the 1st and 2d quarters of 1837.

When the same witness was carried back to the alleged defalcations of Mr. Swartwout prior to 1837, and so questioned as to lead him, if disposed, to describe them as defalcations, and as "fraudulent" omissions, he studiously and properly, as is believed, avoided every such assumption. The following interrogatories and answers will fully illustrate this fact:

Mr. Fleming examined by Mr. Foster.

Question 49. In your answer to the 19th interrogatory, in stating the balances of the four quarters of 1834 and the two first quarters of 1835, the whole balance of each quarter is stated as "due the United States." Now, is that intended to mean any thing more than that such balance is the amount for which he was responsible to the government, and not as a balance which he was then liable to pay?

Answer. The balance due the United States, which is charged at the end of every quarter, is the

amount for which the collector is responsible to the government, and includes all duties which had accrued up to that time, whether collected or not.

Question 50. From what other sources did Mr. Swartwout receive money belonging to the government, (besides that received on revenue bonds), which he fraudulently omitted to charge against himself in his cash accounts on the custom house books? And what was the amount, as far as you are now able to state the same.

Answer. Mr. Swartwout received moneys from duties payable in cash, as well as bonds, also from goods imported to the United States, and also from certain treasury warrants, remitted to him from government. Another source of receipts was that arising from deposits for duties not ascertained, and payable in cash. Mr. Swartwout also advanced to himself moneys for the expenses of his office, more than were needed.

The total amount of moneys appropriated by Mr. Swartwout, and not placed to the debit of his own cash account, as is now ascertained, exclusive of the bond account, is about five hundred and eighty thousand dollars. In this sum, however, is embraced the amount which Mr. Swartwout retained on his going out of office, and which was about \$201,000.

Question 51. Were the omissions of Mr. Swartwout, as stated in your last answer, such as to deceive you in regard to his real indebtedness to the government?

Answer. No examination was made to ascertain Mr. Swartwout's indebtedness to the government until after the expiration of his term of office, and therefore such omissions did not affect the adjustment of his current quarterly accounts; and their condition, or existence, was not a matter of inquiry by me—the outstanding balance of a previous quarter being always brought into a succeeding quarter.

Question 52. In auditing the weekly, monthly and quarterly accounts of Mr. Swartwout, did you have access to all accounts, abstracts and vouchers, which were afterwards sent by him to the treasury department?

Answer. All accounts for the treasury department are kept in the auditor's office, and pass under my supervision. In general, I made a cursory examination of all, before they were sent from the custom house.

Mr. Underwood, the confidential agent of the treasury department, with equal care and propriety, throughout his testimony, discriminates between the accounts of Mr. Swartwout as rendered prior, and those rendered subsequent, to the commencement of the year 1837. The fraudulent concealment is not by him made to attach to any returns prior to 1837, but to the abstract of bonds taken and paid in 1837.

Examined by Mr. Foster.

Question 26. You say, in answer to the 6th interrogatory, that you have no reason to believe that in Mr. Swartwout's quarterly accounts, adjusted at the treasury, he concealed, by means of fraud and falsehood, the true and aggregate balance of his account? Will you please to state whether you have no reason to believe that he fraudulently concealed in those accounts the true amount of money he had received; and were not his accounts so made out as to induce a belief that he had accounted fairly for all the money which had come to his hands?

Answer. When I said, in my answer to the 6th interrogatory, "I have no reason to believe that in Mr. Swartwout's quarterly accounts, adjusted at the treasury, he concealed, by means of fraud and falsehood, the true and aggregate balance of his account;" I meant that he had not in those accounts omitted to credit the United States, and make himself accountable for all the duties secured by him.—I did not mean to convey the idea that the items comprising the balance of his account were not erroneous in amount, and fraudulently so; the item of "bonds uncollected" in 1837 being too large, and that of "cash and unsettled and suspense accounts" correspondingly too small. I have reason to believe, that by the abstract of bonds taken and paid, rendered in 1837, "he fraudulently concealed the true amount of money he had received," although, at the same time, the aggregate balance of his account of the customs, for each quarter, was a correct one.

With equal precision the first auditor repudiates the idea of any fraud or defalcation in Swartwout's accounts prior to 1837. He was examined by Mr. Curtis, and answered as follows:

Question 6. Was there any omission, in Swartwout's quarterly returns to your office, of any sum or item, which he ought to have charged to himself, or credited to the United States therein? In other words, were not Swartwout's quarterly returns, in point of form, made according to the standing instructions and orders of the treasury department; and, in point

of fact, did they not show the true balance due from Swartwout?

Answer. As far as my knowledge extends, the quarterly accounts of Swartwout were rendered in the usual form, and the proper credits for duties secured, and other moneys received by him, belonging to the United States, given; at least nothing to the contrary has yet been discovered. But they were erroneous and fraudulent in this: that he failed (as appears from the late investigation by the comptroller and solicitor made at the custom house in New York) to credit his bond account in the *Book of notes of 1837, and in some subsequent quarters* with the full amount of bonds paid within those quarters; the effect of which was, to exhibit a larger balance of bonds than was in point of fact on hand, and to lessen the cash balance; or, in other words, he failed to account truly for the cash he had received on bonds; and his account current of bonds was made to exhibit a false balance.

The defalcations of Mr. Swartwout in 1837, and the first quarter of 1838, (principally, however, in the two first quarters of 1837), consisted of the proceeds of bonds falling due within that period, and collected by him. Of all these bonds, however, he had regularly charged himself in his accounts returned to the treasury department, and they constituted a portion of the aggregate balance due from him to the government. When he collected them, instead of paying the amount into the treasury, and thus offsetting the charge for bonds in his accounts rendered to the department by a charge against the government of the cash so paid into the treasury, he retained and used the cash, leaving his indebtedness for bonds in his original amount.

Of all the sum withdrawn from his bank-deposit account as collector, and used for private purposes, prior and subsequent to 1837, as contained in a private memorandum kept by Mr. Phillips, his cashier, in the custom house, and forming a part of the reported defalcation in house document 13, the evidence is, that it was, from time to time, replaced by Mr. Swartwout's own funds, and by funds derived from the bonds of 1837, as well as by anticipating the cash on other duties of a succeeding week to make good his own cash on hand, and not replaced in the week preceding. This operation cast the whole of defalcations arising from the use of the moneys reported by Mr. Phillips upon the final weekly return of Mr. Swartwout.

Joshua Phillips examined by Mr. Smith.

Question 63. In house document 13, pages 52 and 53, is a schedule of your own, of numerous sums, amounting to \$193,602 20, which were drawn from the public deposits, by Mr. Swartwout, for his own use. Do you mean said sums were drawn from his cash deposits, as collector, in the banks? If so, in what banks, according to the "check-book" spoken of by you at the foot of said schedule? Do you not know that Mr. Swartwout also replaced money thus taken; and, if so, to what amount?

Answer. The sums referred to in document 13, pages 52 and 53, amounting to \$193,602 20, were drawn by him, as collector, from his cash deposits. They were drawn from the bank of America, Mechanics' bank and Manhattan company. I do not know that Mr. Swartwout ever replaced any of the particular sums contained in said list. He was, as I have stated, in the habit of drawing money, and would sometimes replace it; but I cannot particularize the amounts. I was not always in the habit of noting the checks that Mr. Swartwout used, and I cannot undertake to say what portion of the above amount was returned.

Question 64. How did Mr. Swartwout conceal, in his weekly cash returns to the secretary of the treasury, the weekly deficits in his bank accounts, occasioned by the sums which he had not replaced, to which you refer in your last answer?

Answer. The collections made by the banks up to 3 o'clock do not appear on the books of the custom house until the following day; consequently, in making up the weekly account for the treasury department, to 3 o'clock on Saturday, the amount collected at the bank on Saturday would not appear on the custom house books until Monday morning; by this means, he would have in bank the collections of bonds of Saturday, which do not appear in the weekly account of that Saturday; and that amount, so collected, would be carried to the next weekly account, and so continue on.

Question 71. Please now to state, distinctly, whether, taking your 63d, 64th and 70th answers, as they necessarily follow, as a truth, that the aggregate deficit in Mr. Swartwout's cash accounts at the banks, occasioned by the sums withdrawn, as you have stated, would fall into, and be betrayed by, his last and final weekly cash returns, if it were not true that such deficit had been, at some time, and from some source, replaced by him?

Answer. The aggregate deficit in Mr. Swartwout's cash account at the bank, occasioned by the sums withdrawn, would be betrayed by his last and final weekly cash returns, if it were not true that such deficit had been, at some time, replaced by him.

Question 72. Do you mean to be understood by your statement (No. 10) in the before named house document 13, commencing at page 54, of bonds which were paid to Mr. Swartwout, and recapitulated by Mr. Fleming, as amounting to \$597,381 63, that the proceeds of said bonds were never deposited by said Swartwout in the said banks; and that, within your knowledge, they did not form a component part of the funds re-drawn by him on the checks alluded to in your last answer?

Answer. I mean to be understood, in my statement (No. 10) in document 13, commencing at page 54, that the proceeds of said bonds were deposited in bank; and the amount so received was applied by him to conceal his previous defalcations, which would have been discovered if the bonds in said list had been charged on the cash book.

Question 73. Did, or did not, the process resorted to by Mr. Swartwout, as alluded to in your last answer, to conceal his previous defalcations, consist in his applying said amount to his bank deposits, and to offset his before named withdrawals from such deposits?

Answer. The process resorted to by Mr. Swartwout to conceal his previous defalcations, did consist in his applying said amount to his bank deposits, and to offset his before named withdrawals from such deposits.

Henry Ogden, cashier of the customs:

Examined by Mr. Smith.

Question 19. On page 47, of house document 13, heretofore named, is your letter to H. D. Gilpin, esq. solicitor of the treasury, in which you say that Mr. Swartwout's use of the public moneys "began not long after his appointment as collector"—that is, I suppose in 1829. Now, will you state whether, in that letter, you mean to refer to any of the specific items reported in said document as defalcations; or do you refer specially to his use of moneys deposited to his own credit, in banks, and prior to its being credited to the treasurer of the United States in such banks?

Answer. Mr. Swartwout commenced drawing out of the bank, against moneys deposited to his private account, about nine months after he came into office. Those drafts, I think, were small. I have no allusion to any specific items reported in said document as defalcations. I had no knowledge of them.

Question 20. Please state whether, during the whole period that Mr. Swartwout was thus drawing from his deposits, he was not also continually replacing sums on deposit from his individual resources or speculations; and if the whole extent of such deficits was or was not concealed by carrying into his weekly bank deposits cash returns to the treasury department of one week, such sums as were received by him on the Saturday of the preceding week, and which were not returned in the cash account of such preceding week?

Answer. I have recollection of Mr. Swartwout having replaced moneys drawn out by him on several occasions. The amounts which he had in bank from deposits for duties, together with the receipts for bonds due on Saturday and Monday, gave him ample funds to meet his drafts, over and above the balance due to government.

Question 21. Without the aid of such reserved Saturday collections, and in the way explained in your last answer, would or would not the deficit from the bank funds of his office have appeared most manifest on his weekly returns? And was the ultimate effect of such a system of operating, any more than to cast upon his last and final weekly return the aggregate of all previous withdrawals from his deposits, so far as the same had not been offset by his replacing them from his own or other funds?

Answer. It would have been impossible for Mr. Swartwout to have made his weekly transfer without the aid of the collection of bonds of Saturday and Monday, and moneys for duties on goods not ascertained. The ultimate effect of such a system was to cast the whole balance due upon his final weekly return.

From the preceding testimony, the committee report the established facts:

1. That all moneys received by Mr. Swartwout, as collector, prior to 1837, are regularly accounted for by him in his quarterly returns to the treasury department.

2. That so much of all moneys received by Mr. Swartwout prior to 1837, and accounted for to the treasury department in his quarterly returns, as

were not paid by him into the treasury, were retained by him under the tacit acquiescence of the accounting officers of the treasury; and were regularly carried forward, debited to himself, in the balance of each subsequent quarterly account rendered by him to the treasury department, to the close of his term of office.

3. That his omission to carry a debit to himself, of any of the moneys received by him from the treasury, or from other sources, prior to 1837, to the class of accounts kept only at the custom house, called his *cash accounts*, and his carrying a debit to himself of any such items to any other class of accounts kept only at the custom house, called *suspense and unsettled accounts*, or by any other name, could not operate as a concealment, innocent or fraudulent, from the treasury department, of the true cash balance in his hands—

1. Because, neither his cash account, nor his suspense and unsettled account, nor any other subordinate account kept at the custom house, was ever exhibited to, or formed the basis of any quarterly settlement made by him with, the accounting officers of the treasury.

2. Because, on his quarterly accounts settled at the treasury department, the aggregate and true balance of all his subordinate accounts kept at the custom house, including both his *cash account* and *suspense accounts*, was uniformly, prior to 1837, carried into his quarterly account, under the item of "*cash, and unsettled accounts.*"

4th. That the defalcations of Mr. Swartwout, by means of fraud and false returns, commenced in 1837, and not sooner, and have existed since that period; and the defalcations thus occurring, added to the moneys previously retained by him, according to his returns to the treasury department, and by the silent acquiescence of the officers of that department, until the close of his term of office, constitute the aggregate of his defalcations at the present period.

3. *The causes of Mr. Swartwout's defalcations.*
This branch of the subject will be considered in the following order:

1st. The responsibility of Mr. Swartwout in pecuniary character at the time of his appointment to office.

2d. Culpable disregard of law, and neglect of official duty, by the late naval officer at New York.

3d. Culpable disregard of law, and neglect of official duty, by the first auditor of the treasury.

4th. Culpable disregard of law, and neglect of official duty, by the late and present first comptrollers of the treasury.

5th. The discontinuance of the use of banks as depositories of the public moneys, and permitting the same to accumulate in the hands of Mr. Swartwout.

6th. The negligence and failure of the secretary of the treasury to discharge his duty as the head of the treasury, and exerted with slothless vigilance the superintendence of the collection of the revenue.

CAUSE I. *The irresponsibility of Mr. Swartwout, in pecuniary character, at the time of his appointment to office.*

There is obvious jeopardy of the public interests whenever appointments to offices of high pecuniary obligation are conferred by the executive upon individuals who are notoriously wanting in reputation for responsibility in financial matters.

There probably cannot, in human relations, be brought to bear upon human frailty and cupidity stronger temptations to err from duty and rectitude, than spring from the possession and control (which must, from their nature, be somewhat exclusive) by individual officeholders, of large and extraordinary masses of government money. Unless the checks instituted to counteract such temptations are numerous and exerted with sleepless vigilance at every point, the moral restraint against the conduct of officers thus intrusted with large pecuniary means, which, at times, may seem not to even be exerted by government, is very apt to relax into a mere lurking apprehension of early detection. The consequence is, as soon as this apprehension is overcome by any known remissness on the part of those to whom they are immediately accountable, or discovers a device by which to elude the vigilance of their superiors in office, they are prepared to regard and treat the public revenue in their hands rather as a means of promoting individual interests, than as an instrument created solely for the service of the people.

It was well remarked by the "illustrious predecessor" of the present national executive, in the earlier, and less happy, pure days of his administration of the federal government, that the possession of official station, alone, exerts a corrupting influence upon the generality of men. "There are, perhaps," says his first message to congress, "few men who can, for any great length of time, enjoy

office and power, without being more or less under the influence of feelings unfavorable to the faithful discharge of their public duties. Their integrity may be proof against all proper considerations immediately addressed to themselves; but they are apt to acquire a habit of looking with indifference upon the public interests, and of tolerating conduct from which an imprudent man would revolt."

If naked official station be thus pregnant with temptations unfavorable to the faithful discharge of public duties, how alarmingly accumulative these temptations become when are superadded to official station the temptations which flow from the collector, keeping and disbursement of the vast sums of money, drawn directly from, yet, for the most part, always kept and used beyond the sight of the people.

If there be any thing that can add to the evils of the known temptations inseparable from the power of official station and public revenue combined to demoralize the government of a people, to impoverish their public treasury, and to infuse into them a lust for "the spoils" of political servility and cunning in preference to the rewards attendant upon the pursuits of honest and honorable industry, it is to be found in the appointment to official stations of high pecuniary obligations, of men notoriously irresponsible, and whose lives have proved them incompetent to save for themselves; as sure as effect must follow cause, so sure will the temptations already spoken of prove but too successful in the pillage of the public treasury, when brought to bear, by executive patronage, upon any man, or class of men, already excited by the habitual indulgence of ventur-some speculations, and by the alternate hopes and disappointments, successes and embarrassments, incident to such speculations. Of this class of men, and such a man, was Mr. Swartwout, in reputation and in fact, both at the time of his original appointment to the collectorship, in 1829, and of his reappointment, in 1834. He was wholly irresponsible in pecuniary reputation, notoriously prone to hazardous speculations, deeply embarrassed from them, and always in want of funds. The committee, therefore, regard this as one of the primary causes of Mr. Swartwout's defalcations, and of the consequent loss of the public money which was intrusted to his collection and keeping. In confirmation of this view, the subjoined examination and testimony of witnesses are adduced:

Joseph L. Joseph was sworn as a witness.

Examined by Mr. Owens.

Question 1. Say, if you were acquainted with Mr. Swartwout when collector of the port of New York, whether he was, during his official life, a purchaser and speculator in the stocks? If yes, state the different kinds in which he speculated, and the amount of those speculations.

Answer. I am well acquainted with Mr. Swartwout, and knew him as collector of the port of New York. I knew he was frequently engaged in very large speculations in stock, from personal knowledge, and from rumor. He speculated in Long Island rail road shares, Stonington rail road shares, Harlem rail road shares, Morris canal stock, and others, probably, of which I am not aware or do not now recollect. What the general amount of his speculation, I do not know; but I considered him always a large operator.

Question 2. Were you or your house his agent or brokers in these transactions, or a portion of them? If yes, state the amounts of those speculations in which you had personal agency; and whether they were speculations of Swartwout alone, or were other persons interested in them; and who were those persons?

Answer. We were his brokers in some particular stock transactions, in the purchase of Delaware and Hudson shares, Stonington rail road shares, Long Island rail road, and probably some others, which at this moment I do not remember. At the period of our stoppage, we held for him over a hundred thousand dollars worth of stocks, which had greatly depreciated from the cost price, and which he previously had begged us to hold until there should be a change of times. They were for Swartwout alone, and probably reached at one period with us to two hundred thousand dollars.

Question 3. Were these speculations of which you speak, or a portion of them, fortunate or adverse? If fortunate, state the amount of profits made on them; if adverse, state the amount of loss sustained.

Answer. We once paid Mr. Swartwout some seventy or eighty thousand dollars profit, made on Morris canal stock. I do not remember of his ever paying our house over two or three thousand dollars of loss. His last speculations resulted in a loss, and he was unable to pay, and borrowed some money for us with the view of aiding us to bear up against these differences, actually lost, and the

stocks we held, which we did not sell. The loss was six or seven thousand dollars.

Question 4. Do you know of your own knowledge, or from the information of Mr. Swartwout, the amount of loss or gain upon other speculations in stocks, in which you had no personal agency? State the same as accurately as you can.

Answer. I do not know of his other stock operations, except that rumor had frequently declared his having made and lost alternately.

Stephen Whitney was sworn as a witness.

Examined by Mr. Owens.

Question 1. Were you acquainted with Mr. Swartwout during the time he was collector? If yes, state if he was engaged in speculations of stocks during that period, and state the kinds of stocks.

Answer. I was acquainted with Mr. Swartwout during the time he was collector of the port of New York; have understood he was engaged in dealing in stocks, but of what kind and to what extent I am not acquainted.

Question 2. Are you a director in the Morris canal company? Was Mr. Swartwout a director in the same? Had he stock in the company, and what amount? Was he not in the habit of selling and reselling that stock; and were his speculations fortunate or adverse, and to what amount?

Answer. I am a director of the Morris canal and banking company, but have no knowledge of his (Mr. Swartwout's) transactions with that company.

John Ward was sworn as a witness. Mr. Ward, who had been summoned at the instance of Mr. Owens, was

Examined by Mr. Curtis.

Question 1. Were you acquainted with Samuel Swartwout before and during the time he was collector of the port of New York?

Answer. Yes.

Question 2. Do you know any thing of the causes and extent of Mr. Swartwout's defalcation as collector, the length of time it existed, or of any material fact connected therewith?

Answer. I do not.

Question 3. What is your occupation?

Answer. Stock and exchange broker.

Question 4. Have you been concerned as such broker in any operations or speculations in stocks on account of Mr. Swartwout?

Answer. I have bought and sold stock on his account.

Question 5. Have you ever bought and sold stock on joint account of yourself and said Swartwout?

Answer. No.

Question 6. To what amount have you bought and sold stocks for said Swartwout? Can you furnish a copy of your accounts with him.

Answer. I should think not more than \$100,000; we can furnish a statement in an account of purchase and sale of Morris canal stock; there appears a loss to him of between five and six hundred dollars.

Question 7. In any other and all other stocks in which you have acted as his broker, was there any considerable loss to said Swartwout?

Answer. To the best of my recollection, he did not lose money in his stock operations made through our agency.

Alexander Hamilton was sworn as a witness.

Examined by Mr. Owens.

Question 1. Were you acquainted with Mr. Swartwout during the time he was the collector of New York. How do you any knowledge of the mode and nature of conducting his business in the custom house?

Answer. I was well acquainted with Mr. Swartwout before and during the time he was collector, but am entirely ignorant of the manner in which his official duties were performed.

Question 2. Was Mr. Swartwout, during the time he was collector, in the habit of speculating in stocks, in New York or elsewhere? If yes, state the nature of the stocks, who were his brokers, and whether his speculations were confined to himself alone, or were other persons engaged with him, and who were those persons.

Answer. Mr. Swartwout was in the constant habit of speculating in stocks, and with several brokers. The Wards and Josephs are alone positively known to me as such; but I do not know whether his speculations were jointly with others.

Question 3. Were you in familiar and daily intercourse with Swartwout? Do you know of your own knowledge, or have you heard from him, the results of his speculations either in stocks or real estate, whether the same were fortunate or adverse, and the amount of money gained or lost in them?

Answer. I was in the constant habit of free converse with Mr. Swartwout, and, although I was under the impression that his operations in stocks

and real estate were fortunate, I have no positive knowledge on the subject, with the exception of having been informed by the Josephs that they at one time paid Swartwout a balance arising out of profits from the purchase and sale of Morris canal stock, of \$80,000; but, at the time of the departure of Mr. Swartwout, they related to me that he was indebted to them \$40,000.

Examined by Mr. Dawson.

Question 5. What was the reputation of Samuel Swartwout, at the time of his appointment, in the year 1829, for pecuniary responsibility?

Answer. Without any; on the contrary, he was generally understood to be much involved in debt. *Russell H. Nevins* sworn as a witness. Mr. Nevins, who had been summoned at the instance of Mr. Owens, was

Examined by Mr. Curtis.

Question 1. Did you know Samuel Swartwout while he held the office of collector of New York?

Answer. Yes.

Question 2. What is your occupation?

Answer. Stock and exchange broker.

Question 3. Have you at any time, and to what extent, acted as broker or agent of said Swartwout, in the purchase and sale of stocks?

Answer. The transactions of our house with Mr. Swartwout have been but few, and I believe only in a single instance was there a purchase of stock for his account. This to the amount of about \$25,000.

There was a transaction of a larger amount with another person, with whom it was understood Mr. Swartwout was a party concerned.

It has not yet been entirely closed, and at the present prices of the stock, a very considerable loss would be the result. Mr. Swartwout never paid any money on account of the above transaction; I never knew him to have money, but he always wanted to borrow.

Examined by Mr. Owens.

Question 4. You say Mr. Swartwout was engaged with others in a certain speculation of stocks; will you name the person so interested with him and the amount of the speculation?

Answer. The name of the person interested with Mr. Swartwout I do not feel at liberty to mention; he was the one on whom I placed my sole reliance, and was of undoubted responsibility. Mr. Swartwout I did not originally suppose to be concerned in the transaction. The other person was not in the custom house and held no office under the government.

The amount of stock purchased was to the best of my recollection, about fifty thousand dollars. Swartwout never paid any thing on account of the stock.

Examined by Mr. Wise.

Question 8. What was Mr. Swartwout's general character as a man of pecuniary responsibility, when he was appointed in 1829; and afterwards when he was reappointed, in 1834?

Answer. It was generally considered not to be good. At the time of his first appointment, it was decidedly bad.

Question 9. Was it not notorious in New York, during the whole time Mr. Swartwout was in office that he was speculating in various modes, upon an extensive and hazardous scale?

Answer. I think it was generally believed in the neighborhood of Wall street, that Mr. Swartwout was engaged in many and extensive speculations.

James B. Murray was examined as a witness.

Examined by Mr. Owens.

Question 1. Are you a resident of New York, and what is your business or occupation? Were you a director or president of the Morris canal company, and how long have you been so?

Answer. I am a resident of New York; by profession a merchant; was elected a director of the Morris canal company in February, 1834, and, with the exception of a short interval have continued so until the present time. I was president of the Morris canal company, and resigned that situation when *Louis McLane, esq.*, was elected.

Question 2. Do you, as director of the Morris canal company, know, or from conversations with Swartwout, the amount of stock in that company in which he (Swartwout) speculated; and the amount of loss or gain?

Answer. I remember Mr. Swartwout having stated to me, at or about the period of my retiring from the presidency of the Morris canal company, that he had cleared a large sum of money in that stock; and I think he mentioned the amount as being \$70,000. But that were his subsequent transactions in that stock I do not know; nor have I any particular knowledge at any time, except as above stated.

Question 3. Were you acquainted with Mr. Swartwout during the time he was collector of New

York? Was he engaged in stock speculations, and to what amount? State the stocks he so speculated in, and whether they were fortunate or adverse; and the amount of loss or gain.

Answer. I was acquainted with Mr. Swartwout during the whole period of his being collector of this port, and generally understood that he was largely engaged in stock speculations; but to what extent, or what were the results, I am unable to say.

From the preceding testimony, the committee report as established facts:

1st. That, at the time of Mr. Swartwout's appointment and of his reappointment to office, he was wholly irresponsible in pecuniary reputation, and was involved in debt.

2d. That at the time of his appointment and of his reappointment, and for the whole period he was in office, he was notoriously engaged in large and hazardous speculations, and deeply embarrassed by them.

3d. That his pecuniary irresponsibility, and consequent involvements by hazardous speculations, constitute one of the primary causes of his defalcations to the government.

CASE 2. *Culpable disregard of law, and neglect of official duty, by the late naval officer at N. York.*

The naval officer is designed to be a complete check upon all the accounts of the collector; and existing laws are, and have been since 1799, amply competent to render it so, if efficiently administered.

The duty imposed upon naval officers by the 21st section of the act to regulate the collection of duties on imports and tonnage, passed March 2, 1799, is as follows:

"The naval officer shall receive copies of all manifests and entries, and shall, together with the collector, estimate the duties on all goods, wares and merchandise subject to duty, (and no duties shall be received without such estimates), and shall keep a separate record thereof; and shall counter-sign all permits, clearances, certificates, debentures and other documents to be granted by the collector; he shall also examine the collector's abstracts of duties, and other accounts of RECEIPTS, BONDS and EXPENDITURES, and, if found right, he shall certify the same."

By the report of the secretary of the treasury to the president, and by the latter communicated to congress, (house doc. 13, p. 6), it is represented that a circular, issued by the comptroller of the treasury in 1821, had tended to remove the check on the collector, provided in the above enactment of law, "in some particulars very essential." The apologetic language of the secretary is:

"It appears that the naval officer at New York, if able to perform the task, has not for a long period, or at least during the seventeen years that have elapsed since a circular issued by the comptroller in 1821, considered it his duty to certify to the expenditures and accounts generally, but only to certain portions of them, and to the correct assessment of the duties.

"That circular, unfortunately, tended to remove a check on the collector, in some particulars very essential, and has been repealed by the present comptroller." (House doc. 13, p. 6, 7).

The committee, finding the accounts and returns of Mr. Swartwout, made quarterly to the treasury, to have been correct in every particular prior to 1837, whether checked properly by the records and vigilance of the naval officer or not, and that the only accounts containing frauds or deceptive omissions were those rendered for 1837, and that such omissions were confined to the bond account, on which bonds had become payable and had been paid to Mr. Swartwout, the committee were led to examine how far the circular of 1821, alluded to as above by the secretary of the treasury, did in fact remove from this class of the collector's accounts the check upon them provided by law in the duties of the naval officer, and how far, in truth, said circular furnished any apology for the naval officer for any neglect of those accounts on his part.

On recurring to the said circular of 1821, disclosed by the secretary in whose document of the present session numbered 54, in answer to a special call of the house, the committee find that, instead of being designed or tending to remove any check from the collector which had been previously exercised by the naval officer under the law of 1799, it avowedly enjoins upon them the exercise of all the checks contemplated by that law, with a single exception; and the previous neglect of them by naval officers, and not a discontinuance of any of them, is set forth as the occasion of alluding to them in the circular. The following is its language:

"It is deemed proper, at this time, to notice another subject, on which instructions appear to be necessary.

"Until lately, it has been the practice of the naval officers, generally, to certify no other accounts of the collectors than the abstracts of duties of merchandise imported, and the tonnage abstracts.

"These are the only documents which were required to be so certified under the laws anterior to that of the 2d March, 1799, in the 21st section of which a different regulation is made on the subject; but as no instructions can be found relative to this regulation, which, it appears, has hitherto not been observed, it is presumed that the alteration alluded to was overlooked.

"By the section referred to, the naval officers are required to examine, not only the collectors' abstracts of duties, but other accounts of receipts, bonds and expenditures; and, if found right, to certify the same."

"As all the accounts of disbursements made by the collectors are to be supported by vouchers, it is not considered necessary that such accounts, except the abstract of duties refunded, should be examined and certified by the naval officers.

"The documents which are considered to require that formality are as follows, viz:

"1. The abstracts of duties on merchandise and tonnage.

"2. The abstracts of duties on passports and clearances.

"3. The abstracts of interest received on bonds which are not paid as they become due.

"4. The abstracts of marine hospital money collected.

"5. The bond accounts.

"6. Abstracts of duties refunded.

"To enable the naval officers to examine and certify these returns, it will be necessary that they should, so far, keep corresponding accounts with the collectors of the customs, from whom the terms of those accounts can be obtained, and who, I feel persuaded, will cheerfully give their co-operation in carrying the provisions of the law into effect."

It will thus be seen that, while it was not designed, and could not have tended, to remove any check whatever on the collector, in any particular very essential, (as accounts of disbursements require vouchers in all cases, the naval officer's check in regard to them is expressly declared by the circular as "not considered necessary"), that circular did enjoin upon naval officers, in most specific terms, the exercise of every requisite check upon collectors that the law of 1799 contemplated and provided; and it is only because the naval officer at New York did wholly neglect to comply with and fulfil the instructions contained in this same circular of 1821, viz: to "keep corresponding accounts with the collector of the customs" in relation to bonds taken by and bonds paid to him, and by this means to make the thorough examination, independently of the collector's accounts, of the "bond accounts" returned to the treasury department by Mr. Swartwout, and not because of any check removed by the circular of 1821, that Mr. Swartwout was enabled to return his accounts for all the four quarters of the year 1837, falsely and fraudulently omitting therein the many hundred thousands of dollars in which he has become a defaulter for that year. It is in this palpable disregard of the positive requirements of the law of 1799, prescribing the duties of naval officers, and in this equally palpable disregard of the positive requirements of the more recent circular of the comptroller of the treasury, dated November 10, 1821, and in the negligence of records and want of proper vigilance on the part of the naval officer at New York, from the commencement to the close of Mr. Swartwout's two terms of service, that is found by the committee a primary cause of Mr. Swartwout's immense defalcations. And the committee feel constrained to add, from a sense of duty to the house and to the country, that the attempted apology quoted above, made by the secretary of the treasury to congress before the circular of 1821 was disclosed, for the disregard of law, of treasury instructions, and of plain official duties by the late naval officer, who only left that office to take another public office of no less respectability under the present executive, is wholly without weight and without foundation.

If it were true that the class of accounts returned by Mr. Swartwout to the treasury prior to 1837 involved defalcations, contrary to the opinion of the committee, as deduced in a former branch of this report, then it is true that a cause of those defalcations, excepting those in office "expenses" and "fortitures," is in like manner to be found in the same culpable negligence of the naval officer, already described, in not keeping original records and accounts as required by law, as also by the circular of 1821, corresponding with those kept by the collector of "tonnage duties" and "duties refunded" to merchants.

By the evidence before the committee, it was found that the only account or record, of the whole number required by law to be kept by him, that was kept by the late naval officer at New York, was an abstract of duties accruing, furnishing no check whatever upon any account of the collector, except upon his computation of the dutiable sums on imports. Beyond this, which is comparatively of but the least consequence of all checks, if standing alone, the naval officer at New York has served but as a useless expense to the government, adhering to empty forms, of no efficacy but to give currency to any frauds which the collector might embody in his accounts. All of which is elucidated and substantiated by the following examination and testimony:

Mr. Fleming, auditor of the custom house.

Examined by Mr. Smith.

Question 69. By a comparison at the naval office, at the port of New York, of the collector's quarterly returns, transmitted to that office for examination, of bonds paid within such quarter, with the records in said office of said collector's preceding quarterly returns of bonds payable in that quarter, is not the naval officer enabled at once to detect any omission, in the quarterly returns of the collector, of bonds that should be accounted for as paid or as having come to maturity and extended or put in suit?

Answer. The naval officer was not enabled to detect any such omission, from the fact that no record of bonds was kept in that office. The collector's proofs were submitted to the naval officer, and upon their evidence he certified the bond accounts to be correct.

Question 70. What character of proofs do you allude to in your last answer, as having been in usage submitted by the collector to the naval officer, to enable the latter to test the correctness of the collector's accounts and returns?

Answer. Those proofs are the accounts as made up, and retained in the collector's office, exhibiting the same aggregate amounts as the returns transmitted to the treasury.

Question 71. In the manner in which the duties of the naval officer were discharged in regard to Mr. Swartwout's accounts, as described in your two last answers, did or did not that cease to be a check upon the deficiencies and intentional omissions of those accounts?

Answer. The naval officer, in regard to the bond accounts, did not form a check upon the collector.

The following testimony of the late deputy naval officer, and now a deputy collector at New York, though in the outset evasive, grew at length to a full concession of the truth.

John T. Ferguson was sworn as a witness.

Examined by Mr. Owens.

Question 1. Are you an officer in the custom house, New York? How long have you been there, and what are the duties you have discharged?

Answer. I am. My connexion with the custom house commenced in May, 1829. I served as deputy naval officer till 29th of March, 1838. Since then, with the omission of about three weeks, have been principal deputy under Mr. Collector Hoyt.

Question 2. From your knowledge of the manner of conducting the business of the naval office in the custom house at New York, and from your connexion with it, will you be pleased to state if the naval officer acts as a check upon the collector; whether the accounts are critically examined, or if the examination and certifying the same is not rather a formal than an actual [examination]; and whether such has not been the uniform practice, as far as you are acquainted with the performance of the duty, by the naval officer?

Answer. In answer to the first question, I have to answer, most assuredly, and for many years been generally considered and proved to be a check. 2d. The accounts were critically examined, and I do sincerely think it by no means a formal examination, but an absolute check. 3d. The practice pursued during the term of my being deputy has been uniform, and the only practice since the revenue system.

The examination of John T. Ferguson was resumed.

Examined by Mr. Smith.

Question 4. Was any record or register kept in said naval office, while you were in it, of the collector's abstracts of duties and other accounts of receipts, bonds and expenditures? If yes, state what was the nature and extent of such record or register in form and substance?

Answer. The only book or record kept in the naval office is the quarterly abstract, which I have before referred to, and which comprises the whole amount collected for each quarter, including bonds taken and duties paid; the nature of this record be-

ing supposed to be heretofore so satisfactorily, that duplicates of other accounts were not thought necessary.

Question 5. When you say that the quarterly record abstract kept in the naval office includes "bonds taken," do you mean to convey the idea that such abstract specifies the amount of each bond so taken by the collector, its date, the names of the parties to it, and when it became payable? Or do you mean that it only contains the aggregate amounts of dutiable goods, that have been entered during the respective quarters of the year, and the duties on which were entitled to be secured by bond?

Answer. In answer, I mean it only accounts for the aggregate amount of duties accruing during each quarter, without specifying what portions of such amounts were payable or were paid in cash, or what portions were either bonded or entitled to the privilege of being secured by bond.

Question 6. Has any change taken place in said naval office, down to the present day, departing from the mode you have described as the mode of discharging the duties of said naval office while you were in it?

Answer. No change had taken place up to the time of my leaving the office; and what change may have taken place since I left, I am unable to say.

Question 7. By the abstract you have described, as kept in the naval office, or by any other papers or records in said office, is the naval office enabled to ascertain what the actual receipts of the collector have been in cash, in any quarter, for duties, or other means as collector?

Answer. To my knowledge, the abstract does not show the amount received quarterly in cash, nor does any other account kept in the naval office.

Question 8. Were any of the "accounts of receipts" by the collector of cash, or of bonds, subjected to the naval officer for his examination and certificate, while you were in said office? If yea, what class of accounts?

Answer. The books which contain all the bonds paid, and bonds outstanding, have been always examined, within my knowledge, at the naval office, and certified by the naval officer; but in duplicates thereof kept in the naval office at the time of examining the quarterly account of the collector.

Question 9. What class of the collector's accounts of cash receipts were examined and certified by the naval officer while you were in said office? Please mention each class.

Answer. No accounts of cash receipts of the collector have, to my knowledge, been examined in the naval office, separate from the quarterly abstract of his accounts.

Question 10. How many abstracts of different accounts of the collector were examined quarterly in the naval office, while you were there? Please name each.

Answer. The American and foreign abstracts of accounts of duty are the only ones which are thoroughly examined by the separate accounts in the naval office.

Question 11. Did the abstracts, specified in your last answer, in any way enable the naval officer to ascertain what amount of cash had been received on bonds or otherwise, by the collector, during any quarter?

Answer. No.

Question 12. Had the naval officer any check in use, while you were in said office, by which any defect in the collector's quarterly accounts of moneys paid or payable, in any quarter, to the collector, could be discovered or found out?

Answer. Not by any means.

Question 13. Could or could not the naval officer, by the books of "bonds paid" and "bonds outstanding," mentioned in your 5th answer, discover whether the bonds payable had come to maturity or not?

Answer. He could; but such examination was not in the power of the naval officer, as there was no means furnished by which such examination could take place.

Question 14. When you say, in your 5th answer, that "the books which contain all the bonds paid and bonds outstanding have been always examined, within your knowledge, in the naval office," and certified by the naval officer, why was it not in the power of the naval officer to discover whether the bonds payable had come to maturity or not?

Answer. At the time of my being deputy in the naval office, no account was taken of the bonds given, as that belonged entirely to the collector, as he possessed the power of collecting the amount of duty accruing upon each importation, either by compelling the merchant to pay cash, or give his bond for the security of the revenue.

Question 15. For what purpose or purposes were "the books which contain all the bonds paid and bonds outstanding," examined in the naval office, as stated in your 5th answer?

Answer. To conform, as far as in our power, to the requisition of the law, in certifying all bonds received by the collector, the examination of the bond abstracts, furnished the treasury department, was made with the account kept by the collector; there being no means in the possession of the naval officer by which such examination could otherwise be made.

Question 16. Do you mean to convey, by your foregoing answers, the idea that the only examination made in the naval office, while you were there, of the accuracy of the collector's return to the treasury department of "bonds taken, and of bonds outstanding," for duties, consisted in comparing said return, as furnished by him, with his own books of "bonds taken and bonds outstanding," also furnished by him for the purpose of such examination.

Answer. I answer, yes; such is my meaning.

Question 17. Did the naval officer examine and certify any of the collector's accounts of expenditure while you were in the naval office?

Answer. He did not, to my knowledge.

Question 18. From the manner adopted in the naval office, while you were there, of checking and testing the collector's account of bonds taken and bonds outstanding, did the naval officer know, or could he discover, whether bonds that had come to maturity were unpaid, or, if paid, were accounted for; and did the examination of such account of bonds paid to the collector to explain why such bonds as had come to maturity, without appearing to be paid, were still unpaid? Was such explanation ordinarily required by the naval officer as the condition or prerequisite of his certifying the collector's bond account?

Answer. To the first branch of the above interrogatory, I answer, that the naval officer could not, however, discover whether bonds that had come to maturity were unpaid, or not; or, if paid, whether they were accounted for, or not. To the second branch of the interrogatory, I answer in the negative; and to the third branch, no such explanation was required.

Question 19. From your knowledge of the manner in which the duties of the naval office were discharged, while you were in it, and, also, from the answers you have already given, is it true, or not, that the whole check of said office upon the collector's accuracy and faithfulness consisted entirely and solely in an examination of the correctness of the collector's estimate and assessment of the duties required by law upon the goods and merchandise entered at the office of the collector?

Answer. The principal and sole check on the collector, to the best of my knowledge, consisted in the examination of the correctness of the duty on each entry, and the collector's account of the aggregate amount accruing quarterly from import.

George W. Coe was examined as a witness.

Examined by Mr. Smith.

Question 1. Are you the son of the present naval officer of the port of New York; and are you deputy naval officer of said port? When did your father, and when did you, likewise, enter upon the duties of your respective offices?

Answer. I am the son of William S. Coe, the present naval officer of New York, and his deputy. I think my father went into his present office on the 29th March, 1838; and myself, as deputy naval officer, at the same time.

Question 2. Who immediately preceded your father in the naval office, and who preceded yourself in the deputy naval office?

Answer. Enos T. Throop preceded my father as naval officer, and John T. Ferguson myself, as deputy to Mr. Throop.

Question 3. Has any change in the system of executing the duties of said office, from that pursued by Mr. Throop, been adopted since Mr. Coe's term commenced? And, any other records kept in said office, at this time, than were kept formerly in said office, and in the examination of the collector's quarterly abstracts and accounts any other, so far as your knowledge extends, than the examination thereof previously made in said naval office. If yea, please to state in what such change and differences consist.

Answer. There have been several changes in executing the duties of the naval office, since the appointment of my father as naval officer; and there are, at present, other records kept in the naval office than those in the time of his predecessor. The method of examining the quarterly abstract is the same, as far as the aggregate amount is concerned; but changes have been made as regards the examinations of the other accounts in the collector's office. The accounts of the collector are not certi-

fied until an examination has been made from the books in his office.

A record of the fees of tonnage and hospital money; also, the fees arising from exports; and a record of the amount of duties paid under bonds; and, also, an account of the daily transactions of the collector's office, so far as the receipts and expenditures are concerned, taken from the collector's own books.

Question 4. What is the nature of each quarterly abstract, and of each quarterly account, made by the collector, that has passed under examination in said naval office, pursuant to the existing system of discharging the duties of said office? Please designate each by name, and specify the nature of its contents.

Answer. The quarterly abstract is an account of all duties received, and that of the collector is examined in the naval office from corresponding books and papers kept in the naval office, and by which the different amounts are examined, so far as relates to the total amount; but the different amounts of cash and bond duties are not specified in said quarterly abstract; and, to the best of my knowledge, the quarterly account of United States hospital money for the last quarter was examined by corresponding accounts kept in the naval office. It may have been done previously; I do not recollect of it, or other accounts which are examined by similar data.

Question 5. Previous to the adoption of the changes which you have enumerated, in the system of conducting the duties of naval officer, was said officer any check whatever upon any class of errors, or defalcations or delinquencies which might take place in the collector's abstracts and accounts, beyond that of detecting errors in the computation of the duties payable on goods that had been entered? If yea, state in regard to what other abstract or account of the collector, said naval officer had a check upon the collector's proceedings or delinquencies.

Answer. Previous to the present method of conducting business in the naval office, I do not consider that it was any check whatever upon the office of collector, further than in the commutation of the amounts of duties received. The quarterly abstract states the total amount of duties received by the collector; but whether received by bonds or cash, the naval officer possesses no corresponding means to determine; but he must be guided by the books of the collector, so far as the receipts of cash and bonds are concerned, and no books are kept in the naval office by which the naval officer can tell when bonds fall due, or whether or not said bonds are paid at maturity.

Question 6. Under the existing system of the naval office, is the naval officer enabled to determine, either what amount of bonds have been taken by the collector for duties, in any quarter, or who are parties to said bonds, or the dates of such bonds, or when they are payable, or when any such bonds are paid, or whether the collector does or not account truly for bonds that have been paid?

Answer. In answer to the sixth interrogatory, I have to state, that the naval office, under its existing system, is not enabled either to determine what amount of bonds have been taken by the collector for duties, in any quarter, or who are the parties to said bonds, or the dates of said bonds, or when they are payable, or when such bonds are paid, or whether the collector does or does not account truly for such bonds.

From the preceding testimony, the committee report as established facts:

1. That the late naval officer at the port of New York, throughout the term of his service from 1829 to 1838, wholly disregarded the requirements of the law prescribing the duties of his office.

2. That said naval officer, for the same period, wholly disregarded the instructions of the comptroller of the treasury, of November 10, 1821.

3. That said naval officer, by so disregarding the requirements of law and the instructions of the treasury department, culpably neglected to keep the accounts and records appertaining to his office and thereby rendered his office nugatory as a check upon the accounts of the collector.

4. That if the duties of said naval officer, as authorized and directed by existing laws, had been executed with proper care and vigilance, they would have rendered it impracticable for any fraud or error in any of the accounts of the collector of said port to escape immediate detection.

5. That the culpable disregard of the plain requirements of law and of treasury instructions prescribing the duties of naval officers, by said naval officer, and his continued neglect of official duty, are a primary cause of the immense defalcations of the late collector at New York.

[TO BE CONTINUED.]

CHRONICLE.

The honorable A-bert Guilan has presented all his manuscripts and charts, relating to the Maine boundary line, to the New York Historical society. Mr. Guilan was one of the commissioners, it will be remembered, who was appointed by the federal government, to settle that important question.

The New York American, a leading paper, commends strongly in favor of the nomination of general Scott to the presidency.

Peace between France and Mexico. We perceive that a convention of peace has been signed by the ministerial agents of these two governments. The port of Vera Cruz is relieved from blockade.

General Scott has been nominated by the democrats of Rochester. Among those who signed the call were many "original Jackson men."

The ensuing elections in Virginia, according to a late law of the legislature, will take place on the 4th Thursday in May; and thereafter on the 4th Thursday in April annually.

The 7th regiment of U. S. Infantry. This veteran regiment, which was with general Jackson in the Seminole war, and for the last twenty years stationed in the wild regions of Arkansas, where some of the officers, it is said, have never during the whole time, and have never seen a rail road or canal, arrived recently at New Orleans, on its way to Florida.

The wandering piper. This extraordinary man, who had so recently been employed at the Northumberland tavern, was heard yesterday, having expired on Monday in one of the Dublin hospitals for distressed individuals. His name has been kept a secret: from all, I believe, but his spiritual guide. His sin was, that, many years ago he made a wager, binding himself to pursue but extraordinary career, if he had not long adopted. Had he relinquished that undertaking, he was, wot to say, his family would lose the large wage in question, which of course, is cancelled now; that is, if it ever was made; for the termination of his career would induce a belief that the whole was the professional ruse of a cunning, close man.

The Detroit Advertiser states that the most active measures have been taken by the militia to strengthen and improve Fort Malden, and a large number of men are erecting block houses on B-s Island. Negotiations have been commenced for the purchase of the steamboats Illinois and Champlain.

Mr. George Churchward, a commission merchant at Mobile, was killed by the contents of a pistol discharged by C. B. Churchill, a cotton broker. The occurrence took place at the house of the latter, who immediately delivered himself up to the authorities.

National Gazette.
On the night of the 11th ult., a murder was committed on board of a store boat on the Ohio river near Cincinnati. The boat was found partly sunk—having drifted on a rock.

It is stated that a company of young men in Columbus, Ohio, are exhibiting an expedition to the Oregon territory, with a view to plant a station of the republic beyond the shadows of the Rocky mountains.

Twenty-five soldiers have deserted from the American troops, and the most of them are announced in the Kingston, U. C. Herald as having arrived at that place. Thirty dollars a piece is offered for their apprehension.

Steam packet navigation is on the eve of active operation between New York and Bordeaux. A large company, with extensive capital, has been established in the latter city.

The following cases are quoted from an exchange paper:

Justice. At the general sessions for Broome county, last week, an individual indicted for an assault and battery, (for stabbing a citizen with a dirk knife), was brought before the court for trial. The prisoner pleaded guilty, and was sentenced by the court to a fine of twenty shillings!

A witness who failed to appear after being duly subpoenaed, did not come off quite so well. He was brought in for contempt of court, and compelled to pay a fine of ten dollars.

An honest man! A few years ago Mr. John Ray, of Sunderland, finding the circumstances to be in a state of embarrassment, called his creditors together, and after laying his affairs before them, compounded with them for ten shillings in the pound. Some of Mr. Ray's friends, believing him to be an honest man, assisted him again to commence business, which he has since prosecuted with some success; that on Wednesday he presented his creditors to dine with him, and receive their debts in full, with interest from the date of his composition! This last the creditors manfully refused to accept; and, further, to mark their deep sense of Mr. Ray's honorable conduct, entered into a subscription to purchase for him a suitable testimonial of their high admiration for his rare integrity. [Sunderland Herald.]

The net for the regulation of fare on the rail roads of New Jersey passed to a third reading in the legislature of that state. Way passengers are not to be charged more than four cents per mile for first and second class travel between this city and New York. The act is not to take effect unless the companies accept it.

We learn from the Portland Advertiser, that the brig Susan and Elizabeth, of New York. Wm. Gorham, jr. master, from Montevideo, for Boston, loaded with wool, hides and tallow, went ashore at Well's Beach, on Friday morning about 3 o'clock.

The act of the Massachusetts legislature granting 1,200,000 dollars to the western rail road has received the governor's signature, and is now a law.

Revolutionary army. We find the following in an old paper:—
The number of regulars furnished to the revolutionary army were—

By New England	- - -	147,441
By the middle states	- - -	56,501
By the southern states	- - -	50,937

It appears by the above, that New England, consisting of New Hampshire, Massachusetts, Rhode Island and Connecticut, furnished more troops for the defence of the country than the other nine states, by 3,872. The number of troops furnished by South Carolina was 6,417—by Massachusetts 67,207—Georgia 2,698—Connecticut 31,939!

An improved method of making coffee. Put your coffee (after grinding) into a flannel bag, tie it closely, and immerse it in sufficient water to boil freely, put in a little butter, adding as much water as may be required. After boiling, it will be found to be perfectly clear, without the addition of egg, &c. Having likewise the advantage of retaining its original flavor and strength in greater perfection than when clarified.

We understand that about thirty sail of fishing vessels (most of them new) have been added to the Grand Bank fleet at Marblehead, the present season, making in all about 109 sail. This is a larger number, we believe, than has been employed in the fisheries in that town since 1759, in which year 124 vessels were engaged in the Grand Bank fishery alone. May abundant success reward the enterprise of our Maritime neighbors. [Salem Ad.]

Baltimore city post office. It is now stated, says the Baltimore Patriot, that Mr. Skinner is to abdicate on the first of June next, and that Mr. Vanzant is then to take possession of the post office.

We notice that in a public meeting recently held in London, the private debts in Great Britain are down at \$20,000,000,000!!!

General Jackson. We learn from the Nashville Whig of the 18th inst. that general Jackson was confined to his bed by illness. He has recovered.

The legislature of Wisconsin has passed a law allowing twenty per cent interest for money, the parties mutually consenting. This is a virtual repeal of the usury laws; or nearly so.

What other city can say it? It appears by the official reports that all the boys in the city of Boston are members of the public and private schools—save 33 alone. The whole number is 16,850. There is no parallel to this in any quarter of the world. [Evening Star.]

Ex president Adams has accepted the invitation of the New York historical society, to pronounce before it an address on the approaching fiftieth anniversary of the inauguration of Washington as the first president of the United States.

Dinner to general Scott. We learn from the Courier and Enquirer that the committee of arrangements appointed in April, 1837, to make the necessary dispositions for giving a public dinner to general Scott, which compliment was then postponed, at the request of the general, to a more fitting season, the country being then involved in the financial embarrassments of that trying year, is to hold a meeting this evening, for carrying into effect now the object of their appointment. [N. Y. Com.]

Value of our improvements. From the Pittsburgh Advocate, April 2. We were surprised and gratified yesterday on visiting the steamer *Maine*, capt. Dorman, to learn that her large cargo, consisting wholly of bacon, pork, and lard, from below, there were one hundred and seventy casks bacon which she had brought from Beardstown, Illinois river, for shipment via the Pennsylvania canal to Philadelphia. This parcel of bacon is but a part of a thousand hogsheads laid up at the same place, designated for the Philadelphia market by the same route.

This is the first instance known to us of a large shipment of the produce of that part of Illinois being directed market. We advert to it with pleasure, as another testimonial of the value to Pittsburgh, to Philadelphia, and to Pennsylvania at large, of our great system of internal improvements. It such fruits are produced by our improvements in their infancy, what may we not expect from them when they have grown old and established their character throughout the west?

The cost of transportation from Beardstown to Pittsburgh is no more than it would have cost to New Orleans, say 50 cents per 100 lbs. The cost hence to Philadelphia will be 87 cents per 100 lbs.

On Wednesday evening a desolating fire swept off nearly the whole of the block of buildings bounded by St. Joseph, St. Louis, Conception, and St. Michael streets, and the brick dwelling of Mr. Judd, corner of St. Joseph and St. Michael streets, and the brick store belonging to William Jones, jr. corner of St. Joseph and St. Louis streets, were barriers which arrested the

flames eastwardly, and saved the whole front on St. Joseph street. The three sides on the other streets, and the whole of the interior of the block, including out-houses and stables belonging to the dwelling on St. Joseph street, are totally destroyed. Nothing was saved, except the furniture, but some twenty stacks of chimneys, marking the extent of the desolation. The number of dwelling houses burnt is about ten or eleven, besides some small shops and the extensive livery stable on Conception street. [Mobile Jour. March 29.]

The governor of Missouri has negotiated a state loan with the bank of Missouri of three hundred and forty-five thousand dollars. Of this sum, two hundred thousand dollars are to go towards paying the extension of the debt, and to drive the Mormons from the state, one hundred and twenty-five thousand dollars for building a capitol, and twenty thousand dollars for works of internal improvement.

Dinner to Wm. C. Rives. The political friends of this gentleman in Albemarle have tendered him a public dinner, to be given in Charlottesville on the 20th inst.

Mr. Stanly, the independent representative from the Newbern district in North Carolina, was received with open arms by his constituents on his late return to them from his attendance in congress. At a public sitting in his native town (Newbern) resolutions were passed approving his course in congress, and inviting him, in token of respect, to a public dinner. The compliment was acknowledged by Mr. S. in becoming terms, but the acceptance of the dinner declined on the ground of the necessity for his immediate return to his residence, at Washington, N. C.

The Wheeling Gazette of the 29 ultimo, gives a list of fifty-four steamboat arrivals and as many departures during the previous week—and all of these were either from or on their way to Pittsburgh. Besides this number there are three running daily to Beaver and to Wellsville; six plying on the Mooningahela and three on the Allegheny, most also be kept in view to form an adequate notion of the steamboat business of Pittsburgh.

Captain Pell, of the Havre packet *Urica*, arrived at New York, reports that on the 21st ultimo, in lat. 44 45, long. 48, he fell in with fields of ice in great extent, and banks of mountains dimensions, some being two hundred feet in height. He got outward 90 miles and westward 100 miles through the fields and islands of ice.

Rehoboth statue of Jeremy Bentham. Dr. Southern, of South Carolina (England) to whom Jeremy Bentham bequeathed his body, has, it appears, embalm'd the same, and taken from it a perfect cast of the original, seated in his chair, with his flowing locks, antique costume, &c.

Expensive honors. Lord Durham, in his brief governments of the Canadas, expended over \$45,000 from his own purse.

The war over. The Portland Argus of March 29th, announces the arrival, on the preceding day, of the detachments from that city which have been serving their country in the tented field—that is, among the swamps and bogs of the dispersed territory. Two deaths had occurred in the progress of the campaign. David Houston, a volunteer from Belfast, died at the camp, and Stephen Wood, of Hiram, was carried off suddenly, by apoplexy, at the barrack near Houlton.

Spontaneous combustion. The Worcester Manufacturers Mutual Fire Insurance company have issued a circular, stating that several woollen mills have been destroyed by spontaneous combustion, arising from the neglect of the men employed in oiling the wool, and caution all manufacturers from purchasing oil unless it is ascertained by proper tests to be perfectly pure.

The president of the United States has recognised E. de Wolf as consul of his majesty the king of the Netherlands, for the state of Alabama, and the territory of Florida, to reside at Mobile.

Commercial enterprise. During the domination of Bonaparte, sugar, coffee, tobacco, cotton-twist, &c. were sent by sea from London to Silesia, in Europe, and thence the goods were carried on horses and mules across Servia and Hungary into the interior of Germany, and even into France; so that goods were consumed at Calais, coming from England, only seven leagues distant, which goods had made a circuit equivalent, far as its expense went, to a voyage twice round the world.

A gang of counterfeiters was arrested in New Bedford, Tuesday by the police officers, who surprised two of them while busily engaged in counterfeiting half dollars. Six persons were committed for examination, and about two bushels of spurious coin, together with machinery, dies, &c. taken into custody. Counterfeit bank notes were also found on the prisoners.

An article is going the rounds of the papers abroad that John Harvey saved the life of general Scott at Chippewa, some time during the last year. This is a misapprehension; Scott saved Harvey's life at that time and place.

Old England against the world. The New York Express says:

A cask of clover seed from London was sold yesterday by auction, which proved to be colored purple to give it a market value. The fraud was detected. The holders here knew nothing of the transaction.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 7.—VOL. VI.]

WASHINGTON CITY, APRIL 13, 1839.

[VOL. LVI.—WHOLE No. 1,437

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$3 PER ANNUM, PAYABLE IN ADVANCE

The readers of the "REGISTER" have been informed of the death of HEZEKIAH NILES, the founder and, for twenty-five years, the editor of this work. This event, though long anticipated, has afflicted his beloved family with the most poignant grief, and caused deep regret in that numerous circle of friends who loved and admired him for his many virtues. For no man that ever lived fulfilled more faithfully the duties of a citizen, husband, father and friend, or has left behind him more honorable testimonials of his desire to promote the honor and interests of his country and the happiness of individuals. His efforts as a patriot and a good citizen are acknowledged by all, and have left an impression upon the age in which he lived which Time cannot efface; but only those who came within the influence of the circle in which he moved can fully appreciate those gentle virtues which caused his family and friends to cling to him with such earnest devotion, and to regard his course of life as an illustration of all that is honorable and estimable in human nature.

His life was one of painful vicissitudes and unmitigated toil; but it is a proud consolation to his family and friends to know, that he has closed his busy and eventful career, without leaving an enemy behind him, or the slightest blemish upon his good name—and that many, very many, to whom melancholy tidings have come, will bless his memory as that of a benefactor and friend. His heart and his hand were ever open to the poor and the distressed, and there are many in the city in which he spent so many years of his life, and elsewhere, who will cheerfully testify, that to his advice and his assistance, they owe all of their good they enjoy. No man in that populous city was more resorted to for counsel and assistance; and among the laboring masses, but especially among the members of that profession of which he was proud to be ranked a member, his practical good sense and sound judgment had a degree of weight and influence only equalled by the conviction that he was deeply interested in their happiness.

His public career as the editor of the "Register" and the advocate of the American System, properly belongs to a history of the times; and as soon as the materials can be collected, we intend to present a history of his life and writings to the public, through the pages of this work; in which we will endeavor to do justice to his memory, by exhibiting his devotion to his beloved country and his desire to promote the happiness of his fellow men.

GENERAL SCOTT. It will be seen, by the correspondence inserted in the present sheet, that general Scott has declined the dinner tendered to him in New York. He left this city, where he has been for some days past, on Wednesday for New York.

ISAAC L. VARIAN, esq. the candidate of the friends of the administration, has been elected mayor of New York over Aaron Clark, esq. the present mayor and the candidate of the whigs. The Journal of Commerce publishes the annexed list of votes, which, though estimated in part, will, it is supposed, vary much from the original: April, 1839.

Wards.	Clark, W.	Varian, V. B.
1	677	—
2	461	—
3	634	—
4	—	22
5	129	—
6	—	172
7	—	27
8	—	103
9	—	567
10	—	625
11	—	992
12	—	250
13	—	438
14	—	187
15	767	—
16	—	150
17	—	315
Total,	2,668	3,350
		2,663

Varian's majority, 1,182
Vol. VI. Sta. 7.

The election of aldermen and assistants has resulted in the choice of the administration candidates in twelve wards, and of whigs in five wards—making an administration majority of seven in each ward.

The election was conducted with great riot—and some disgraceful outrages took place during the three days it was held.

THE BOUNDARY QUESTION. The editors of the Boston Post have received Halifax papers to the effect. In publishing the account of the agreement entered into between general Scott, governor Fairfield, and lieutenant governor Harvey, the Times says:

"We have no room for comment. Our readers will form their own on this queer-like, but to New Brunswick, dangerous diplomatic arrangement." The Times contains a "district general order," recalling the militia from the disputed territory.

TEXAS. Intelligence from Texas has been received to the 30th ult. The political news is not of much interest. The Redlander of Nacogdoches publishes the incipient proceedings of the trial, which took place in that town, of eight Mexicans, accused of having in the month of August last raised their arms against the republic, and of having excited the savages to hostilities.

It appears that the trade between New Orleans and Texas, by way of the Sabine, is rapidly increasing. Most of the people in the eastern part of Texas obtain their goods by that route. The merchants of Nacogdoches, who formerly were supplied by the Red river, now have recourse to the Sabine.

The country between the Guadalupe and the Colorado is rapidly filling up with farms. Many immigrants arrive daily. The settlements extend beyond Gonzales, and the people of that territory are choosing new sites for towns and villages.

A beautiful specimen of native gold was found in the mountains about 150 miles northwest of Bexar. Sulfate and sulphure of iron was found on the banks of Rio Frio. The last mentioned ore was found in large quantities, and was at first supposed to be silver ore.

On the 21st ult. a public dinner was given to general Hamilton, of South Carolina, at which he made a long and interesting speech, and concluded with the following toast:

The republic of Texas—She has the same title to the vast and magnificent territory situated between the Rio Grande and the Sabine that the United States has to her domain north of that line—a violated charter—a victorious sword—free institutions, and an unconquerable people to defend them.

The Houston Telegraph states that general Hamilton and colonel Butler, of South Carolina, and colonel White, of Florida, have filed their declarations, recording their intention of becoming citizens of Texas, for the purpose of holding land simply.

The New Orleans Courier gives the following explanation of the procedure:

It is proper to state that the constitution of the new republic does not require a renunciation of all allegiance to the United States to become a citizen; and that general Hamilton, in a speech at Galveston, declared he had not, and would not, abandon allegiance to his native country; but that, having lands in the new state, he wished to put himself in a position to defend them. The other gentlemen also made large purchases of lands, to hold which requires a citizenship, or quasi citizenship. General Lafayette was a citizen of the United States, and a subject of France, at the same time; and general Bernard, at present a minister of war in France, was a citizen, and brigadier general in our service.

The Galveston Gazette of the 22d states that a larger number of emigrants had arrived at that port in the ten preceding days than ever before in the same time. Three steam packets and several sailing vessels from the United States were there busily engaged in loading and unloading. Large quantities of cotton were arriving for transportation to England, and it was said that two other vessels were nearly due from Liverpool.

The Gazette says: "it is no longer a misnomer, to call this the city of Galveston. Such it now begins to seem. A hundred buildings are now going

up, embracing fine hotels, academies and private dwellings, one or two cotton presses are in contemplation and an estimate of the probable improvement of the approaching summer, might excite ridicule from persons abroad. Such an animated sight as our harbor has presented during the last week, would reflect no discredit upon some of the most important ports of the United States."

LATEST FROM BUENOS AYRES AND BRAZIL. By the brig Pilgrim, captain Godfrey, we have Rio Janeiro papers to February 7th.

A letter from Montevideo, which must have been written near the close of January, states that various French officers had the noble daring to come with their boats near to the shore of Buenos Ayres, and leap into the water, in order to rescue sundry persons who had been proscribed by Rosas. Amidst the ravages of war and of tyranny, adds the Journal do Commercio, these acts of heroism are honorable to humanity.

We find no mention of Buenos Ayres having been bombarded by the French; but as our file is incomplete, it may have possibly taken place notwithstanding. [Jour. of Com.

MONEY MARKET, STOCKS, &c. From the United States Gazette of Wednesday last. In the ordinary language of business, money is scarce. The market is tight, and of course sums required to meet engagements command a large rate of interest. And yet we believe that the deposits in the banks were never greater than at the present moment. This of course is owing to the unsettled state of our affairs; men of capital are awaiting the entire disposal of the boundary question before they will let abroad the large supplies which await some profitable and permanent disposal.

We refer our readers to the report of sales of stocks at the boards held yesterday. It will be seen that the transactions were large, and generally at an advanced price. After the adjournment of the second board the following sales were made:

12 share U. S. bank,	113 1/4
10 do. Vicksburg, do.	57 1/2
20 do. Schuykill navigation	117
41 do. Wilmington rail road,	51 1/2
30 do. Vicksburg,	57 1/2

Business, however, did not close with the above stated transactions, as on inquiry we learn that considerable business was subsequently done. There was bidden 57 1-2 for 30 shares of Vicksburg, cash or ten days—100 shares of Vicksburg were offered at 57 3-4—\$50 was bid for Mechanics' bank, and 50 1-2 asked—\$113 was bid for 50 share U. S. bank, one share offered at 113 1-2, and 50 at 114—Girard bank was firm at 50, and 51 1-2 was readily bid for Wilmington rail road, 51 3-4 was asked.

From these facts an idea may be obtained of our money market. Those who read such articles as this with interest understand, of course, that the prices of stocks are not always governed by the dividend declared, nor does a small depreciation denote any diminution of confidence in the institutions. The amount of the stock in market, or liable to be brought forward, has an important bearing upon the price.

The New York Express says: "Business this spring has disappointed the expectations of the sanguine, and even of many who are quite considerate. The consequence has been, especially in our city, that a gloomy feeling has spread over the minds of many business men, and this has tended to increase the mischief. Money is scarce, when every body expected it would be plenty; credits are dubious, when all expected a brisk demand at a profit. Well, what of it? The cause of the depression is temporary, and by no means radical; and the check to business, such as it is, will doubtless be salutary in the end, though not for the present agreeable."

The Express, speaking of the exchange between that city and the south, states that the southern stocks for sale in New York are falling in price, owing to a want of confidence. It then adds:

The banks in New Orleans are determined to pay specie. Exchange is consequently about par; but on Alabama and Mississippi confidence is destroyed, and it is difficult to regulate bank checks, if at all, better than ten per cent. discount. This state of things will be exceedingly injurious to the trading

interest of that section of country as well as to this city. Merchants here sold their goods last fall under a full belief that there would be little or no difference in the rate of exchange. The profits on goods were placed accordingly. The charge of paying ten or more per cent. on getting funds home, will fall heavily on the merchant.

Sales at the New York stock exchange, April 10.
 50 shares United States bank 113 3-4
 105 " Canton company 42 1-2+44
 Exchange—Bills on England \$4 82a \$4 84 (8 1-2 a per cent.) and on France 5f. 20.

Sales of stock at Philadelphia, April 10.
 55 shares United States bank 113 1-2
 The transactions at the board were very limited yesterday, but showed a decided improvement in prices—not only in speculative stocks, but our own local banks.

Money is still very tight, and we cannot look for any great change until after the arrival of the Great Western.

TREASURY CIRCULAR. We find the following in a New York paper:

Treasury department, Comptroller's office, April 2d, 1839.

Sir: It being understood, with respect to salt imported in sacks, that a diversity of practice exists at some of the custom houses, in consequence of the sacks not being considered in the light of dutiable charges on the salt while they are so regarded at others, the subject has recently been taken into consideration with a view to make the practice in the assessment of duty uniform.

It is proper to observe that the 15th section of the act of July 14, 1832, declares "that the ad valorem rates of duty on all goods, wares and merchandise shall be estimated in the manner following: to the actual cost, if the same shall have been procured otherwise than by purchase, at the time and place when and where purchased or otherwise procured, or to the appraised value, if appraised, shall be added all charges, except insurances."

By the 8th section of the act of 1820, the values of all imported articles subject to specific duty are to be ascertained in the same manner as the value of imports subject to duty ad valorem.

Whoever may have been the practice founded on the construction given to the pre-existing laws, it appears to me, that in conformity to the provisions cited above, sacks are nevertheless to be considered as constituting dutiable charges on imported salt, and that their cost should be taken into view in the computation of the duty; and this construction would seem necessary to result from the single exception of the charge for insurance. I deem it proper to add that when salt is imported in other than sacks, the same principle will apply.

As the erroneous practice, however, which it is the intention of this communication to arrest, is believed to have been of long standing at some of the ports, it is deemed proper at such ports to postpone the operation of the rule now laid down until the first of May next, after which period, it is expected that you will be governed by it.

You will give notice to the importers accordingly. I am respectfully, your obedient servant.

J. N. BARKER, *comptroller.*

APPOINTMENTS BY THE PRESIDENT.

Henry W. McCorry to be attorney, and Robert J. Chester to be marshal of the United States for the district of West Tennessee; and James P. Grunby to be attorney, and S. B. Marshall to be marshal for the middle district of Tennessee; under the act of congress of the 18th of January, 1839, entitled "an act to amend an act entitled an act to require the judge of the district of East and West Tennessee to hold a court at Jackson, in said state," approved June 18th, 1838.

THE SUB-MARINE EXPLOSIONS. *From the Charleston (S. C.) Courier.* This exhibition, on the day before yesterday, was very interesting. There were three several explosions, the first of kegs of powder placed on the bottom of the river at about seven feet depth of water. They each threw up a column of water to an immense height, (at least three hundred feet), during the falling of which, which lasted several seconds—very distinct rainbows appeared to the east. The first explosion, though about 250 yards from the battery, caused a heavy shower to fall thereon, and we regret to say caused no trifling damage to the elegant dresses of some of the ladies. The hulk of a vessel anchored about half a mile from the shore was then blown up, by a keg of powder placed in the water about one foot below her keel. She was broken in two about the middle, by the explosion, and fragments of various sizes, some very large, were flung up with the col-

umn of water to a very great height, among them iron bolts, &c. which gave out a very perceptible hissing as they fell again into the water—a circumstance worthy of remark, as it shows the heat communicated, notwithstanding the water interposed between the keel and the powder. A large concourse of spectators left the scene much gratified. There is no doubt of the efficiency of the contrivance if used against a blockading fleet.

The fire was communicated to the powder by a rope prepared with a composition which burns under water.

THE WESLEYAN CENTENARY. Our advices of the progress of the centenary fund are up to the first of March, when the collections reached the immense sum of £160,000 (\$710,400), an amount far exceeding the expectations of the most sanguine at the time of the first meeting. At the close of February the general committee decided that it was expedient at once to form a committee of appropriation. This committee consisted of the president and secretary, and many of the treasurers and secretaries of the several funds of the connexion, together with a number of the senior ministers and gentlemen from various parts of the kingdom. After a long deliberation, the following was the result of the appropriation:

1. For two institution houses,	£55,000
2. Missionary premises in London,	23,000
3. Missionary supernumeraries, widows, and orphans,	21,000
4. Purchase of a missionary ship,	3,000
5. Outfit, stores, insurance, &c.	3,000
6. Chapel loan fund in England,	35,000
7. do do Ireland,	2,000
8. Kingswood and Woolhouse Grove schools,	5,700
9. Auxiliary fund debt,	1,500
10. New auxiliary fund,	9,000
11. Expenses, &c.	1,500
	£160,000

The committee farther agreed that out of the sum which may yet be received £5,000 be appropriated for a centenary monumental chapel in Dublin, and the like sum for the Wesleyan day schools.

[N. Y. Com. Ad.]

RAFT OF THE RED RIVER. The following letter has been presented to the editors of the "Globe" for publication:

Head quarters, 3d infantry, Fort Towson, March 18, 1839.

Sir: I have thought you would be pleased to learn that the river raft is again opened, that several boats have recently passed through, and that we have just arrived at our landing, six miles from the fort, laden in part, with public stores. With great respect, I have the honor to be, sir, your very obedient servant,

J. H. VOSE.

Lt. col. 3d infantry, commanding.

Hon. J. R. Poinsett, *secretary of war, Washington.*

ENLARGEMENT OF THE ERIE CANAL. *From the Albany Argus.* The canal commissioners submitted to the assembly, on Saturday, in compliance with a resolution of that body of the 20th February, a report in relation to the enlargement and improvement of the Erie canal. It is a document of considerable length and of much interest—so much in the latter respect, that thirty times the usual number of copies were ordered to be printed. It embraces succinct history of the enlargement—financial, legislative and practical—with the information required under the legislative call. It will be laid on the tables to-morrow or the next day. Meanwhile, we copy from the estimates of the engineers, the following conclusions:

From Albany to and including Schenectady.

Completed,	\$3,914 12
Under contract,	3,693,047 23
Land, damages, &c.,	127,655 00
Estimate of additional cost,	787,971 03
	\$4,617,587 38

From Schenectady to and including Utica.

Completed,	\$37,741 52
Under contract,	4,026,893 15
Land, damage, &c.,	776,149 85
Estimate of additional expense,	1,268,942 81
	\$5,514,667 33

From Utica to and including Syracuse.

Completed,	\$71,922 44
Under contract,	359,599 37
Black river feeder,	290,997 66
Land, damage, &c.,	52,029 27
Estimate of additional expense,	1,768,517 26

From Syracuse to and including Montezuma.

Expended and under contract,	\$570,284 00
Land, damages, &c.,	724,516 00
Additional estimate,	1,615,753 83
	\$1,617,147 83

From Montezuma to and including Rochester.

Completed,	\$36,927 73
Under contract,	724,256 36
Land, damages, &c.,	62,599 75
Additional estimate,	3,239,591 82
	\$4,078,374 16

From Rochester to and including Buffalo.

Expended and under contract,	\$1,298,925 77
Land, damages, &c.,	32,000 00
Additional estimate,	3,715,993 73
	\$5,037,919 40

Estimated cost of the whole enlargement and improvement, including damages and all other expenses.

For sections of canal,	\$11,270,771 76
Locks,	4,981,556 83
Aqueducts,	2,022,705 78
Culverts,	841,677 95
Bridges,	1,266,653 00
Waste weirs,	169,737 80
Feeders, except Black river,	111,011 00
Dams, bulk heads and guard gates,	48,725 66
Weight locks, houses and scales,	83,000 00
Land, damages and buildings,	804,844 66
	\$21,600,715 29

Engineer, superintendence and contingent,	\$1,512,050 07
Black river feeder,	290,097 66
	\$23,402,863 02

Totals.

Amount expended	\$2,374,304 30
To become due until 1st April, 1840,	4,704,000 00
Under contract on 21st Jan. 1839,	10,405,913 83
Whole estimated cost,	23,402,863 02

DANGERS OF RAIL ROAD TRAVELLING. It is ascertained by experiment, that the danger of loss of life on an average rail road trip, is as about 1 to 4,000,000. The following data on which this conclusion is founded, are copied from a late British publication:

Name of railway	Number of miles.	Number of passengers.	Number of accidents.
Birmingham & London	119,119,465	541,360	3 cases of contusion, no deaths. (1)
Grand Junction	97 1-2*	214,064	2 cases slight d.o. (2)
Bolton and Leigh and Keayton & Leigh.	3,923,012	503,763	2 deaths; 1 slight contusion. (3)
Newcastle & Carlisle, Edinburgh and Dalkeith.	7*	1,557,642	5 deaths, 4 fractures. (3)
Leicester and Darlington.	2,213,651	357,205	None.
Great Western.	4,109,538	230,403	None.
Liverpool and Manchester.	30*	3,524,820	8 deaths no fractures (5)
Dublin & Kingstown.	1*	26,410,152	5 deaths an contusions 1 passenger.
London and Greenwich.	481,000	2,880,417	One passenger slightly bruised.

(1) None of these accidents occurred at actual passengers.
 (2) " " " " " "
 (3) None of these persons killed were passengers.
 (4) One of the persons killed was a passenger.
 (5) The whole of these were passengers; one of them a sergeant in charge of a deserter, who jumped off the carriage whilst in motion; the sergeant jumped after him to retake him, but was so much injured that he died; others got out and walked on the road, and were killed the rest suffered by collisions of two trains, at different times. These include all the casualties from the vet commencement of the working of the line.

TRAVELLING AS IT WAS AND AS IT IS. *From the Natchez Courier. Mr. Black—Dear sir:* The following brief summary of a recent journey from New York to New Orleans, contrasted with one made in 1800, will perhaps be interesting to some of you

and serve to illustrate the modern improvement in travelling. Yours, J.
 1800, April 3d, left New York in a ferry boat to New York city. Took two-horse coach and got to Philadelphia the fourth day at 4 p. m. Left Philadelphia next morning in a one-horse stage, with the bag behind, for Lancaster, where we arrived the first day. At Lancaster bought a horse, and after nine days' journey through the forests of Pittsburg. Here with some others, I bought, fifteen dollars, a flat-boat, in which we took our departure for New Orleans, floating with the wind. After divers adventures and escapes from peril by land and water, we reached Natchez thirty-seventh day after leaving Pittsburg, and Orleans city in thirteen days thereafter, having from New York on the journey eighty-four which our friends in New Orleans did say was a perilous voyage. My own personal cost on way was, in sum total, \$27 11s. 4 1-4d.

1839. Left New York, Monday, January 21st, a. m. in rail road cars at Jersey city. Arrived Philadelphia at ten minutes past 12. Cost \$4.
 2. left Philadelphia in cars for Baltimore. Arrived at 8 p. m. Cost \$4.
 3. Baltimore next afternoon at 4, in mail chariot Wheeling. Arrived at Wheeling 5 minutes before 12, Saturday noon.
 4. Wheeling next morning in accommodation for Cincinnati. Arrived at Cincinnati in 5 1/2 hours, 59 h. 30 m. Cost \$24 50.
 5. Cincinnati at 10 next morning, in the mail stage, and at 10 at night reached Louisville. Cost, 12 h. Cost \$4.
 6. Louisville next morning at 11, in steamer boat, and reached Natchez the sixth day. Cost, 149 h. Cost \$35.
 7. Natchez same day, and reached New Orleans the next evening.
 8. New Orleans at Philadelphia, Baltimore, Cincinnati and Louisville, \$10.
 9. Total 306 hours 30 minutes. Cost \$114 50.
 10. Making 12 days, 18 hours, and 30 minutes, time of travel between New York and New Orleans.
 11. Difference between 1839 and 1800, in time, about 140 days.
 12. In expense, about \$25 in favor of 1839.

F. B. This last journey was made in the winter months. In the summer months it can be performed in 30 and in less time. The above includes every thing, both of expense, of "feed and fare." Yours, VIATOR.

THE OHIO. Extract from a letter of an officer bound the Ohio, to his friend in Washington, dated 1839.

U. S. ship Ohio, off Gibraltar, Dec. 28, 1838. I am happy to say that we have reached this port after a very pleasant passage of twenty-one days. The ship works, steers and sails remarkably well. Her steering and sailing are beyond any thing I have known before. She did not perform well on her passage from Boston, owing to her being out of trim, but since we left New York she has made like the wind; and what is most surprising she has gone 12 1/2 knots within 6 1/2 points of the wind, under double reefed topsails and topgallant sails over them."

A letter from an officer to the Boston Transcript gives a vivid description of the great qualities of this noble vessel, the last monument of the lamented Eckford's genius.

The writer says: "It would be presumption in me as on any other man to say that she will do, but I do not hesitate to say she surpasses in every respect—sailing, working, &c.—every ship in which I have been since I was first sprinkled with salt water. I have had, you will certainly admit, some experience, and some opportunity of judging correctly, but I never supposed such a ship could be built—a ship possessing so great a degree all the qualifications of a perfect vessel of war. She is as animated as a pilot boat, and, remembering her immense bulk and weight, almost as easily managed. Her performance is truly astonishing. We are now passing the Cape (twenty one days out) and the passage has been somewhat blustering. To give you some idea of opportunity to try her. To give you some idea of sailing: With two sails double reefed and topgallant over them, close hauled to the wind, she has repeatedly sailed twelve and a half knots. This is truth and no exaggeration. When we left New York our draft was 24 ft. 6 in. forward, 26 ft. aft, 1/2 of midship port from water, 5 ft. 2 in. Her battery brought her down 14 inches."

RETIREMENT OF MR. BROBSON. W. P. Brobson, esq., for many years editor of the Delaware State Journal, has been elected cashier of the Union Bank of Delaware, and a few days previous to receiving this honorable testimonial in favor of his capacity and integrity, retired from the editorial chair which he filled with such distinguished ability. Most truly does he merit the following tribute, from one capable of appreciating his talents and services, and which happily expresses the opinion we have always entertained of them.

From the United States Gazette. William P. Brobson, esq. has retired from the editorial chair of the Wilmington (Del.) Journal, which he has occupied for more than ten years.

We cannot allow the withdrawal of so worthy a member of our craft, to pass unnoted. Mr. Brobson is a ripe scholar, a good reader, and a close observer of men, manners and things; and has used his server of men, encourages good morals, cultivates social position to encourage good morals, cultivate social position to promote education, and most eminently and successfully to promote the prosperity of the city of Wilmington, by the encouragement of enterprises that call into action the slumbering energies of his fellow citizens, and give activity to their capital. Wilmington owes much to such an editor. She owes much to Mr. Brobson; and as from year to year, she finds her borders enlarged, and her wealth augmented, we doubt not that she will recollect, with tokens of gratitude, the man whose services were so ministrant to her good.

Mr. Brobson is a sound whig, and he gave his editorial articles a patriotic and a gentlemanly tone, that won the respect of even his opponents, and entitled him to the gratitude of his political friends.

We make these remarks as due to a retiring brother of our gentle craft, for whom, without a personal acquaintance, we have long entertained a deep respect; and whatever may be the future employment of Mr. Brobson, we hope that it will be distinguished by as much advantage to himself, as his previous labors have been to others.

Mr. Nail, one of the proprietors of the Journal, is to be the editor, in the place of Mr. Brobson. We heartily wish him success in his arduous profession. We are sure that he will be courteous, as well as dignified, (the example of his predecessor is too instructive to be mistaken), and we venture to promise him, that thus discharging his duties, he will add consequence to the profession, and ensure a pecuniary reward.

A GOOD ANECDOTE WELL TOLD. Among the many good whigs of the legislature of the last house of commons of North Carolina was Mr. H. C. Jones, editor of the Salisbury Watchman. During the debates on Mr. Raynor's resolutions, which our readers will recollect, expressed the opinions of the legislature against "the expunge," sub-treasury, &c. Mr. Jones delivered two speeches in their favor, well seasoned, as the Raleigh Register says, with genuine attic. It was contended by the loco focos that the whigs could not, without an abandonment of their principle, support the resolutions as they favored the doctrine of "instructions" to which, as a party they were opposed. The answer to this argument spoke as follows:—

"Mr. Speaker, I must illustrate our position on this subject by relating an incident that occurred in the tory war of the revolution. You have heard of the celebrated John Cleveland. North Carolina has never done justice to that man's fame. He was one of those gallant spirits that first turned back the tide of British domination by the battle of King's Mountain. He had an impediment in his speech, and, like all stammerers that ever I have known, he was hasty in temper and violent—

"Impiger, iracundus, inexorabilis, acer."

If I may be permitted to quote a fine translation sir, I think you will best speak our hero as the original—(Leave, leave having roundouted through the hall)—I will give you, then, the rendition of that Scottish worthy, Cosmo, Conyne, Bradwardine:—

"A fiery etter-cap, a fractious chiel; As hot as ginger, and as steeve as steel."

Cleveland lived in a tory neighborhood, and while he was campaigning, these desperadoes used to depredate upon him greatly. They would steal his horses, drive off his cattle and burn his fences and out houses. A party of them, headed by a leader, one Bill Harrison, went so far as to put his overseer to death for endeavoring to protect his employer's property. The manner of this crime was somewhat peculiar. They took their victim to a steep hill side, and placing him on a log, fastened one end of a grape vine around his neck, and the other over the prong of a stooping dogwood. When they had thus arranged it, one of the party went up the hill, and rubbing head foremost against their

captive, hurried him off into eternity. John Doss was the name of the sufferer. Now, John Cleveland was not the man to put up with all these injuries, and the day of retribution was near at hand. Harrison, the ringleader in all these outrages, shortly afterwards fell into Cleveland's hands. He was an ingenious mechanic, who Cleveland had often employed in more peaceful avocations. He was a man of many favors; and remembrance of these things were by no means calculated to mitigate the offender's doom. Accompanied by his favorite servant Bill, and one other individual, without speaking a word Cleveland carried his prisoner to the same dogwood on which he had hanged poor Doss. Here was dangling the very grape vine, which had been used on the former occasion. Without more to do, he placed the noose over the other's neck and placed him on the log, "you will not hang me colone!" at length faintly observed the trembling wretch. "Can you give me any reason why I should not do it?" said the other, "you know I am a useful man in this neighborhood," said Harrison "and cannot well be spared; I have moreover discovered the secret of perpetual motion, and if I am put to death, the world will lose the benefit of my discovery. Besides this, I have heard you curse Bryant and Fanning for putting their prisoners to death. Where are your principles? Where is your conscience, that you are about to execute vengeance on me, your former friend and neighbor?" "Where are my horses and cattle—where are my fences and barns—and where is poor Jack Doss? Ere God, I will do this deed and justify myself to God and my country! Run up the hill and butt him off the log Bill, I'll show him per-pe-tual motion!"

SWORD TO MAJOR NELSON AND TO COLONEL HENDERSON. The senate concurred unanimately in the resolution, voting a sword to major NELSON. The major is a son of old major John Nelson, of Mecklenburg, who served with Washington at York and Lafayette, at York. Major Nelson was in several engagements on the Canada line during the late war. General George W. Brouke, in a recent letter speaks in the highest terms of his gallantry and good conduct on several occasions—of his volunteering to attack the enemy, and actually doing so, and compelling them in sight of our army, which repeatedly cheered him. The major was formerly a representative in congress from the Mecklenburg district, and is a gentleman of much intellectual power and great moral worth. He is not aware of this move. The tribute has been too long delayed.

The house, also, voted yesterday unanimously a sword to colonel HENDERSON, the gallant commander of the marine corps of the United States, who distinguished himself during the late war with Great Britain at sea, and volunteered his services on the land—in a service stroke to him—when the alarming situation of Florida invoked the aid of every chivalrous soldier in the service of the U States, to her rescue. [Richmond Enquirer.

MARINE INSURANCE CASE. The N. York Journal of Commerce says, that the supreme court of the United States, at their last session in Washington, decided that in case of a vessel being voluntarily stranded by the captain when all was in imminent peril—from a gale of wind—from fire—or from the chase of an enemy or of pirates—the cargo being saved, and the vessel being got off with partial injury, the cargo should contribute towards paying the damage or cost of repairs encountered by the ship owners. The decisions of the local courts had been various on the question; it is now settled by the highest judicial tribunal in the country. The principle on which the cargo is made liable to a share in the damage of the vessel is sound, and the damage incurred as much for the safety of the cargo according to its value as for that of the ship; and therefore it would be unjust for the whole consequence of the hazard to be borne by the latter.

THERE'S NO PLACE LIKE HOME. We think the annals of prisoners will hardly furnish a parallel to the following facts, for which we are indebted to a correspondent:

About the year 1820, James Osborne, of Sherman, in this county, was convicted upon a charge of assault and battery, and sentenced to pay a small fine and costs. The precise amount of the whole we do not recollect, but it was quite inconsiderable. The amount not being paid, he was committed to the jail in Danbury, where he remained eighteen years. As the law has stood during that period, he could be discharged from his imprisonment, only upon either paying the fine and costs, or giving his note for the amount. This he ever steadily refused to do. The judges of the county court, the sheriffs and state attorneys have all endeavored to get rid of him, and

to persuade him to execute the note, for without the note, neither one nor all of them had any authority to release him. But all has been in vain and he has remained a tenant of the prison.

During the session of the legislature in May last a representation of these facts was made to that body, and a resolution passed ordering him to be forthwith released, unconditionally. Even then he refused to leave the jail, and was forcibly turned out. He returned to his native place, but friends and acquaintances, with only a few exceptions, had disappeared. Some had removed, and others were no longer among the living, and he found their places occupied by another generation of men. He was a stranger in the land of his fathers, and sighed for his former habitation within the walls of the prison. He wandered about for a few months, and in October last returned to the jail in Danbury and sought admission. The jailer received him and there he now is, occupying one of the cells of the jail, and paying the keeper two dollars per week for his entertainment. [Norwalk Gazette.

CITIES OF THE ATLANTIC BORDER. From the *New Haven Record*. Mr. Editor: When I visited the states, in 1785 and 1786, I numbered the houses in several of the principal cities and towns, assisted in some instances by a friend or two. I had supposed the account of the numbers lost, but looking into the *American Magazine*, which I published in New York fifty years ago, I found it, and send you a copy. For assisting the memory, each account is stated in the nearest round number, differing from the real number not more, in any instance, than five. N. WEBSTER.

Portsmouth, N. H.	450
Newburyport,	510
Salem,	750
Boston,	2,200
Providence,	560
Newport,	790
Hartford city,	300
New Haven city,	400
New York city,	3,340
Albany and suburbs,	550
Trenton,	4,500
Philadelphia and suburbs,	400
Wilmington, Del.	1,950
Baltimore,	260
Annapolis,	400
Fredericktown,	300
Alexandria,	310
Richmond,	280
Petersburg,	230
Williamsburg,	1,540
Charleston,	1,540

Each house may be estimated to contain seven persons, and a fraction more—perhaps eight.

It appears by a memorandum in an old Register in New York, that the number of inhabitants in that city, taken by order of the king, in 1697, was as follows:

Whites.		Blacks.	
Men,	946	Men,	209
Women,	1,015	Women,	205
Young men & boys,	864	Boys and girls,	161
Young women & girls	899		
	3,727		575
			3,727
Total,			4,302
Number of inhabitants in the city and county of New York,			
A. D. 1756,		10,881	
1774,		21,863	
1786,		23,614	

FRANCE AND MEXICO.

The British frigate *Medea*, on the 17th, brought to Havana the important intelligence that a treaty had been agreed upon at Vera Cruz, and signed by admiral Baudin, and the Mexican minister. It was to be forthwith despatched to the government, in order to be ratified—fifteen days being allowed for that purpose.

The following official account of the event and the provisions of the treaty, is published in the *Diario de la Habana*, of the 15th instant:

"On the 6th instant, there was a conference in this place, between the agents of the Mexican government and the French admiral Charles Baudin. It lasted until yesterday the 9th, and from it resulted an agreement of peace between Mexico and France; which agreement was sent to-day to Mexico for the ratification of the supreme chambers. And if it is approved, we shall have peace of which we shall be informed on the 25th inst. and which I will have the honor to communicate to your excellency. I enclose you now a copy of the armistice celebrated yesterday between the said Baudin and the general commander of this department, Don Guadalupe Vic-

toria; and if it pleases your excellency may have it published, for the notice of our countrymen.

The said document runs as follows—

"Consulate of his Catholic majesty at Vera Cruz. The admiral commander-in-chief of the French naval forces in the Gulf of Mexico, and the general of division, commander-in-chief of the Mexican army; considering first that a treaty of peace has been signed to-day by the respective plenipotentiaries, which, if it be ratified, as it ought to be expected, will re-establish very soon the good understanding between the two nations; and secondly, that it is the duty of both belligerents to relieve as soon as possible, the sufferings of the neutral commerce, they have agreed in the following armistice:

Art. 1st. The hostilities will be suspended on both sides for fifteen days from next Monday the 11th inst.; the port of Vera Cruz is open to all flags without exception.

2d. Every merchandise of lawful commerce will be admitted whatever might be its precedence, after paying its respective duties, according to the laws, and during which period, after the said duties are paid, they may be introduced into the country.

3d. The general-in-chief of the 1st division binds himself to give the necessary orders that the consignees or French proprietors of the goods imported in Vera Cruz, in virtue of what is stipulated in the former article, as well as the person that they want for the management of their interests, may enter and remain in the city, and attend to their business, in the period of time mentioned above.

CHARLES BAUDIN,
G. VICTORIA.

Vera Cruz, March 9, 1839.

The *New Orleans Bee* of the 22d ult. says that the Mexicans at Vera Cruz were much pleased with the treaty, and public rejoicings in consequence thereof took place on the evenings of the 9th and 10th.

Mr. *Palckenham*, the English minister, guarantees, in the name of his government, the payment of the indemnity due to the exiled French, the conditions of which are to be hereafter fixed.

We are assured that the whole Mexican population approved of the treaty, which was made in November, which formed the basis of the one now adopted.

France receives nothing to indemnify the expenses of the war, and claimed merely the \$600,000 mentioned in her ultimatum, to be paid in six months.

The English minister signed the treaty as one of the parties, and it was expected that the English fleet before Vera Cruz would immediately sail for Europe, its object being accomplished.

The Mexican journals are of opinion that their government will not ratify the treaty.

Mr. *David*, consul of France at New Orleans, with a laudable zeal for the interests of commerce, has communicated the following extract of a despatch from admiral Baudin:

"In the evening of the 9th March, admiral Baudin signed at Vera Cruz, together with the Mexican plenipotentiary Manuel Gorostiza and sen. Guadalupe Victoria, a convention and treaty of peace.

"Mr. Gorostiza set off on the morning of the 10th for Mexico, to obtain the ratification of congress.

"The plenipotentiaries asked an armistice of 15 days, which was granted by the admiral, and he immediately opened the ports of Vera Cruz to all flags, without distinction.

"French vessels, and those of other nations, which were lying at Vera Cruz, immediately commenced discharging their cargoes.

"The peaceable tidings from Vera Cruz have already given new life to one branch of commerce at New Orleans. It is stated that thirty cargoes of merchandise will have entered the Mexican ports by the end of March, and that other shipments will follow, should the Mexican government ratify and observe the treaty with France, of which there is now little doubt.

The government of Mexico encouraged by the prospect of peace with France, has directed its whole force against Urrea and the federalists. The following letter, from the American consul at Tampico, which has been communicated to the editors of the *Louisianian*, contains some important intelligence.

Consulate of the U. S. of America,
Tampico, March 14, 1839.

SIR: In consequence of the present critical state of political affairs, and the fears entertained by the foreign residents in this place, that our lives and property will be endangered in case the government troops succeed in entering the town, I have requested the commander of the U. S. cutter *Woodbury*, to bring his vessel inside of the river, and to remain here until there may be no further apprehension.

General Cos is in Tamapuche, a town some short distance on this side of Tuspan, where general Mexia has his head quarters. General Urrea is still at Valle del Maiz, and we may expect that Arista who is now in San Luis with government troops will soon have a meeting with him.

The Woodbury brings intelligence from Matamoras that troops, to the number of 600 or 800 men, have marched against the federal party about Matamoras. No news relating to the French question has been received. We are far from feeling easy and secure, more particularly as unfounded reports are daily spread in the capital implicating foreigners in the present revolution; for example, it is believed by the government that 300 men have arrived from New Orleans for the purpose of acting under general Mexia. Your obedient servant,
JNO. C. McCALL.

James W. Breedlove, esq.

Collector of the customs, New Orleans.

Private letters furnish the following particulars: The army under Mexia, at Tuspan, consisted 1,400 men, who were working at the fortification night and day.

Generals *Falencia* and *Cos* were posted at the distance of four leagues from Tuspan with the government troops, and were constantly annoyed by sallies from the town.

Great ferment prevailed in the interior. The town of Toluca had declared in favor of Urrea.

Santa Ana entered the city of Mexico on the 13th February. It was believed in that capital that *Bu lamante* would soon place himself at the head of the army acting against the federalists.

Pedraza has left Tampico to join the army Urrea.

LATER FROM MEXICO.

From the *New Orleans Bulletin*, April 2.

To the courtesy of our American consul at Vera Cruz we are indebted for files of "El Censor" from the 14th to the 17th inclusive. On the 15th an express arrived from Mexico, communicating intelligence which show a disposition in the government to ratify the convention with France. The news of the amicable arrangement caused great rejoicing in the capital. Immediately on the receipt of the intelligence, a president ad interim was appointed and invested with the government, and on the next day Bustamante put himself at the head of a large force and marched towards Tampico, for the purpose of putting down the rebels there, who were making head against the government. The ministerial papers describe his forces as fully adequate to overwhelm the feeble resistance likely to be offered.

The broken and dispirited federalists. He was accompanied on this expedition by general Cortaz as second in command. From these movements the seat of government, it is conclusive that a treaty with France was about to be ratified, or, perhaps, already ratified, at the sanction of the executive authority. Bustamante, the president, who did not precipitately have left the capital and direct his whole force against the insurgent federalists unless all apprehensions of a French invasion be quieted. Neither is it probable that public rejoicings would have announced an event in Mexico which was not viewed by the government with approbation.

Another fact which confirms this view was, the expected departure of a conducta from Mexico Vera Cruz, laden with three millions of dollars. cargo of precious metals would not certainly be sent to a port that was liable every moment to be captured by a powerful and exasperated foe. There are many reasons which must conspire to make a treaty acceptable to the present administration Mexico; among the strongest of which may be the one of the insurrection breaking out in different quarters of the republic. The rebels had made great progress; their forces augmented; they became formidable, and the party seated power became alarmed for their safety; revolutionary sentiments had spread extensively and popular; and the name of Urrea became associated in the minds of the people with the idea of deliverance and emancipation from tyranny. In this dilemma, the government might well rejoice at opportunity of making peace with a foreign enemy in order that all its force might be concentrated upon the rebels at home, who were daily encroaching upon its authority, and impairing its stability. There is no doubt that general Urrea had as much influence in bringing about the pacification as British minister. And this, however, as it may affect the same. The treaty is, no doubt ratified and France and Mexico are at peace.

The *Diario del Gobierno* (Mexico) of the 13th March contains a circular to the following import: In case the plenipotentiary of his majesty the king of the French shall enact indemnification for the

of the war, or for any other motive, his excellency the president has advised that all Mexican agents, who think themselves entitled to indemnification for losses sustained in consequence of the war with France, shall present their reclamations to the government, duly authenticated, that they may be in opposition to the said demands.

STILL LATER FROM MEXICO.

The Mexican schooner Ann Maria arrived at New Orleans on the 31st instant from Tampico, which she left on the 23d of March. She brings accounts of little between the federal troops, under general Cos, and the government troops under general Arista, at Tuspan, on the 15th of March. The accounts are contradictory as to the result, though the information is to the effect that general Cos was defeated. A letter to the collector of the port of New Orleans states that general Cos's army was completely routed, after a bloody and well contested battle, and he forced to escape in disguise. The letters also state that the success of the federalists in battle had infused fresh hope in their troops, and that the victory was celebrated at Tampico with great rejoicings. The following is the despatch of general Mexico on the occasion:

Head quarters, liberating army,

Tuspan, March 15, 1839.

I have the satisfaction to announce to you that now at 1 o'clock, the federal army has obtained complete triumph over the division of the guard of the central troops, commanded by general Arista. I have only time to state that after three hours and a half of the hottest firing, the action terminated by a capitulation, in which it has been reported that the whole army of assailants shall fall into the hands of Mexico by regular marches. During the day we made 200 prisoners, and was joined after the battle by 130 of the centralists; all their artillery, arms and baggage, 350 muskets and many other articles have fallen into our hands. I lost 4 officers and 12 soldiers killed. The enemy's lost amounted to 10 officers and 76 privates.

JOSE ANTONIO MEXIA.

On the other hand, the captain of the schooner Ann Maria states, as we learn from the New Orleans Bee, that on the eve of his departure, general Arista entered Tampico, escorted by only three officers and a few privates. The rumor likewise circulated at Tampico, that Urrea had been twice defeated by the centralists, who numbered 7,000 men, and the latter were marching on Tampico, and were then only distant 12 leagues. About 1,000 federal troops were stationed at Tampico. Other reports affirm that the central army was 90 miles from Tampico. These conflicting reports require great caution. General Cos escaped in a wonderful manner by means of a disguise, in which he clothed himself, and his victory gave rise to great rejoicings at Tampico. Arista was about to depart from San Luis Potosi with 1,000 men, but it was supposed that the defeat of Cos would make him retrace his steps. They were well prepared to receive him at Tampico.

It was also stated, but on no sufficient authority, that letters had been received from Mexico announcing the ratification of the treaty signed on the 15th of March, between France and Mexico.

The U. S. cutter was still at Tampico. Among reports was one that the French brig of war *Arcturion*, of 22 guns, has been ordered by admiral Boscawen to survey the coast of Mexico, for the purpose of making accurate charts of that coast.

LATE FROM ENGLAND.

The Boston Atlas quotes London papers of the 11th, by the Age, from Liverpool. There are no reports of markets.

The entrance into the cabinet of the lord Norbury and lord Morpeth, is looked upon by the London liberal journals as a gain to the cause of reform.

Mr. Labouchere, who was some years ago in this country, is appointed under secretary to lord Norbury.

The following respecting American stocks is from the London Morning Chronicle:

A small loan for the state of Florida, United States, has been contracted for in London within the last few days, and the new bonds have been considerably demanded to-day at 95. It is a 6 per cent. sterling loan, with the interest payable half yearly, at 4 per cent. The loan is to be issued by Messrs. Palmer, Mackillop, Dent and Co's. of the U. S. 4s. 6d. per dollar, the bonds being payable to the order of the Union bank of Florida, and endorsed by the bank. The object of raising the money is to add to the active capital of that institution, for the purpose of developing the resources of the territory and encouraging useful enterprise. The

utmost exertion has been made by some parties to depreciate the value of all kinds of American stocks and securities; but the amount of British capital which is invested in them is greatly increasing.

SIX DAYS LATER FROM LIVERPOOL.

The packet ship Monongahela, at Philadelphia, brings London papers to the 7th and Liverpool to the 5th March. We copy the following items from the *Inquirer* and *Herald*.

The British navy.

A long and interesting debate in relation to the navy estimates for the present year took place in the house of commons on the 5th inst. Several speakers advocated an increase—among them Mr. Cadogan. No question was taken.

From the Liverpool Standard of March 8.

We cannot refrain from expressing our sincere regret that there is every probability of immediate hostilities with the United States. We repeat we regret it, for many reasons, particularly for the sake of thousands and thousands of high minded, intelligent, virtuous and benevolent persons in that country, many of whom we know personally, who must suffer severely if war should take place.

Her majesty's frigate *Inconstant*, which has arrived at Plymouth in 15 days from Halifax, has brought intelligence from America seven days later than the packet *George Washington*. By her we learn that not only has the government of the state of Maine taken possession of the long disputed boundary line in that state, but that the United States government had actually issued orders for the taking possession of the disputed territory.

If this be the case, that is, if the United States government (we desire to express ourselves distinctly upon this important subject), has issued such an order, no power on earth will ever convince us but that certain personages in this country have not only given it to understand it might do so with impunity, but have instigated it so to do!

We know enough of the mind of Van Buren and of the most talented members of the United States government, to convince us, that they never would have sanctioned such a procedure, unless they have lost their senses since the month of July last, or unless they had intimation to do so, and assurances from influential persons here, that they should meet with no opposition from this country.

We now give our reasons for such conclusions. The government of the United States would no more venture to risk a war with England as the states are now circumstanced, than it would venture to proclaim Victoria queen of North America.

The United States were never, since the declaration of independence, in such a precarious position as they now are. In the south they are threatened by two and a half millions of discontented slaves, who are only watching an opportunity to cast off their fetters, and take vengeance on those who hold them in bondage. In the free states there are upwards of three hundred thousand free people of color, who are burning to set their brethren in the south free, and are revenged on the inhabitants of the free states, who treat them (the free slaves) worse than their brethren are treated in the south. Again, on the western frontier there are some hundred thousand Indian warriors, many of whom have been even within the last year, unjustly banished from their own lands, and who are only waiting an opportunity for revenge.

And lastly, the American citizens themselves are now divided into two great classes—the minority, consisting of the most wealthy, intelligent and honorable part of the community, who are heartily sick of republican schemes; and the majority, who constitute nine-tenths of the population. Between these two classes there exists the most inveterate jealousy and animosity. The former class is almost entirely removed from the direction of public affairs; it entertains a hearty distaste to the democratic institutions of the country; and the populace is at once the object of its scorn and of its fears.

The other class, the majority, which consists of the ignorant rabble, whose chief object is agrarianism, is fastidious, abhors every thing that has the slightest resemblance to intellectual refinement or English manners. The difference and hatred between these two parties are daily increasing, are incurable, and will go on increasing, till some awful explosion occurs.

Under such circumstances the government of the United States, whatever the government of the state of Maine may think proper to do, or the desire of the rabble, who entertain the most rancorous feelings towards this country may be—that government, we say, would never voluntarily do any act which might provoke a war with England, except under positive assurances that for such an act it would not be called to an account! Besides, we know that the most influential and talented men of that government, and the minority of the people, above alluded to; entertain the most friendly feelings towards this country,

and would never be the provokers of a war with Great Britain.

The question now is, what object could persons in power here have, for inducing the Americans to take possession of the disputed territory? The answer is, they want to abandon Canada to a republican system of government. Lord Durham's report and sir Francis Head's narrative fully prove this.

The disputed territory, which consists of 5,000 square miles, lies exactly between New Brunswick and Lower Canada; so as, if in the possession of a strong power, to act effectually on almost all communications, for six or seven months in the year, between these two parts of her majesty's dominions, and consequently, between Canada and this country. The abandonment of this territory will also present an additional republican frontier of more than two hundred miles to Lower Canada.

Under these circumstances, the most effectual way of increasing the power of the enemies of Canada, and then of persuading us to abandon Canada altogether, would be the yielding up of this vast tract of country to the United States.

Where is the individual of common intellect, who has attentively watched the proceedings of ministers in reference to the Canadian disturbances and has attentively perused Lord Durham's report, and sir Francis Head's narrative (copious extracts of which we published in our last two numbers) who can doubt for a moment the disposition of the policy, and the secret intention of the government in reference to Canada.

The secret correspondence carried on between ministers and the ringleaders of the Canadian rebellion, as published in our last; the encouragement given them; and lord Durham's proposals for Canada, being based on the advice and statements of republican rebels, must remove all doubt on the subject.

However much we detest and abhor war, yet if our government allow the Americans to take forcible possession of this land, and thus abandon our loyal fellow subjects in Canada to the control of republican rebels, all we can say is, the present ministry can do what no other ministry ever dared; and that the English people allow them to do so, we shall attribute all hope of rescuing our country from the dominion of infidels and of papists.

Now recollect our statement: it the United States' government has issued orders for the taking possession of the disputed territory in the state of Maine, and if our government do not forthwith resist that act, the whole is a *whig* and a *radical* plot having its origin in England.

The Canada bill. Lord John Russell stated that the Canada bill would not be brought forward until after Easter. The Scotch judges are to have £3,000 per annum.

Lord Glenelg. "It has been currently reported, confidently asserted, and actually published in the United Service Journal, and in the Naval and Military Gazette, that Lord Glenelg's having refused assent to a scheme of ministers for transposing the control of the arms from the sovereign and military authorities to a civil department was the cause of his lordship's expulsion! What next?"

A letter from Naples, under date of February 16th, says—"Last night a part of our founding hospital was destroyed by fire. The flames spread so rapidly that twenty-three children perished. One of the nurses in her despair threw herself out of the window with two children in her arms; all three were found dashed to pieces and quite dead in the street. The firemen distinguished themselves by their efforts; three of them were killed, having fallen from the upper story to the lower, where they were buried in the ruins."

A new insurrection in Syria. The natives of Honam, joined by the mountaineers, had taken arms to shake off the Egyptian yoke. A British Pacha marched a large body of troops against them.

The elections in France. The Paris National claims a majority of twenty-one deputies for the opposition out of two hundred and seventy-five already heard from. The ministerial papers on the other hand speak with confidence of success.

A dinner was given by the members of Precursors' society in London to Daniel O'Connell, esq. M. P. at the Highbury Barn tavern, Islington. About eight hundred persons sat down to dinner, and at least from one hundred to one hundred and fifty ladies were present in the gallery. Mr. O'Connell addressed the meeting several times in the course of the evening.

PASSAGE OF IMPORTANT INTERNAL IMPROVEMENT ACTS.

From the Baltimore Journal.

The legislature of Maryland adjourned on Saturday night, and during the last two days of its session enacted several highly important laws in refer-

ence to the works of internal improvement in which this community as well as the state at large has a deep interest. The annexed brief notice of them will furnish a general idea of their character.

BALTIMORE AND OHIO RAIL ROAD.

The highly gratifying intelligence reached us by Saturday's mail from Annapolis, of the passage by the senate of the bill from the house, authorising the conversion of the six per cent. bonds issued by the state to the Baltimore and Ohio rail road company and Chesapeake and Ohio canal company, into five per cent. bonds. This bill, which is now a law, unlocks the state's \$3,000,000 subscription to the Baltimore and Ohio rail road company, and renders it at once available for the purposes of that company in the prosecution of its great work to the western waters.

This is a most important measure for the interests of the road, and it is much to be regretted, that it was not followed up by another act which it was equally incumbent on the legislature to pass—the grant of the state's guarantee to the bonds issued by the city of Baltimore to pay her \$9,000,000 subscription to the road. This last measure, which the house sanctioned by a large majority a fortnight ago, and which the senate rejected, our readers will be surprised to learn was rejected by the house on Friday night by a vote of 23 to 49!

SUSQUEHANNA AND TIDE WATER CANAL COMPANY.

On Saturday the house of delegates by a vote of 25 to 22, and the senate by a vote of 10 to 6, passed the bill granting the guarantee of the state to the bonds of this company, to the amount of \$1,000,000. This act is of the highest importance to the stockholders, to the state of Pennsylvania, and to the city of Baltimore, inasmuch as it will place in the hands of the company the means of completing, forthwith, the canal for the passage of boats along the entire line from Columbia to tide water at Havre de Grace. This highly desirable event, we are happy to assure our readers, will take place in the course of the ensuing fall, when our people will begin to reap the pleasant fruits arising from the completion of one of the works which they are largely interested in. The act authorises the issue of 5 per cent. sterling, or 6 per cent. currency bonds, at the company's option, so that they may be disposed of either in this country or Europe, as may be deemed most advantageous for its interests. One of the sections requires the construction of an outlet lock opposite to Port Deposit, provided it shall not cost the company more than \$15,000.

SUSQUEHANNA RAIL ROAD.

The Susquehanna rail road bill—appropriating \$750,000 for the completion of that work—has passed both branches and become a law. We learn that this act provides for an increased number of directors in the company on the part of the state and city, and for a diminution of those representing the individual stockholders. We are informed that the directors appointed on the part of the state are Messrs. Samuel Lucas, Samuel Brady, Solomon Hullen, jr., and J. W. Watkins.

ANNAPOLIS RAIL ROAD.

The bill in favor of the Annapolis and Elkridge rail road company has also become a law.

CHESAPEAKE AND OHIO CANAL.

An act has passed the legislature making a further appropriation of \$1,375,000 to the Chesapeake and Ohio canal company. The bill as originally reported was intended to appropriate this sum for the purchase by the state of the stock of individuals, but this feature was afterwards stricken out, and the sum was appropriated directly to the canal company.

We regret to be compelled to add that both houses have sanctioned the bill which goes to repeal the act of last session, authorising the tide water canal company to remove from Hartford county court, cases in which excessive damages have been awarded against the company, for injuries alleged to have been sustained in the location of the canal.

GENERAL SCOTT.

From the New York American.

This distinguished man has declined the compliment doubly offered to him of a public dinner in this city. However we may regret that the opportunity was thus lost to so many of our fellow citizens of publicly testifying their cordial regard for, and high estimation of, gen. Scott, the manner and the motive of his declining will only add to that estimate.

We annex the letters that passed on the occasion: *New York, April 2, 1837.*

DEAR SIR: It is now two years since that, inspired by the meritorious services you had rendered to our common country in Florida and Alabama, and rejoicing in the then recent approbation pronounced by the president of the United States upon the find-

ing of a court of inquiry, in which those services had been brought into question, your fellow citizens of New York had the honor of inviting you to meet them at a public dinner, and of receiving your acceptance of the invitation. Untoward circumstances, now no longer existing, but which then weighed heavily upon this community, induced you to ask an indefinite postponement of the dinner, and influenced us, as the organs of others, to acquiesce in that request. But now, that the commercial difficulties, then subsisting, have passed away, and that you from that period to the present, have had your triumph from one civic triumph to another, when, in addition to the preservation of our neutral obligations on the Canada frontier, and the bloodless removal of the Cherokee from their ancient homes, you have, under circumstances of peculiar difficulty and excitement, succeeded in preventing any violation of the peace of the country, and in preserving the due subordination of the state to federal authority, in the territory in dispute between the United States and Great Britain on the frontiers of the state of Maine—we claim the fulfillment of your pledge to meet your fellow citizens of New York at a public dinner; and our present purpose is, to invite you to name a day when the debt we rejoice in owing to you, may in part be paid.

Philip Hone, C. W. Lawrence,
Edward Curtis, Charles King,
Thaddeus Phelps, Jacob P. Giraud,
J. W. Webb, Charles A. Davis,
Augustus Fleming,

New York, April 1, 1839.

SIR: Your friends and fellow citizens of New York have learned, with unfeigned gratification, the result of your truly glorious efforts to avert in a manner equally honorable to both parties, occurrences, which menaced a collision, that would have been depreciated by the whole civilized world, between two great nations connected by every tie that can bind together kindred people.

What you have accomplished in the recent pacification on our eastern frontier is, however, sir, only what a knowledge of your previous career could not have failed to induce us to anticipate. As the hero of Chippewa, your name has been, for more than a quarter of a century, familiar to the whole American people, and is, in the minds of the rising generation, associated with the most memorable events of their country's history; while in the various contests, which it has been your duty to carry on against savage foes, we have ever found the same talent and energy to applaud, which were so conspicuous when employed against the veterans of Europe.

But, it a general, who wins laurels on the field of battle, in the vindication of a nation's honor, be entitled to our grateful recollections, how much more deserving of them must he be, by whose wisdom and wisdom the necessity of a recourse to arms is averted! Without again advertising to transactions now present to the minds of all, in you we recognize the republican commander who though an ardent supporter of the institutions of his own country, when entrusted with the neutrality of the Canadian frontier, not only knew how to preserve and maintain the majesty of our own laws, but too well understood the duties which one nation owes to another, to foment, for the propagation of political principles, a civil war among the subjects of a neighboring and friendly power.

As a testimony of our respect and esteem, and with a view of exchanging congratulations on the most important event, to which you have recently so happily contributed, we would invite you to partake of a public dinner, in this city on such day as it may comport with your convenience.

Jas. Talmadge, P. G. Stevensant,
W. A. Duer, James G. King,
Aaron Clark, David B. Ogden,
George Griswold, N. Prim's,
Saml. B. Ruggles, Jas. W. Otis,
Saml. Ward, J. Blent,
Dudley Selden, John A. King,
James I. Jones, Philip Hone,
Thos. W. Laddow, Augustus Fleming,
Robt. Ray, C. A. Davis,
Jona. Prescott Hall, G. W. Bruen,
John Rathbone, jr. Arch. Graeia,
Thos. Sullivan, Henry Brewster, jr.
B. Robinson, Jona. Goodine,
P. Parr, W. B. Lawrence,
Benl. L. Swan, Russell H. Nevins,
M. Robinson, J. Amory,
W. H. Aspinwall, R. M. Blatchford.

*Head quarters, eastern division,
Washington, April 6, 1839.*

GENTLEMEN: I have had the honor to receive your two notes, which I beg permission to consider as one

—the sentiments, and many of the signers be common to both—inviting me in terms as felicitous as they are partial and flattering, to a public dinner in the city of New York, in testimony of the estimation in which you are pleased to hold my long labors in the service of a country that is equally dear to us all.

Among you, I have the happiness to recognise my an old and kind friend, and not an individual I should not be proud to make one. If, I find myself compelled to decline the high honor tendered by such persons, on the part of the city of the new world, I trust you will do me the justice to believe it is from no want of reciprocal consideration and esteem.

Those sentiments are deeply impressed on my heart. But my position as a soldier, bound by peculiar ties and duties to country and government—necessity of continuing itinerant, I know not long, and the danger of seeming to seek, in violation of military property, such honors—all have recommended me to accept no public entertainment whatever.

In the sentiments expressed, I have the honor gentlemen, to subscribe myself, your grateful devoted servant,
WINFIELD SCOTT

To Messrs. Jas. Talmadge, Philip Hone, Will A. Duer, C. W. Lawrence, Aaron Clark, A. Fleming, P. G. Stevensant, Charles King, Jas. G. K. Daniel Jackson, David B. Ogden, J. Watson W. Griswold, Thads. Phelps, N. Prime, C. A. D. S. B. Ruggles, Edw. Curtis, Samuel Ward, J. P. Giraud, &c. &c. &c.

THE COAL MINE EXPLOSION.

The following additional particulars respecting this fearful disaster are furnished in the Richmond Compiler of the 21st ultimo.

The Black Horse mine, worked by the "B. H. coal company," is one of the richest and extensive in this country. It is twelve miles from Richmond in nearly a western direction, and is situated in the midst of bituminous coal fields of known extent. The shaft from which the explosion of Monday took place has not long been sunk, and we believe is the deepest in the union, but more than seven hundred feet to its bottom. It contains ten million bushels of coal had been explored in the pit reached by it; and none can be procured how much more a further exploration would discover.

The steam engines and apparatus for hoisting from this shaft were excellent, and the system facility with which the hoisting process was conducted, produced an average of about two thousand five hundred bushels of coal per day. It is regretted that these operations have been interrupted—throwing so much weight in the scale of productions, and adding continually to increase capital and commercial strength as they diminish. The regret is added to by the afflictive event which has caused the interruption. However, the intelligent and active men who are superintending the mine say that it will be reclaimed in a short time.

The explosion was one of a most violent nature. How it happened there is no telling. But it occurred from neglect or disregard of positive orders and regulations of the pit is beyond all doubt. The drifts and "air coasts" (passages for the steam chamber to chamber) were so arranged, that they kept up constant ventilation. It is the opinion that one of the doors of the "air coast" must have been closed, and that thus the "inflammable gas" accumulated on Sunday to such a extent as to produce the explosion soon after laborers entered the pit on Monday morning.

Hamphrey Dyer's safety lamp was regularly blown up that morning. It was commonly estimated to test the presence of the gas. It has been out of order; if a slight rent should be in its wire gauze covering it would readily ignite the gas. Other lamps were used; and these may have been taken into a chamber or where the safety lamp had not been presented. Other of these causes would involve careless-ness. The density and inflammability of the gas have caused the wire to have become oxidated, fall to pieces; but that could not have occurred after indication by flame inside the gauze, of a gas in the face of which it would have been made in the laborers to remain. Whatever may have been the immediate cause, the arrangement of rules of the pit drawn from the lights of such an experience in mining, were such as to have secured safety if properly attended. But would be well, in order to diminish the chances of danger from even carelessness itself, to use Davy's exclusively, in all pits where there has been an exhibition of carburetted hydrogen or "inflammable gas."

One of the superintendents of the operation in the pit, who was below when the explosion took place, was a man of great skill in his profession, having been many years engaged in it in some of the most famous of the English mines. He was a Scotchman, named John B. Ward. It is hard to account for how he would have permitted the cause of the explosion, but even in the midst of an effort to correct the omission or neglect of Saturday night, the explosion may have taken place.

Mr. John Hancock, a native of Chesterfield, of respectable family, was the other unfortunate superintendent.

The laborers were all colored men. The superintendents above the shafts say that about forty were below. They cannot speak with certainty. Many had gone to see their wives at distant plantations, and it was not known how many had returned. Those who had not to do appear from terror at the news of the explosion; but forty is the maximum.

The explosion was so powerful as to blow pieces of timber out of the shaft to a distance of a hundred yards from it. Three men were blown up in a coal hamper from it. Two of them fell out of the hamper in different directions and were immediately killed; the third remained in it, and fell with it, escaping most miraculously with his life, having both legs broken. He is now doing very well. Much loose coal was blown from the drifts to the bottom of the shaft, and four of the bodies, as we have already stated, were taken from beneath a large bulk there in a mutilated state. Four were taken out shortly after the explosion on Monday, one of whom died. The others are in a fair way to recover.

Every exertion has been made, which could be made consistently with safety, to rescue the unfortunate beings. It appeared, upon going down the shaft, much carbonic acid gas (the product of combustion) was present in the air. This is called at the mines "chick damp," and though not inflammable, is destructive to human life. This, then, had first to be dispersed. The partitions, too, in the shaft, necessary for the ingress and egress of air in the pit, were much torn to pieces by the explosion, and had to be repaired as the shaft was descended, or death would have resulted to those who went down.

These explosions were formerly common in the north of England. One occurred at the Felling colliery in Northumberland, England, on the 25th May, 1842, in which ninety-two lives were lost. This is the greatest destruction ever known from the same cause. In 1815 an explosion occurred in a mine at Durham, in which fifty-seven persons were destroyed, and in another year two were killed in the same manner. The discoveries of sir Humphrey Davy and other contributors to science and benefactors of mankind have since rendered the avoidance of these destructive explosions certain.

In our mines no explosion of any extent has ever occurred from the ignition of inflammable gas. Such are as certainly to be guarded against as the bursting of steam boilers. The safeguards in each are as simple as effective.

Let the unfortunate event which has just occurred be a lesson and warning, as we are sure it will be, and, if possible, cause a more constant and rigid observance of the rules which science and experience have pointed out as the sure and unerring guarantees of safety.

the collector and naval officer. And here all Mr. Swartwout's accounts, except his *bond accounts*, appear to have been examined, with their proper vouchers, and certified by the auditor. But the auditor's certificate covered the bond accounts as well as the other charges, although not in fact examined. His certificate, with the vouchers, except those relating to bond accounts, was transmitted to the first comptroller; but there was a constant neglect to transmit the vouchers of the bond account therewith, as positively required by law. It is in these bond accounts, thus neglected, and in regard to which the law and treasury instructions have at all times been most specific, requiring examination, with vouchers, that the frauds upon the revenue by Swartwout were committed. No account appears to have been returned to the first auditor by the comptroller, because the vouchers of the bond accounts of Swartwout were not transmitted with the auditor's certificate thereon.

It is to this culpable disregard of law and neglect of duty in the office of the auditor that is attributable to the escape of Swartwout's fraud and defalcation from detection.

The same neglect in this most important branch of Swartwout's account appears to have prevailed in the auditor's office since 1832. It then originated in the dis-use of the records required by positive instructions, as well as from the nature of the examination of accounts that is required by law of the auditor. This feature in the administration of this office is exhibited in the following examination:

Answers of Mr. Underwood, a principal clerk in the office.

Examined by Mr. Foster.

Question 20. Were not the accounts, abstracts and vouchers, or other papers which were before you at the time you made those examinations and statements, such as are usually before you in your examinations and statements when "upon the same class of duties"?

Answer. They were.

Question 21. In that examination and statement did you not bestow the same care and attention as you have at other times bestowed "upon the same class of duties"?

Answer. I did, except that, in relation to the bond account, I made no examination whatever.

Question 22. What were your reasons why you did not examine the bond account, at the same time that you examined the other accounts?

Answer. As "the bonds taken in New York were recorded in the first auditor's office only to the 2d quarter of 1834, while those paid or put in suit are marked off in the 4th quarter of 1832," it was utterly impracticable for me to make such an examination of the bond accounts for the 3d and 4th quarters of 1837 as would test their accuracy. As soon as the account of the customs was received at the office of the first auditor, the bond accounts were handed in to the clerk, whose duty it was to enter and mark off the bonds; and they remain to this day.

Question 23. Did you, on that examination and statement, discover any defalcation on the part of Mr. Swartwout?

Answer. I did not.

Examined by Mr. Smith.

Question 41. Is it true, or is it not true, that the examination by the first auditor of the treasury, prescribed by law, of Mr. Swartwout's quarterly accounts of bonds taken and bonds paid, as returned to the treasury department, has been entirely omitted since 1832; and is it true, or not true, that this omission to examine said accounts is the sole reason why Swartwout's defalcations on paid bonds have escaped detection at the treasury department until after he left his office?

Answer. The bond accounts of New York have not been examined, it is believed, in the office of the first auditor, since the 4th quarter of 1832. Had said accounts been thoroughly examined as soon as received at the office of the first auditor, the defalcation in regard to the bonds must, in my opinion, have been discovered before the expiration of Mr. Swartwout's term. Whether the omission to make such examination be the sole reason why his defalcation on said bonds was not so discovered, I do not know.

Question 42. Do you know, from your acquaintance with the nature of said accounts, and your experience in the auditor's office, any other reason for Swartwout's successful concealment of his defalcations, than the omission to examine his accounts thoroughly "at the auditor's office"? Please state also for what period you have been connected with said office as an accountant upon custom house returns?

Answer. I do not know, as regards the returns of Mr. Swartwout to the first auditor, any reason

why his defalcations were not discovered sooner, other than the omission to examine his bond account promptly and thoroughly at the first auditor's office.

It is apparent to the committee, from the examination and testimony, that the first auditor himself has never, until very recently, made himself acquainted with the internal organization and duties of his office, or the system of checks instituted under treasury regulations for it. Of course, if the chief in the office is either negligent or ignorant of the duties devolved by law upon him, or negligent because ignorant of the modes instituted and in force through prior years of executing those duties, the subordinates of the office may find ample opportunity for indulging in any degree of negligence in their vocations; to the imminent hazard of the whole revenue of the nation, and its consequent loss in unmeasured and unknown masses. In answer 9 he says: "When I came into office, on the 1st of November, 1836, the recording of the abstracts of bonds taken in New York was then, as far back as some time in 1833, and the checking off was back somewhere in 1832. I was a considerable time in office before my attention was drawn to these bond registers; and, at first, I only regarded them as records for the purpose of reference when occasion might require, and did not understand that they were intended to check the collector in his quarterly returns. At what time I did become acquainted with the object for which they were instituted, I cannot recollect; and perhaps even then I did not fully estimate the importance of having them brought up. The manner in which they had been kept, and the little importance that seemed to have been attached to them by my predecessor, had certainly lessened their importance in my estimation. I however did direct another clerk, whom I had employed in recording the reports on the collectors' accounts, to devote any time he had to spare from his recording the reports, to recording bonds, which he did until other business required his attention. But, I deem it proper to say, that, if I had been fully aware of the use of these registers at the moment I came into office, and had put a clerk his whole time to recording and checking off the New York bond account, he would not have been able to have brought it up so as to have discovered the error in Swartwout's bond account of 1837, much, if any, before the time it was discovered. Indeed, it is doubtful, in my mind, whether one clerk could have brought them up by that time. If, however, the recording of the bonds had not been required by the former practice, and original abstracts had been used for checking off the bonds paid and put in suit, by which means this examination, if it had been kept up from the commencement, could have been made in time to accompany the report on the quarterly accounts, it would have been discovered in the auditor's office, somewhere about the 1st of September, 1837, that Mr. Swartwout had failed to account for a large amount of bonds that had fallen due in the 1st quarter of that year; and this discovery, it is presumed, would, as a matter of course, have led to inquiry; but, in the condition in which the bonds then were, in regard to the right of extension, the collector might have deceived the department for a time."

It has been made manifest to the committee, in their investigation, that a recurrence to the records of either the comptroller's office or of the first auditor's office, by either of the incumbents of these offices, would readily have instructed them in the importance of the bond register, which has been thus culpably neglected. It would have been found that the very occurrence which has now happened, though in a degree not in like manner so alarming to the public mind as the latter, gave rise to the institution of the necessary means to prevent its repetition in all future time, while the offices should be in the hands of these accounting officers. The following examination of the comptroller places this position beyond cavil, and leaves as well the auditor as the comptroller without apology for any neglect of duty in relation to the bond accounts of collectors.

Examined by Mr. Smith.

Question 21. Please examine the following extract, and say if it be a true copy from a circular of the first comptroller to "collectors, naval officers and surveyors" dated August 5, 1822; and if yes, state when, if ever, its requirements have been modified or repealed:

"Frequent calls being made by congress on the officers of the treasury for information respecting duty bonds outstanding, duty bonds in suit, &c., and anticipating that similar calls will continue to be made at subsequent sessions, it has been concluded, in order to facilitate their discharge, as also to be in possession of more precise information from time to time, of the existing state of all custom

SWARTWOUT DEFALCATIONS.

Report of the committee of investigation, chosen by ballot, by the house of representatives, January 17 and 18, 1839, on the subject of the defalcations of Samuel Swartwout and others, and the correctness of the returns of collectors and receivers of the public money; also, the report of the minority of the committee.

[CONTINUED FROM PAGE 95.]

CAUSE 3. *Culpable disregard of law and neglect of official duty, by the first auditor of the treasury.*

The duties of the first auditor are prescribed in the 5th section of the act of September 2, 1789, "to establish the treasury department," and the act of March 3, 1817, "to provide for the prompt settlement of public accounts," and are as follows:

"It shall be the duty of the first auditor to receive all accounts accruing in the treasury department, and, after examination, to certify the balance, and transmit the accounts, with the vouchers and certificates, to the first comptroller, for his decision thereon."

The present auditor came into his office November 1, 1836.

The accounts of Mr. Swartwout up to December 31, 1837, appear to have been regularly transmitted to his office, pursuant to the treasury circular of March 1, 1830, for examination and settlement. The law contemplates this examination to be a thorough check upon the errors, if any exist, of both

house bonds, to keep a register at the treasury of all such bonds, so that any information in relation to them, on those points which may hereafter be required, can be given by this department, without recurring in the first instance, as heretofore, to the collectors of the customs.

"To make this register complete, it will be necessary to obtain from the several collectors lists of the bonds which have been taken in their districts, respectively, and which may remain due and unpaid on the 30th September next.

"These lists you are requested to furnish, accordingly, with as little delay after that day as practicable, observing the accompanying forms.

"The usual quarter-yearly bond accounts, which are to be rendered for the quarter ending the 30th proximo, and thereafter, will contain all the information which may be necessary to keep the register alluded to, provided care be taken by the collectors that a specification be always made at the end of each bond account, showing what part of the balance of bonds outstanding consists in bonds not due, and what part in bonds out in suit.

"Having reason to believe that by this arrangement, the collectors will be saved a great deal of trouble and labor hereafter, it is hoped that every exertion will be made that the lists now required be as perfect as possible."

Answer. I have examined the above "extract," and find it to be a true copy from a circular of the first comptroller to collectors, naval officers and surveyors, dated August 5, 1822—a part of the records of the comptroller's office. Its requirements have never been repealed, nor essentially modified.

The contemplated "register" of bonds was to be kept in the auditor's office, as will appear from the annexed copy (marked A) of a paper on file in the comptroller's office, dated 27th October, 1830, signed by R. Harrison, late auditor.

In the year 1822, it was discovered that some collectors of the customs had been in the practice of making false returns to the treasury, by retaining or containing in their account books as outstanding, which had been actually paid; thereby increasing the balance of their quarterly accounts in bonds, and diminishing in the same proportion that of cash on hand. With a view to the possession of means to check and prevent such practice thereafter, it was, on a conference between the accounting officers and Mr. Secretary Crawford, (and I think at my suggestion), arranged that a register should be kept in the auditor's office, of all bonds then existing, as well as of those to be subsequently taken and discharged in the several collection districts.

In pursuance of this arrangement, the collectors were required by a circular of the comptroller, dated August 5, 1822, to make out and forward a full and complete list of all bonds which should remain unpaid in their respective districts on the 30th of September following. As these lists came in, they were entered in the appropriate registers; and the same course has obtained with respect to those since periodically received with the quarterly returns of the collectors.

This arrangement was deemed the more necessary, in consequence of the loss of accounts by the destruction of the treasury building in the year 1814; and it is believed to have effected, besides, the saving of much money to the United States.

R. HARRISON.

Auditor's office, October 27, 1830.

Answer continued. The comptroller's office had been for many years in the practice of receiving the public accounts which ought properly, and according to law, to have been sent by the officers direct to the auditor. On the 1st March, 1830, this erroneous practice was corrected by circular instructions from the comptroller's office, (a copy of which is annexed, marked B); and since that time the public accounts have been received by the auditor.

B.

[CIRCULAR.]

Treasury department,
Comptroller's office, March 1, 1830.

SIR: It has been the practice, since the commencement of the government, originating, it is presumed, in a treasury regulation, for all officers whose accounts were to be settled in this department to render them to this office.

The reason of this practice cannot be well accounted for, because the fifth section of the act of 21 September, 1789, to establish the treasury department, directs that it shall be the duty of the auditor (there being but one auditor at that time) "to receive all public accounts, and, after examination, to certify the balance, and transmit the accounts, with the vouchers and certificate, to the comptroller, by his decision thereon;" and the 4th section of the act of 3d March, 1817, to provide

for the prompt settlement of public accounts, directs "that it shall be the duty of the first auditor to receive all accounts accruing in the treasury department, and, after examination, to pursue the same course with that required in the first mentioned act."

The practice which thus obtained, being in operation at the time I came into office, was acquiesced in, and has been continued ever since; but the great accumulation of the business of this office induced an investigation to ascertain whether it could not be relieved from some part of its weight, the laws referred to being brought into view, it was, upon a consultation with the secretary of the treasury, concluded to be the correct construction, that, according to their requirements, all accounts to be reported upon by the first auditor should be transmitted directly to him. This course you will be pleased to adopt in future, commencing with your returns for the first quarter of the present year; to which an exception is to be made in relation to the annual accounts of emoluments and expenditures of the collectors, naval officers and surveyors, required by the second section of the congressional act of 2d March, 1799, the form of which is enjoined to the collector from this department to those officers, under date of the 25th August, 1823.

These accounts are, as heretofore, to be transmitted to this office, for the object stated in the section referred to.

It is deemed proper, on this occasion, to inform you, in order that you may not misdirect your accounts and returns, that Richard Harrison, esq., is the first auditor of the treasury. Respectfully,

JOS. ANDERSON, comptroller.

Answer continued. The term "this department," as it occurs in the extract from the circular of August 5, 1822, is always used by the comptroller in reference to the treasury department, generally, of which the comptroller's office is frequently the medium of conveying instructions or collecting information. When the comptroller's office proper is meant, the term used by the comptroller in his communications is "this office."

The frauds practiced by Mr. Swartwout, in regard to his cash balances and bonds in his weekly returns to the secretary of the treasury, furnish no apology for the neglect of the examining auditor or comptroller; because it is not upon these weekly returns that these officers settle the collector's quarterly accounts. In fact, these officers never see such returns. This fact is deduced, though in somewhat an attenuated form, from the following examination of the auditor himself:

Examined by Mr. Smith.

Question 25. If the secretary of the treasury is not the accounting officer of the treasury to adjust and settle the collectors' accounts, how did this accountant find him, in Mr. Swartwout's weekly cash returns, as described in your last answer, of any cash items with which he had debited himself in his quarterly accounts, in any degree enable Mr. Swartwout to become a defaulter for such cash items?

Answer. I understand there are weekly returns made to the secretary of the amount of cash received by the collector, and of payments made by him, exhibiting the balance on hand. Hence, it will readily be perceived that, although the collector may debit himself correctly in his quarterly accounts with every thing with which he is chargeable, yet, if he fails to charge himself in his cash account with the whole amount of cash received, and to return the true amount in his weekly returns, he may stand truly charged, on his quarterly accounts, with the whole amount for which he is weekly returns. It will not appear as cash on hand in his weekly returns. It was in this way, as I understand, that a very large amount of Swartwout's defalcation was concealed from the view of the secretary of the treasury; and this kind of deception might be practised to a considerable extent, as long as the collector is continued in office, unless it could be discovered from a comparison of the other returns made to the secretary, or by a comparison with the quarterly returns made to the auditor.

Question 26. In your first answer to my interrogatory, you say Mr. Swartwout's own accounts, up to March 28, 1833, as rendered to the treasury department, required no new debit to include against him all moneys for which he was in fact indebted to the United States, either as "innonee duties," "forfeitures," "treasury warrants," "office expenses," or "cash to be refunded to merchants."

In your second answer you say that, notwithstanding his whole indebtedness, that he stands to appear in his quarterly accounts, I failed to render an account of said items as cash in his weekly returns to the secretary of the treasury, and thus kept their amount out of the view of the secretary as

Will you now state, if the secretary of the treasury be not the accounting officer of the treasury to adjust and settle collectors' quarterly accounts, how did any such deception by Swartwout, as you have described as made in his weekly cash returns to the secretary, enable him to become a defaulter for said items with the accounting officers, inasmuch as the amount of said items appeared in his quarterly accounts that were returned to such accounting officers?

Answer. The failure to return the true amount of money received by the collector to the secretary of the treasury, in the weekly returns, does not affect the amount of the quarterly accounts. The quarterly accounts which exhibit the true state of his accounts up to the end of the quarter, notwithstanding his weekly returns made to the secretary may be false. And if the weekly returns made were true, and did not contain a true account of the moneys he had actually received, he would be in default on his quarterly account at the close of the quarter.

It is, then, in every way established, that to the neglect of the accounting officers of the treasury department, equally as to Swartwout's own infidelity, the loss of the public money, by Swartwout's defalcations, has occurred.

The following examinations will still further elucidate this position.

Mr. Fleming examined by Mr. Wise.

Question 91. Were not vouchers for all debits and credits returned with weekly and quarterly accounts, as Mr. Swartwout's indebtedness at any time be ascertained on each item of "forfeitures," &c., from them?

Answer. Vouchers for all debits, and for all credits where vouchers were proper, were always returned with the quarterly accounts; and Mr. Swartwout's indebtedness at any time upon each item of "forfeitures," &c., could have been ascertained from them.

Mr. Fleming examined by Mr. Smith.

Question 97. If an examination had been made at the treasury department of the collectors' quarterly returns and the accompanying alphabetically marked explanatory abstracts and vouchers, would it not have been easily determined whether any of the cash items credited in such returns constituted a component part of the item of "cash retained," or a part of the item of suspended or unsettled accounts; and do or do not the explanatory abstracts and vouchers that accompanied each of Mr. Swartwout's quarterly returns contain full and explicit information to enable the examining officers at the treasury department to determine into what general item of the recapitulatory explanation at the foot of each quarterly return each particular item of credit had been entered?

Answer. To the entire interrogatory I answer yes.

Question 100. Had the treasury department at any time required information relative to the items of Mr. Swartwout's "unsettled and suspense accounts," as set forth in his quarterly returns, would not the manner in which he had accounted for said sum of \$60,291 42 have appeared distinctly?

Answer. I think it would.

Question 101. Could the large sum of \$80,769 53, described in your last answer, retained by Swartwout in 1836, have become a defalcation, if the treasury department had not lost sight of it in the examination of his accounts, inasmuch as you say in your last answer that it was retained "with the knowledge of the treasury?"

Answer. It could not.

But no call for explanation was ever made upon Mr. Swartwout by any of the accounting officers. The subjoined testimony establishes this fact.

Mr. Fleming examined by Mr. Smith.

Question 99. Was Mr. Swartwout, at any time within your knowledge, required by the treasury department to explain or furnish a bill of the items owing from, from time to time, he reported his balances due the government under the general head of "amount of unsettled and suspense accounts?"

Answer. Mr. Swartwout was, in my knowledge, since July, 1836, when I became auditor, required to explain or furnish any such items.

Mr. Underwood examined by Mr. Curtis.

Question 14. Do you know that any call was at any time made, prior to your visit to New York in November last, either by or under the direction of the auditor of the treasury, or any other treasury officer, for an explanation from Mr. Swartwout of the nature of the items embraced under the designations of "protests," "deposits for unascertained duties," "unsettled and suspense accounts?" If yes, state when and by whom such call was made.

Answer. I had heard that Mr. Swartwout retained a large sum to meet the payment of duties under "protests;" but I knew nothing of any proceedings instituted by any treasury officer in relation to

said "protests," "deposits for unascertained duties," or "unsettled and suspense accounts," prior to my visit to New York in November last.
George Wood, clerk in comptroller's office, examined by Mr. Smith.

Question 5. Was any call, within your knowledge, ever made upon Mr. Swartwout, by the first comptroller of the treasury, to explain what items were contained in his suspense account, which has, from time to time, made a part of the aggregate of his quarterly account? If *yes*, state when such call was made.

Answer. I have no recollection of any such call.
Jesse Miller, first auditor, examined by Mr. Smith.

Question 31. Was any call, within your knowledge, made upon Mr. Swartwout at any time, from your department, before the expiration of his term of office, to explain what items were contained in his suspense account as debited to himself uniformly in his quarterly account? If *yes*, when was such call made.

Answer. I know of no such call prior to the time alluded to, but have understood that there was some investigation in relation to these accounts at the time Swartwout's last nomination was before the senate. In the settlement of his quarterly accounts, after giving him credit for such payments, as he produced vouchers for, and the bonds, the balance, I believe, has generally, if not always, in the statement and report, been designated as cash on hand.

Question 32. Was the letter marked "M," and dated August 13, 1839, contained in house document 13, p. 105, the only letter sent from your office calling upon Mr. Swartwout for a rendition of his last quarterly account? If *no*, please annex a copy of all that preceded or succeeded said letter on the subject.

Answer. I believe it was. It is the only one found on record to him in relation to that account. When I stated, in my answer to some other interrogatory, that he had been repeatedly called on, I had reference to the calls from the comptroller's office as well as my own.

J. N. Barker, first comptroller, examined by Mr. Smith.

Question 10. Was any call, within your knowledge, made upon Mr. Swartwout, at any time before the expiration of his term of office, to explain what items were contained in his suspense account, as debited to himself, uniformly, in his quarterly account? If *yes*, state when such call was made.

Answer. There was no such call made within my knowledge.

Without ever calling upon the collector for explanation, the entire defalcation of Swartwout upon his bond account might have been detected by due diligence in the office of the auditor, had there been a comparison made of the accounts retained in the auditor's office. This appears from the following testimony:

Mr. Miller, first auditor, examined by Mr. Smith.

Question 25. Does or did not each of Mr. Swartwout's quarterly returns of bonds specify the names of the parties to each bond, its date, its amount, and when it becomes due; also, the names of the parties to each bond that has been paid, its date, and amount.

Answer. I believe they do; but the abstract of bonds returned as paid within the quarters when his bond defalcations occurred, could not have contained a description of those bonds on which he had received the money and omitted to return "paid."

Question 29. By a comparison at the treasury department of the collector's quarterly returns for any quarter of bonds paid within each quarter, with his preceding quarterly return of bonds payable in that quarter, is not the examining officer enabled to detect any omission to account for the bonds becoming due in such last quarter.

Answer. I answer the above interrogatory in the affirmative; and I refer to my letter to the secretary of the treasury, (contained in document No. 13), and to my answer to interrogatory No. 9, put by Mr. Curtis as explanation.

Question 30. Has any such comparison as is referred to in your last answer been made in the office of the first auditor, of the bond account of Samuel Swartwout, collector, to ascertain if he had accounted for bonds previously returned by him as falling due, been made in said auditor's office for some years past? If *no*, state to what period the omission extends back.

Answer. The recording of the bonds taken was as far back as about the first January, 1832, when I came into office, and are now only brought up to the second quarter of 1834; and the bonds paid and put in suit are not marked off later than the 4th quarter of 1832; consequently, the bond abstracts in the quarters in which the bond defalcations occurred were not checked off or compared.

Mr. Fleming examined by Mr. Smith.

Question 65. Do or do not the weekly returns of Mr. Swartwout's cash account to the treasury department cover and embrace, in the shape of cash, all the elements of his quarterly returns?

Answer. They do, except the accounts of official emoluments, and certain accounts which may be payable under appropriations of congress; these are kept distinct, and distinct returns are made of them.

Question 66. By reference to and comparison at the treasury department, of the collector's weekly report of cash received on bonds in any week, with the collector's previous quarterly returns of bonds becoming due in such week, is not the examining officer enabled at once to detect any deficiency in that item of the collector's weekly cash return?

Answer. If the quarterly accounts of bonds becoming due were subdivided at the treasury, into sums exhibiting each week's payments, the examining officer would be enabled to detect any deficiency, by comparing such sums with the weekly returns.

Mr. Fleming examined by Mr. Wagener.

Question 44. Question 4 states, upon the quarterly accounts rendered by Mr. Swartwout, would not an examination of them and a striking of the balance, have shown the true amount due from Mr. Swartwout at any time; your answer is, it would.

From the confused state of Mr. Swartwout's accounts, the time of payment of bonds extended, and the large amount to be examined, could his accounts of the treasury department have been examined correctly and satisfactorily until the final close of his accounts; and until then, could the true amount due from Mr. Swartwout have been ascertained? I wish you particularly to testify to the present case.

Answer. If the bond accounts had been thoroughly and promptly examined in the first auditor's office, the deficiency in the bonds payable in the first quarter, 1837, must have been discovered before Mr. Swartwout's term of office expired; but whether he could have concealed the real facts of the case from the department, by a reference to the embarrassment and the confusion in his office arising from the non payment and extension of bonds, until the close of his term, I do not know: I rather am of opinion that he could not.

From the preceding testimony, the committee report the following facts as established:

1st. That the first auditor of the treasury has been guilty of culpable disregard of law and neglect of duty in examining and certifying the correctness of the accounts of the late collector at New York, without having compared them thoroughly with the vouchers accompanying the same; and also in transmitting said accounts to the first comptroller certified for revision, while the most important vouchers therefor were retained in his own office.

2d. That no fraud practised by the said collector, in his weekly returns of cash to the secretary of the treasury, could affect the just and true settlement of the quarterly accounts of said collector at the auditor's office, as said weekly returns form no part of the basis of the settlement of said quarterly accounts by the auditor, and therefore furnish no apology for the neglect of the auditor to examine the same thoroughly.

3d. That without the aid of the register of bond accounts of collectors, required by law and treasury circular to be kept by the auditor to enable him to detect frauds and defalcations, if any exist, the said auditor could have thoroughly examined said Swartwout's quarterly account during any quarter since said auditor has been in office, inasmuch as the original quarterly accounts were retained against law in his office, and furnished the same means of a comparison as a register could have furnished.

4th. That in the culpable disregard of law and neglect of duty as aforesaid, by said auditor, is found a primary cause why the immense defalcations of said Swartwout in 1837, and subsequently, escaped early detection, and have resulted in the probable loss of a large amount of the public treasury.

CASE 4. Culpable disregard of law and neglect of official duty by the late and present first comptrollers of the treasury.

The functions of the first comptroller of the treasury are prescribed in the act of March 3d, 1817, "to provide for the prompt settlement of public accounts," as follows:

"That it shall be the duty of the first comptroller to examine all accounts settled by the first and fifth registers, and certify the balances arising thereon to the register; to countersign all warrants drawn by the secretary of the treasury, which shall be warranted by law; to report to the secretary the official forms to be issued in the different offices for collect-

ing the public revenue, and the manner and form of stating the accounts of the several persons employed therein; he shall, also, superintend the preservation of the public accounts subject to his revision, and provide for the regular payment of all moneys which may be collected."

By a treasury circular issued by the comptroller March 1, 1830, (see journal of committee) all returns of accounts of collectors of the customs were required to be made, in the first instance, to the first auditor of the treasury. Previously, they were sent direct to the first comptroller, and from his office forwarded to the first auditor. As has been seen in a previous division of this report, the law imposes upon the first auditor the duty of examining these accounts, certifying the balance, and then transmitting them, "with the vouchers and certificates, to the first comptroller for his decision thereon."

Although the provisions of law and the duty of the first comptroller are thus explicit, requiring him to examine the accounts of collectors and certify the balance thereon, and to do this upon "vouchers" required by law and treasury regulations to be transmitted to him by the first auditor, the evidence taken by the committee shows that, in regard to Mr. Swartwout's accounts of bonds taken and paid, both this law has been wholly disregarded, and this duty wholly neglected, by the late and the present comptrollers from the year 1832 down to the period of the discovery of Mr. Swartwout's immense defalcations, in November, 1838; and that, for this whole period, these accounts have not only passed the auditor's office without an examination of the vouchers required by law, but have also been certified by, and transmitted from the comptroller to the register, without his seeing or having a voucher for them. During the whole period mentioned, the vouchers transmitted by the collector have lain dead, useless and untouched in the auditor's office. It is in the "bond account" that a major part of Mr. Swartwout's immense defalcation has occurred. The following testimony from Mr. Underwood, clerk, in the auditor's office, establishes the main fact:

Mr. Underwood re-examined by Mr. Smith.

Question 40. Referring to the act of congress passed March 3, 1817, entitled "an act to provide for the prompt settlement of public accounts," section 4, which provides as follows:

"That it shall be the duty of the first auditor to receive all accounts accruing in the treasury department, and, after examination, to certify the balance, and transmit the amounts, with the vouchers and certificates, to the comptroller, for his decision thereon."

Please to state whether, in pursuance of said law, Mr. Swartwout's quarterly accounts of bonds taken and paid have been transmitted from the first auditor to the treasury to the comptroller of the treasury, with the first auditor's certificate thereon, at any time or for any period between the fourth quarter of 1832 and the present time? And if *yes*, when, and to what extent has it been done?

Answer. They have not, but still remain in the first auditor's office.

It was the obvious duty of the comptroller, on receiving accounts from the auditor's office unaccompanied by legal vouchers, to return them to the auditor, and withhold his certificate until the accounts had been properly examined there, and proper vouchers transmitted with them. Had this been done by either the present comptroller, who succeeded to the office March 5, 1838, and had the adjustment of Mr. Swartwout's accounts for the third and fourth quarters of 1837, as well as his last account, been made, or had the same been done by the present comptroller, *George Wolf, esq.*, now collector of the customs at Philadelphia, who held the office from the summer of 1836 until Mr. Barker succeeded to it, Mr. Swartwout's defalcation could not have occurred. The absence of the vouchers could at once have been explained, and its fatal cause remedied.

But it is to be remarked, so inefficiently have the duties of the first comptroller's office been administered of late years, that no means in the shape of independent accounts or record transcripts have been kept in it, by which any test could be applied to the revenue returns of custom house officers, or to detect any fraud or unintentional errors in either the returns themselves or the settlement made of them in the auditor's office, if computation in the figures be excepted. The office, as administered, has been only in contemplation of law, and not in the execution of it, any check whatever upon either the first auditor or collectors. In a word, the certificate of the comptroller has been a fancy affair throughout; for years, though applied to transactions in which annually millions of dollars may be saved or lost to the treasury, according as it is efficiently or inefficiently applied. The examination

and testimony of the present comptroller will elucidate and establish the representation here made.

Question 4. Has any register, or book of record, of the bond account of collectors, been kept at any time in the comptroller's office, showing the amount of each revenue bond taken by each collector, as reported in his quarterly returns of bonds, and showing also the date of each bond, the names of the principals in each, and when each was payable and each was paid? If yes, state to what period such register or book of record has been completed, in reference to bonds taken, as aforesaid, by the collector of the port of New York.

Answer. No such register, or book of record, of the bond account of collectors, as is referred to in this interrogatory, is now kept in the comptroller's office; nor do I know that such register, or book of record, has at any time been kept in that office.

Question 5. Without such book or register as is contemplated by the last interrogatory and your last answer, how is it practicable for your office to detect any deficit or defalcation which might occur in collector's accounts for any quarter, or bonds reported in a previous quarterly return as falling due in such subsequent quarter?

Answer. Such book or register is understood to be kept in the office of the first auditor, to whom the quarterly accounts of collectors are rendered; and however useful such additional check might be, if kept in the comptroller's office, it has not, heretofore been deemed necessary. The comptroller's duty is to revise the accounts as reported by the first auditor, and, finding them accurately stated, to certify the balances to the register.

Question 6. If the comptroller has no record or register by which he can check the accuracy of collectors' quarterly returns of bonds taken and paid, what record has said officer by which to check any errors or neglect of duty (other than relate to the mere addition of figures) which the auditor of the treasury may commit in relation to collectors' accounts? Is the revision of collectors' accounts in the comptroller's office confined wholly to such data as are furnished by the first auditor for the guide of the comptroller?

Answer. The comptroller is not enjoined by law or treasury regulation to keep any record such as is mentioned in this interrogatory. The revision of the collectors' accounts in the comptroller's office is limited to the data as furnished by the first auditor, with such reference to the laws or treasury authority, for the allowance of credit given to the collector, or charges against the United States, as may become necessary in the progress of the examination.

Question 7. Do you mean to be understood by the terms of your last answer, that if there are any errors or deficits in the details or items of the collectors' quarterly accounts, or omissions of the collector to charge himself with as much cash receipts as he should, and such a fact escapes detection in the auditor's office, the comptroller's office holds no check upon such accounts, independent of the auditor's office, by which to detect such errors, deficits or omissions?

Answer. Although errors of computation, in details or items of the collectors' quarterly accounts, may be corrected by the comptroller, he possesses no means of detecting any omission of the collector to charge himself with as much cash receipts as he should, or with any other items.

Question 8. In your 6th answer you say, "the comptroller is not enjoined by law or treasury regulation to keep any record such as is mentioned in" the 6th interrogatory to you, or a record by which the first comptroller can "check any errors or neglect of duty (other than relate to the mere addition of figures) which the auditor of the treasury may commit in relation to collectors' accounts."

By the 8th section of the act of March 3, 1817, of the laws of the United States, it is provided as follows:

"That it shall be the duty of the first comptroller to examine all accounts settled by the first and fifth auditors and certify the balances arising thereon to the register; to countersign all warrants drawn by the secretary of the treasury which shall be warranted by law; to report to the secretary the official forms to be issued in the different offices for collecting the public revenue, and the manner and form of stating the accounts of several persons employed therein; he shall also superintend the preservation of the public accounts subject to his revision, and provide for the regular payment of all moneys which may be collected."

Will you refer to the above quoted provision of law, and say whether it does not enjoin upon the comptroller the duty and power as fully to keep in his own office all useful and necessary forms of stating and keeping accounts, and records, and checks upon other accounting officers whose dolings

are subjected to the revision of his office, as it does to require all useful and necessary forms, records and checks "in different offices for collecting the public revenue?" And if yes, was it or not competent and within his authority to have instituted, and to keep in his office, such a record and check as is mentioned in the 6th interrogatory above?

Answer. The law quoted in the last interrogatory does not, in my opinion, enjoin upon the comptroller the duty of keeping a record to check other accounting officers, of the description given in the interrogatory. But as the duty of the comptroller, under the law, is clearly to make a due and thorough examination of all accounts settled by the first and fifth auditors, before he certifies the balances arising thereon to the register, he would be bound by a sense of duty to keep such record if he thought it essential. No treasury regulation of the secretary or comptroller has heretofore directed the keeping of such records or checks in the comptroller's office, although, in my opinion, such record might be there kept, under existing laws, and by the authority of the comptroller.

But it has not been only in regard to Mr. Swartwout's accounts passing through the office of the first comptroller, that a signal disregard of law and neglect of duty have characterized the administration of that office; but, with seeming fatality, like disregard of law and neglect of every duty imposed by law upon that office with which Mr. Swartwout was required to come in contact, appears to have pervaded the first comptroller's department.

By the act of May 15, 1820, section 1, it is provided that the commissions of all officers employed in levying or collecting the public revenue shall be made out, and recorded in the treasury department, &c.

By the act of March 2, 1799, section 1, it is provided that each collector shall, within three months after he enters upon the execution of his office, give bond, with one or more sureties, to be approved by the comptroller of the treasury of the United States, and payable to the United States, with condition for the true and faithful discharge of the duties of his office according to law.

By the act of May 15, 1820, section 3, the president may, from time to time, as in his opinion the interests of the United States may require, regulate and increase the sums for which the bonds required or which may be required by the laws of the United States, to be given by the collector, naval officer, or collector of custom, &c.

It appears, in proof, that a record thus required by law has constituted a part of the internal organization of the first comptroller's office. Its importance would be obvious, independent of the positive requisition of law. It appears, also, in proof, that a blank bond for Mr. Swartwout's execution, with sureties, as required by law, to indemnify the government against his unfaithful discharge of duties, was transmitted to him, with a notice of his reappointment to office, on the 3d of May, 1834, by the first comptroller. But it is in proof that with that act all further attention in relation to Mr. Swartwout's bond, and to the record of it required by law, ceased, on the part of the comptroller, until an accident, in 1837, which owed its existence to a like neglect of law and duty by the comptroller in relation to another collector, betrayed the fact that Mr. Swartwout was, and had been from his reappointment, in office without having furnished any bond.

In house document, No. 69, being a report of the first comptroller to the secretary of the treasury, and transmitted to the house, in reply to a special call upon the secretary, the comptroller says: "I learn, from the gentlemen now having charge of this branch of the duties of this office, (to which he was assigned on the resignation of the clerk having had this desk in the year 1835), that the neglect of Mr. Swartwout to render this bond was accidentally discovered by him in January, 1837, in complying with your instructions of the 16th October, 1835, in which it is made the duty of the comptroller to advise the sureties on the bonds of collectors who neglect to render their quarterly accounts in due time."

George Wood, a clerk in the treasury department, was sworn as a witness.

Examined by Mr. Smith.

Question 1. What office do you hold in the treasury department; and how long have you been in said office?

Answer. I am a clerk of the comptroller's office; and my duties consist of correspondence with the officers of the customs relating to their accounts and bonds, &c. I was appointed in the office in 1832, and took charge of the duties now assigned me in the year 1835.

Question 3. Do you find on record in your office any statement or memorandum indicating that Mr.

Swartwout's bond had ever been forwarded to him for execution?

Answer. I did not at the time look in the record of correspondence to see if such a bond had been sent; but that it was duly sent is shown by the handwriting in the bond, which was written by my predecessor in this clerkship. This could be shown by a reference to the records.

Since writing the above, I find, by a reference to the records, that a letter was addressed to Mr. Swartwout on the 3d May, 1834, notifying him of his appointment, and sending to him a blank bond and oath, which he was instructed to transmit, when taken and executed, to the office, with the certificate of the district attorney touching the sufficiency of his sureties, for the approbation of the comptroller.

Question 4. Have you, or not, in the comptroller's office, a record-book to show what bonds have been sent in blank to collectors for execution; what bonds have been properly executed; and other particulars, to enable the office to check any neglect that may occur in a collector to transmit his official bond. If yes, please describe the character of the entries in such record, and whether any entry whatever was made therein respecting Mr. Swartwout's bond, until after your discovery of his remaining in office without bond, in 1837.

Answer. There is, in the office of the comptroller, a book which has this caption: "Record of official bonds received from the following officers;" which is ruled and headed as follows:

Name.	Office.	District.	Port.	Date of commission.	Bond when received.
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All commissions to collectors pass through the comptroller's office. On the reception of a commission from the office of the secretary of the treasury, a letter is addressed to the person appointed, notifying him of his appointment, enclosing to him a blank bond and oath of office; and an entry is then made in this record; and when the bond is received, the date of its receipt is entered. If no bond is received, within the time prescribed by law, he is written to, informing him that his bond was not received, and requesting its immediate transmission; if not received in a reasonable time thereafter, the secretary of the treasury is advised of the fact. On looking over this record, any failure to forward a bond is readily seen; but in the case of Samuel Swartwout, no entry of his appointment or of the receipt of his bond was made by my predecessor.

Question 2. In reference to what particular bond in January, 1837, did the compliance with the instructions of the secretary of the treasury, dated the 16th of October, 1835, accidentally lead to the discovery that Mr. Swartwout had neglected, from the time of his appointment, in 1834, until 1837, to render the bond required of him by law to be rendered, for the faithful discharge of his duties as collector? Please explain the circumstances of the discovery in detail.

Answer. On the 4th of January, 1837, the auditor addressed to the comptroller a letter, reporting that the accounts of the customs had not been received at his office for the third quarter of the year 1836, from the following collectors, viz: Duncan McDonald, collector at Edenport; Levi Fagin, collector at Plymouth; William H. Hunter, collector at Sandusky; and John Smith, surveyor at St. Louis. This letter was referred to me, to verify the sureties of said collectors of their neglect of duty, in compliance with the instructions of the secretary. On referring to the files for the bonds, I could not find the bond of William H. Hunter. This was the first case which had ever occurred to me of a bond mislaid or lost. I was thereupon induced to examine the files for the bonds of all the collectors in office, when Mr. Swartwout's neglect to render his bond was discovered. I immediately reported the fact to Mr. Laub, the chief clerk; and, at his suggestion, draughted the letter addressed to him by governor Wolf, dated the 9th of January, 1837. The next day (after the letter was sent) Mr. Swartwout came to Washington, and saw Mr. Laub, in my presence. He expressed his surprise that the bond had not been sent, and said he would, on his return, send his bond; which was received on the 23d of January, 1837.

The circumstances under which Mr. Swartwout availed himself of this neglect of the comptroller, are detailed in the following testimony:

Henry Ogden was sworn as a witness.

Examined by Mr. Curtis.

Question 1. Were you cashier of the custom house of New York during the whole term of Mr. Swartwout?

Answer. I was, during the whole term of his office

Question 2. Who were the sureties of Mr. Swartwout during the first term? I mean during the first four years he held the office of collector.

Answer. Caldwell, G. Colten, Henry Eckford, Silas E. Burrows, M. M. Quackenbos, Benjamin Birdsall, and Charles L. Livingston, were the sureties.

Question 3. State all you know concerning the execution, approval and delivery of the official bonds of Mr. Swartwout, both for his first, and also, for his second term of office.

Answer. The first bond was not considered as good and sufficient security by John Duer, esq., then the district attorney, until Mr. Burrows certified that he was worth fifty thousand dollars. It was then approved, and Mr. Swartwout entered upon his duties.

The second bond was executed by Charles L. Livingston, M. M. Quackenbos and Benjamin Birdsall. It had five or six seals to it, but no other person to my knowledge executed it. This bond remained in a trunk which contained all valuable papers, which was daily deposited in the bank after the closing of the office. The bond remained unexecuted until towards the close of 1836, and, as far as I can recollect, I handed it to Mr. Swartwout soon after or the commencement of 1837.

Question 4. Was the last-mentioned bond sent from the treasury department at Washington to New York to be executed, or was it prepared at N. York?

Answer. The last bond was transmitted from Washington to New York to be executed.

Question 5. When was this bond transmitted from Washington for execution?

Answer. Soon after the reappointment of Mr. Swartwout.

Question 6. State, if you know, why its execution and delivery was delayed so long?

Answer. The bond remained unexecuted because I declined asking the gentlemen who afterwards executed it to become security for Mr. Swartwout. Believing Mr. Swartwout to be indebted to the government, I refused to apply to those gentlemen, but urged upon Mr. Swartwout to pay up his deficiency by a sale of his property. Mr. Swartwout himself spoke to the gentlemen who became his securities, and they applied to me for the bond to execute. An elapse of six to nine months occurred between the signing of the first and the last person on the bond.

Question 7. How much did you consider Mr. Swartwout indebted to the government when you declined to ask gentlemen to sign the bond as sureties?

Answer. I considered Mr. Swartwout indebted to the government from thirty to fifty thousand dollars.

Question 8. When was it that you declined to ask gentlemen to sign the bond for the reason you have mentioned?

Answer. It was 1834, and after that year, that I declined asking the gentlemen. I held the bond about three years before I handed it to Mr. Swartwout to deliver to Mr. Price, the United States district attorney. It was then executed.

No palliation of such negligence has been seen or offered in any circumstance or proof that has come to the knowledge of the committee; and, indeed, it seems to be a case which, from its nature, admits of no palliation. It is, moreover, obvious that when Mr. Swartwout's bond was finally received, no comparison of it was instituted with his former one, or other information sought respecting it, beyond the certificate of the district attorney, to secure it to the approval of the comptroller. It is not difficult to suppose that the department felt inclined to compromise with an apparent insufficiency of the bond, rather than to excite an inquiry that would probably lead to an exposure of its own culpable negligence in regard to it. Had it, however, been compared with the former bond, it must have been discovered that, while on the former six sureties were given, on the latter only half that number had been furnished. One would suppose that such a comparison, in the exercise of due diligence, would have been instituted; and, if instituted, such a falling off of sureties would have called for explanation. Had explanation been sought, it is apparent that the three sureties actually furnished would not have been found entitled to the approval of the bond by the comptroller, as the bond was to serve as the whole reliance of the government for indemnity against a faithless discharge of duty by a collector through whose hands and under whose control nearly two-thirds of the whole revenue of the government must pass. The following additional testimony from Mr. Ogden warrants the conclusions thus drawn:

Examined by Mr. Wise.

Question 40. Were the three securities to the last bond of Mr. Swartwout equal in point of wealth

and responsibility to the three who were their co-securities on his first bond; if not, what was the probable difference?

Answer. The sureties in the last bond, in point of wealth and responsibility, bore no comparison to the first. The only person of actual wealth on the last bond was Mr. Quackenbos, who was estimated, I believe, from fifty to seventy-five thousand dollars. Mr. Birdsall I never considered worth over \$10,000; and Mr. Livingston has nothing. Those on the other bond were much more wealthy.

Mr. Eckford died worth nearly half a million of dollars. Mr. Burrows qualified upon signing the bond that he was worth \$50,000. Mr. Colten when he died left but little, though at the time he executed the bond he was estimated over \$30,000.

There is yet another feature of extraordinary disregard of the requirements of law and neglect of duty of still later date on the part of the comptroller towards Mr. Swartwout's accounts.

By the act of January 31, 1823, sec. 3, it is required that every officer or agent of the United States who shall receive public money, which he is not authorised to retain as salary, pay or emolument, shall render his accounts quarter-yearly to the proper accounting officers of the treasury, with vouchers necessary to the correct and prompt settlement thereof, within three months at least after the expiration of each successive quarter, if resident within the United States.

By the act of March 2, 1799, sec. 21, every collector, naval officer, &c., who shall refuse to render his accounts for settlement for the term of three months, after they have been required by the proper officer, is subject to fine, &c.

By act of March 3, 1795, sec. 3, it is provided that if any collector of the revenue, &c., who shall have received the public money before it has been paid into the treasury, shall fail to render his account or pay over the same in the manner or within the time required by law, it shall be the duty of the first comptroller to cause to be stated the account of such collector, &c., exhibiting truly the amount due to the United States, and certify the same to the agent [solicitor] of the treasury, who shall issue a warrant of distress against such delinquent officer and his sureties, &c.

It appears by the certificate of the comptroller (in committee journal) that the third quarter of Mr. Swartwout's account for 1837 was settled at the comptroller's office on the 8th of May, 1838, and a balance found due from him of \$10,207,224 10, as follows:

Bonds not due	\$7,216,207 91
Bonds in suit	2,196,264 62
Deposit bonds	45,551 73
Cash, including sundry items not to his credit	738,799 84
	\$10,227,224 10

It appears that his fourth quarter for 1837 was adjusted at the treasury on the 21st June, 1838, and a balance found due the government of \$9,678,934 56, as follows:

Bonds not due	\$6,777,101 55
Deposit bonds	23 864 12
Bonds in suit	2,201,220 55
Cash on hand, including sundry items not yet to his credit	646,698 34
	\$9,678,934 56

In the examination of Mr. Barker, (the comptroller), by Mr. Smith, he says, in reply to—

Question 12. At what date did the time allowed by law for Mr. Swartwout to render his accounts to the first auditor, for his quarter ending March 28, 1838, expire?

Answer. The accounts were due on the 1st July, according to law. I am informed, in the first auditor's office, that the collector of the port of New York has, by a former secretary of the treasury, been allowed one or two weeks in addition, within which to render his accounts.

And, in examination by Mr. Foster, he says, in reply to—

Question 13. Did you, at any time previous to November last, inform the secretary of the treasury that Mr. Swartwout was a defaulter; or did you know or suspect that he was a defaulter, or that his accounts were fraudulently made out, until about the 1st of November last?

Answer. I knew, in April, 1832, that Mr. Swartwout held in his hands the sum of about \$201,000, which he refused or neglected to pay. In no other particular was I acquainted with any default of Mr. Swartwout, until about the 1st of November last.

Question 19. Did not Mr. Swartwout claim that he was entitled to retain the \$201,000 mentioned in your last answer, in order to enable him to pay in the claims which he alleges the merchants had against him as collector?

Answer. He did.

Question 20. Were you not aware that Mr. Swartwout was liable to refund money to merchants, in some instances, when the same had been received under protest; and when he explained the reason why he retained the \$201,000, did you not suppose that that sum was all he had upon which the government had any claim; and had you any reason then to believe that he would not pay over to the treasury so much thereof as should remain, after repaying to the merchants the amount of their legal claims upon him?

Answer. I was aware that Mr. Swartwout might be liable to refund money to merchants, for duties paid on protest. I had not, at that time, any means of forming an opinion as to his intention or ability to pay over to the treasurer so much of the \$201,000 referred to, as should remain after repaying to the merchants the amount of their legal claims upon him.

At the time the correspondence took place between the department and Mr. Swartwout, his accounts not being finally adjusted, I had no means of knowing or forming an opinion as to the sum which might eventually be due from him to the government.

The manner in which the fact stated in the above testimony came to the knowledge of the comptroller, in April, appears from the following correspondence:

Treasury department, April 16, 1838.

Sir: You will perceive, by the enclosed copy of a letter addressed to the department by Samuel Swartwout, esq. late collector of the district of New York, under date of the 13th instant, that he has in his hands a balance of public money amounting to \$201,096 40, which he holds until his accounts shall have been adjusted.

I will thank you, therefore, to take all proper steps to have his accounts adjusted and settled at as early a period as may be practicable, and to have the balance not in dispute, or to cover what is in dispute, soon as ascertained and paid over. I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

James N. Barker, comptroller of the treasury.

The letter from Mr. Swartwout to Mr. Woodbury (enclosed in the above letter) is as follows:

Custom house, New York, April 13, 1838.

Sir: Herewith you will receive the return of moneys received and paid at this office, for the last three days of my official term.

If you will observe there is a balance due the United States of \$201,096 40. This sum I hold in deposit in bank to my order, subject to the settlement of my account, and the decision of sundry suits at law brought against me to recover duties wrongfully exacted, (as is alleged), and which are now pending in the courts.

On the adjustment of my accounts, the amount due to the government will be immediately paid.

I have the honor, &c.

SAMUEL SWARTWOUT, late colPr.

Hon. Levi Woodbury, secretary of the treasury.

The steps taken by Mr. Barker, on the receipt of the preceding letters, appears from the following letter:

Treasury department,

Comptroller's office, April 17, 1838.

Sir: I have the honor to enclose a copy of a letter received this day from the honorable secretary of the treasury, requesting an early settlement of the accounts of the late collector at New York.

With great respect, your obedient servant,

J. N. BARKER, comptroller.

Hon. Jesse Miller, first auditor of the treasury.

To Mr. Swartwout the comptroller wrote as follows:

Treasury department,

Comptroller's office, April 17, 1838.

Sir: In order to a compliance, on the part of the treasury, with a request contained in your letter of the 13th instant, for an early settlement of your accounts, you will please to transmit to the first auditor your accounts up to the date of the transfer of your books to your successor.

The accounts of the third quarter are in progress of revision in this office, and those of the fourth quarter, 1837, are now in hand in the office of the auditor. Very respectfully, your obedient servant,

J. N. BARKER, comptroller.

Samuel Swartwout, esq. late collector, New York.

Another letter was received by the comptroller, as follows:

Treasury department, April 18, 1838.

Sir: Accompanying my letter of yesterday, urging an early adjustment of the accounts of Samuel Swartwout, esq. late collector of New York, I transmitted a copy of a letter from him, stating his reasons for retaining in his hands the large balance

of public moneys mentioned. One reason he declared to be, with the view to await "the decision of sundry suits at law brought against me (him) to recover duties wrongfully exacted, as is alleged, and which are now pending in the courts."

To expedite matters in this case, I will thank you to call upon the solicitor of the treasury, to obtain from the district attorney in New York a list of the suits now pending against Mr. Swartwout, as late collector, together with the amount of money involved in each, and the probable termination of them. I am, &c.

L. WOODBURY.

Secretary of the treasury.

James N. Barker, esq. comptroller of the treasury. On the same day the comptroller forwarded the last preceding letter to the solicitor, endorsed as follows:

Respectfully referred to the solicitor of the treasury, who will be pleased, after addressing the attorney on the subject, to return this, and advise this office of the result of the inquiry.

J. N. BARKER.

Comptroller's office, April 13.

On the 23d of April, the comptroller was written the following additional letter by the secretary:

Secretary of the treasury, April 20, 1838.

Sir: I herewith refer to you a letter, and enclosures, just received from Samuel Swartwout, esq. late collector of the district of New York, and should be pleased to have a report upon the subject to which it alludes, so soon as you hear from the United States district attorney.

I would suggest that, as the collector is refunding duties imposed on certain articles of merchandise, which were paid under protest of the parties at the time, it consequently becomes proper that Mr. Swartwout should furnish Mr. Hoyt with money, out of the funds now in his hands, to meet payments in this class of cases, and should be so instructed. I am, very respectfully, your obedient servant,

LEVI WOODBURY,

Secretary of the treasury.

James N. Barker, esq. comptroller, Washington. The letter thus enclosed by the secretary from Mr. Swartwout was as follows:

New York, April 21, 1838.

Sir: I have the honor to state, in reply to your letter of the 16th instant, that, although the balance in my hands appears to be very large, it will not be more than sufficient for the settlement of the outstanding claims upon me. I enclose a letter received yesterday from the district attorney, showing my individual liability for the judgments obtained against me. I received notice from Mr. Lord yesterday that he would issue execution against my furniture, unless I paid the amount of the several judgments forthwith. I paid, of course. The next court will pass upon twice as large an amount.

The notices of protest served upon me for duties paid and passed to the credit of the treasury are estimated at between \$200,000 and \$300,000, and the circuit court decided that the collector, being alone liable, ought not to pay the duties into the treasury. In addition to these immense liabilities, the settlement of damages, when the parties have paid full duties on damaged goods, which cannot be adjusted by the present collector, must take a large sum, and cannot all be brought in under three months. I hope, therefore, that you will not consider the present balance in my hands at all unreasonable. I am, &c.

SAMUEL SWARTWOUT.

Hon. Levi Woodbury, sec. treasury, Washington.

Upon the receipt of the foregoing, the comptroller addressed Mr. Swartwout as follows:

Treasury department,

Comptroller's office, April 21, 1838.

Sir: The secretary of the treasury has referred to me your letter of the 21st instant, explanatory of the large balance of public moneys retained in your hands.

Your successor having been instructed to refund duties on certain articles of merchandise imposed, and paid by the importers under protest at the time, it is necessary that you should furnish him with funds to meet the payments in this class of cases.

This direction is given at the instance of the secretary of the treasury. I am, very respectfully, your most obedient servant,

J. N. BARKER, comptroller.

Samuel Swartwout, esq. late collector, New York. In reply to the comptroller's endorsement to the solicitor of the secretary's letter of the 18th of April, given in the preceding, the solicitor wrote to the comptroller as follows:

Office of the solicitor of the treasury, April 27, 1838.

Sir: I have had the honor to receive the letter of the secretary of the treasury to you, dated the 18th instant, and referred by you to this office.

I transmitted a copy of it to the attorney of the United States for the southern district of New

York, and have a copy replied, dated 25th instant, of which I send a copy herewith.

On receiving the further report to which Mr. Price refers, it shall be communicated to you. Very respectfully, yours, &c.

H. D. GILPIN,

Solicitor of the treasury.

To J. N. Barker, esq. comptroller of the treasury. The letter thus enclosed by the solicitor is as follows:

United States district attorney's office, New York, April 25, 1838.

Sir: I have the honor to acknowledge the receipt of your letter of the 19th instant, enclosing a copy of a letter addressed by the secretary of the treasury to James N. Barker, esq. comptroller, and by the latter gentleman communicated to your office, calling for a statement of suits now pending in this district against Samuel Swartwout, esq. late collector of the port of New York, to recover duties levied by him, which are alleged to have been wrongfully exacted, together "with the amount of money in each case, and the probable termination of them."

By reference to my register, I find that there are at present but two suits pending, undecided. One brought by Robert Deidericks, to recover the value of a package of goods sent to the public store for examination, and there lost or mislaid. In this case the damages are laid at \$2,000, though the recovery will probably exceed half that sum. The plaintiff will certainly prevail.

In the other suit, Lee, Savage & Co. are plaintiffs, who claim to recover \$138 80, being an excess of duties charged at 25 per cent. *ad valorem*, on a case of silk gloves, which they contend are free of duty.

At the term of the United States circuit court commencing on the first Monday of the present month, four judgments were recovered against Mr. Swartwout: three by John Charters, Alexander Charters, and Samuel M. Charters, and one by Aaron Thomson, John H. Austen, and Thomas Cochran; in the aggregate amounting to \$5,561 63, yet unsatisfied; being for an excess of duties charged on certain linens, which were reported by the appraisers as having been died or colored, but were, on the trials, proved to have been known in commerce as unbleached linens.

I have in my possession 115 protests served on the late collector by various merchants in this city, against the payment of duties, giving him notice that they intend to commence suits to recover back the amount of duties thus paid. Not having sufficient data, I am unable to ascertain the amount of duties involved in those protests; nor can I anticipate with certainty what will be the result of suits that may be brought, of which the importers have given notice.

The protests to which I have referred present a great variety of questions, all relating to excess of duties; many claiming as high a return as 50 per cent; others a return of but small per centages; and others, again, a reduction of duties in various appraisements at the custom house, in reference to the questions presented by the protests, the amount of each claim can be readily ascertained. I will apply to the present collector for such statement, and transmit it to you upon my receipt thereof. It will, however, require several days to prepare such a document.

By the protests it appears that there are 660 packages of linens, blankets, silk, hosiery, worsted and other articles, on which a return of duty is claimed.

As the questions involved in many of the protests have been adjudicated, (as, for instance, the worsted, linens and silks), the importers will of course pursue their claims without delay. I am, &c.

W. M. H. PRICE, U. S. dist. attorney.

To Levi D. Gilpin, esq.

Solicitor of the treasury, Washington.

The next proceeding of the comptroller is to address Mr. Swartwout the following letter:

Treasury department,

Comptroller's office, April 26, 1838.

Sir: You are respectfully requested to render your accounts of the customs to the first auditor as early a period as may be practicable.

Very respectfully, your obedient servant,

J. N. BARKER, comptroller.

Samuel Swartwout, esq. late collector, New York. With the last letter ended all correspondence between the comptroller and the other departments of the treasury, as also between him and Mr. Swartwout, on the subject of either the \$201,000 retained by him, or the settlement of his accounts generally. The man and his accounts seem, in fact, to have been lost sight of by the comptroller for that period for four succeeding months, and until he received the following letter from the first auditor:

Treasury department,

First auditor's office, August 31, 1838.

Sir: I deem it proper to report to you that the accounts of the customs for the district of New York, for the first quarter of the present year, have not been received at this office. I wrote to Samuel Swartwout, esq. late collector for that district, on the 13th instant, requesting him to forward said accounts so soon as practicable. Since then, I have received no communication from him on the subject. Very respectfully, your obedient servant,

J. MILLER, first auditor.

James N. Barker, esq. comptroller of the treasury.

This admonition, in the course of three days, roused the animation of the comptroller's department to notify Mr. Swartwout's sureties as follows:

Treasury department,

First comptroller's office, September 3, 1838.

Sir: In compliance with a regulation of the secretary of the treasury, I have to notify you, as one of the sureties of Samuel Swartwout, late collector at New York, that he has not rendered his accounts of the customs for the quarter ending 31st March last.

Respectfully,

J. N. BARKER, comptroller.

Charles L. Livingston, esq. Benjamin Birdsall, esq., and M. M. Quackenbush, esq., city of New York.

But again the department fell into a dead slumber relative to Mr. Swartwout's accounts, from which it was not awakened until in the early part of November, over seven months after Mr. Swartwout had retired from office, and over four months after the return day of Mr. Swartwout's last quarter's account had expired without having been returned, and two months after his sureties had been notified of his neglect to return and settle his accounts.

From April until the 31st of August, a period of four months, Mr. Swartwout, though known to be holding a large amount of public money, and no longer an officer of government, was not disturbed by even a call from the comptroller to settle, or explain his neglect to settle his accounts.

Yet, on the adjustment of this collector's accounts in the mean time, viz: June 21, 1838, for the quarter preceding his last quarter, the comptroller knew the balance of bonds, cash, and unsettled accounts against him, the collector was nine millions six hundred thousand dollars and upwards.

On the 1st of July the comptroller knew, or should have known, but for extraordinary inattention and neglect of duty, that the time for rendering and settling Mr. Swartwout's accounts had expired; and that by the act of March 3, 1795, it had become his express duty to cause Swartwout's accounts to be stated, and to issue a warrant against him and his sureties.

But no steps were taken by him to even obtain any explanation or settlement of even the acknowledged balance of \$201,000, which Swartwout had reported as in his hands unsettled. He had seen that, by all information from the district attorney at New York, obtained through the solicitor in April, only two suits were pending against Swartwout to offset his retention of the \$201,000, and that in those suits the aggregate judgment would be less than \$1,200. By the same letter of the district attorney, given in the preceding correspondence, and dated April 25, 1838, was also informed that "on an examination of the invoices and appraisements at the custom house, in reference to the questions presented by the protests, the amount of each claim can be readily ascertained," showing the precise aggregate for which Swartwout had any pretensions for retaining the \$201,000; and yet no application was made at that early day, or after Swartwout's return day of accounts had silently expired, on the 1st of July, to obtain from the custom house invoices and appraisements, the most obviously essential information. Why so much active bustle was made on the part of the comptroller in April, through the auditor and through the solicitor; and why, after the results at that early day pointed to information which could "be readily ascertained" to solve all pretended doubts hanging over Mr. Swartwout's accounts then, of a sudden all exertions ceased and every effort was paralyzed, to remain so until the last day of August, and then to be renewed in the faintness of a spiritless form of notifying Swartwout's sureties, is to the committee inexplicable, inasmuch that even the conclusion of culpable negligence seems scarcely to represent correctly the whole truth. Even the secretary of the treasury appears to have felt sensible of the comptroller's neglect of law and duty. In answer to question 33 by Mr. Curtis, the secretary says:

"Answer. I considered, as before remarked, according to my own impressions, that the comptroller might, under all the circumstances, be justified in a 'short delay.' By that I supposed it would be a delay long enough to get the further information,

previously mentioned, from the district attorney, as to the mode of protests, &c., and to decide whether there was any legal reason for waiting any longer than the acts of congress point out, before bringing the collector's accounts to a final settlement, and to a collection of all not in controversy or doubt. On these points I supposed he would act according to his own sense of duty under the laws, and not expect any special instructions from the secretary, as none such are required by the laws. I had already given the general directions, or made the general request before mentioned; not because they were required by any acts of congress, or were usual to be given when collectors quit office, as it is the duty of the comptroller, in such cases, to proceed to make settlements, and require collections without such instructions; but I gave them for the reasons stated, in substance, in the monthly report, viz: that the amount on hand, as stated in the last return of the collector, appeared unexpectedly large; and the explanation given in respect to it by the collector alone did not seem to me entirely satisfactory without further inquiry into the subject by the comptroller.

"I took no further steps in relation to the subject myself, as the business belonged to different officers of the department: first, the accounting officers, to ascertain what was due; and then the solicitor, through the district attorney, to cause the balance to be secured and collected after the comptroller reported it to him in conformity to the existing laws.

"To say that there was absence of suspicion on the part of the comptroller in regard to Mr. Swartwout's accounts, appears to involve a most negligent and obvious disregard of every fact that transpired between April and November relative to those accounts. And, besides, want of suspicion or infidelity in the collector's accounts could furnish no excuse for a known neglect of the law requiring their return to the department. There must have been not only suspicion, but actual knowledge, by the comptroller, from the 1st of July onwards, that the law had been violated in the non-return for settlement of this important account. Even the newness of the comptroller in this office furnishes no apology in this respect as, to take the office of comptroller, he had just left the collectorship of Philadelphia, where the law must have been familiar to him, enjoying the return for settlement within three months of all collectors' accounts. In whatever light viewed, the case exhibits extraordinary inefficiency and neglect of duty, if not a mystery also, which the committee have been unable to solve. The law and duties of this important office have not been executed as the nation had reason to expect and believe they were; and the public money has consequently been unguarded and plundered with impunity.

In yet another aspect, the inefficiency of the comptroller's department, as at present administered, has been most singularly manifested.

A searching scrutiny was made by the comptroller and solicitor of the treasury, at New York, into the causes why Mr. Swartwout's defalcations escaped the immediate detection of the naval officer at New York. They found it to be attributable, in the first instance, to the want of a proper execution of the duties of that officer, and came to the conclusion that new instructions were necessary to render the office an efficient check upon the collector's accounts. Immediately thereafter, on the 10th of November, as soon as the comptroller had returned to Washington, he began to issue his new instructions, in the shape of circulars to the naval officer. First, as will appear by reference to the documents imbodyed in the testimony of Mr. Coe, deputy naval officer at New York, (committee's journal), the comptroller issued what was named by him "partial circular," dated November 10, 1833; on the same day another, which he denominated "circular." On the 15th of the same month he issued another, styled by him "circular to naval officers." On the 17th he issued another, called "supplemental circular to naval officers." On the 4th, and again on the 24th of December, as will also be seen, the naval officer wrote the comptroller, in effect, that his partial supplemental and other circulars were impracticable, and asked for explanations, &c. On the 27th the comptroller wrote, in reply, that "to-morrow's mail you will be furnished with instructions as to the manner in which you are to proceed," &c. And, accordingly, on the 26th of December another effort was made, under the caption of "circular to naval officers." Whether, in the mean time, any new light was shed or not by the naval officer upon the comptroller's administration of his office, in the shape of a new exposure of the impracticability and inapplicability of the latter document, does not appear of record. It appears, however, that on the 2d of January the comptroller

wrote him a letter, in the nature of a suspension of the last circular, thus: "Before the arrangements are concluded for making the examinations as directed in my letter of the 26th ultimo, it is deemed necessary by the secretary of the treasury that you should make to the department some specific recommendation in regard to the rate of increase proposed to be made to the compensation of the respective clerks who are to be employed in the duty. You will please, therefore, furnish me with the requisite information."

On the 14th of January, the naval officer informs the comptroller, in regard to his new theory of discharging the duties of naval officer, imbodyed in his multiplicity of circulars, &c., as follows:

"I am of the opinion that it will require at least six of the clerks in the naval office to discharge their extra duties, while, at the same time, they will be expected to perform the ordinary duties which they have been and are now performing;" and proposes the sum of \$2,000 additional compensation.

On the 7th February, in the examination of the deputy naval officer before the committee, with the preceding "partial circular," "circular," "circular to naval officers" of December 15, "supplemental circular to naval officers," and "circular to naval officers" of December 26, before the witness, he was interrogated by Mr. Smith, and answered as follows:

Question 6. Under the existing system of the naval office, is the naval officer enabled to determine, either what amount of bonds have been taken by the parties to said bonds, or in any quarter, or who are the parties to said bonds, or the dates of such bonds, or when they are payable, or when any such bonds are paid, or whether the collector does or does not account truly for bonds that have been paid?

Answer. In answer to the sixth interrogatory I have to state, that the naval office, under its existing system, is not enabled either to determine what amount of bonds have been taken by the collector for duties, in any quarter, or who are the parties to said bonds, or the dates of said bonds, or when they are payable, or when such bonds are paid, or whether the collector does or does not account truly for such bonds.

Such recorded specimens of inefficiency would seem to indicate that, whether the comptroller be attentive or negligent to the duties of his office, the government must remain equally exposed to the frauds and peculations of a dishonest collector at the port of New York. And yet the law of 1799, defining the records and checks upon the collector, which shall be kept in the naval office is so plain that the comptroller himself, when looking at the law, and apart from his own proposed mode of executing it, was constrained to say in his circular to naval officers under date of December 15, after reciting the language of the law: "Had the books designated above been kept, and the quarterly examinations and comparisons been duly made by the naval officer, it is scarcely possible the defalcations in the accounts of the late collector at New York (S. Swartwout) could have taken place, or so long escaped detection."

The committee believe that the house and country will alike readily discern the only proper remedy which such an exposure of facts and feebleness imperiously demands, as also the quarter whence it must proceed.

From the preceding evidence the committee report the following facts as established:

1st. That the late comptroller of the treasury, George Wolf, esq., now collector of the port of Philadelphia, was guilty, while in said office of comptroller, of culpable disregard of law and neglect of duty, both in regard to the bonds of collectors filed in his office, and the records thereof required by law; and in settling and certifying to the register the accounts of Samuel Swartwout, late collector, without having transmitted to him the vouchers therefor required by positive injunction of law.

2d. That the present comptroller of the treasury has been guilty of culpable disregard of law and neglect of duty, in settling and certifying to the register the quarterly accounts of Samuel Swartwout, collector, without having transmitted to him the vouchers therefor required by positive injunction of law.

3d. That said comptroller is also guilty of culpable disregard of law and neglect of duty: first, in not having sought and ascertained from the "invoices and appraisements" at the custom house at New York, either through the solicitor of the treasury or otherwise, the true amount of Swartwout's claim upon the \$201,000 retained by him on going out of office, as suggested in the letter of the district attorney that was before him, dated April 25, 1833; secondly, in not causing the accounts of said Swartwout to be forthwith stated, or instituting

measures therefor immediately on the neglect of said Swartwout to return and settle his accounts at the expiration of the time allowed him by law for that purpose, to wit, in the early part of July, 1833; thirdly, in continuing the same neglect, and to issue warrants of distress against said Swartwout and his sureties, from the 31st of August, 1833, which it appeared by the letter of the first auditor that said accounts still remained unsettled, until the month of November, when the detection of Swartwout's larger defalcations was communicated from New York.

4th. That the administration of said office is marked with such signal inefficiency, as well as neglect of duty, as to render nugatory many of the most important checks upon the first auditor, and collectors, receivers and disbursers of the public money, which the laws creating and regulating its duties contemplated, and have sufficiently provided.

5th. That, in said disregard of law and neglect of duty by the said comptroller, and inefficiency of the office as now administered, it is to be found a primary cause of the immense defalcations of the late collector at the port of New York, and consequent loss of the public money.

CAUSE 5. The discontinuance of the use of banks as depositories of the public moneys, and permitting the same to accumulate in the hands of Mr. Swartwout.

By the deposit act of 1836, as construed by the frequent practice of the secretary of the treasury, the secretary has been at no time precluded from the use of banks as special depositories of the public money, in preference to allowing the same to accumulate in the hands of the collector.

For instance, as appears by the testimony of the cashiers of the bank of America and of the Manhattan company, each of those banks was used as a special depository of the government for large sums during the period of their suspensions of specie payments. All banks might have been, in like manner, so used.

It appears, further, from the testimony of Mr. Woodbury, answer 38, that, during the suspension of specie payments, circulars were issued, "in substance," that, where no general deposit banks remained, that could be legally employed as such, the collecting officers might place the surplus of their funds, if increasing beyond certain specified amounts, not exceeding their official bonds, in some safe bank, in specie, to be drawn out again only on drafts of the treasury, placed on the collectors and receivers and payable to the bank.

Had the secretary of the treasury, instead of discontinuing the use of banks, and leaving it discretionary with the collector to deposit, or not, specially in bank, made it imperative on collectors and receivers thus to have used banks, the evidence, weekly, of the collectors' deposits in bank would have accompanied the collector's own return of the fact that the money was on hand, and had not been used. When, however, this species of check upon the collector was abandoned, the return of the collector alone was necessarily relied on; and, although it did state truly the amount of money collected, it would fail to be evidence of satisfactory character that it had not been diverted from public to private uses by the collector. The following testimony illustrates the evident loss of a portion of the public money to the government in the case of Mr. Swartwout, from the deception he was enabled to practise from week to week respecting the money actually on hand, by means of the power he had of retaining it in his own personal control, instead of depositing it in bank.

Mr. Fleming, auditor of customs, examined by Mr. Smith.

Question 111. Did you make out the weekly cash return of Mr. Swartwout to the secretary of the treasury, bringing the account up to March 28, 1838, as found in house document 13, p. 11, and showing a balance of money due on cash account of \$201,000.40? Was said balance the true result and state of that branch of Mr. Swartwout's accounts? and did he, in truth, have on hand, within your knowledge, any such amount of money at the time said account was rendered?

Answer. The said weekly cash return was made out by me. The balance of \$201,096.40 was the true result and state of that account, provided the cash book from which the data were derived was correct. Whether Mr. Swartwout had on hand that amount of money at the time the account was rendered, I am unable to state, having no knowledge of that portion of his business.

Question 112. Previous to the discontinuance of banks as general depositories of the government by the treasury department, were, or were not, certificates of the cashiers of the banks used as depositories required by the treasury department to

accompany the weekly cash accounts rendered by Mr. Swartwout to said department, and as vouchers of the account, and that the moneys was, in fact, on hand? Since such discontinuance of the use of banks as depositories by the treasury department, has any species of voucher required to be furnished in connexion with the weekly returns of the collector, to prove that the money reported to be on hand was so in fact?

Answer. Previous to the discontinuance of banks by the treasury department, certificates from them were required to accompany the weekly returns, as vouchers for the transfer, and that the money was in bank.

Since such discontinuance, I know of no species of voucher required by the treasury department to be furnished in connexion with the weekly returns, to denote that the balance of money reported was, in fact, on hand.

It is, then, apparent that, had the depositing system of banks been continued, Mr. Swartwout could not have had money, beyond the collections of a single week, exceeding the current expuses of his office, to have retained on going out of office; and the evidence of his not having diverted any previous to that time, and that all previous collections were in bank, would have been regularly derived from the banks, as well as in Mr. Swartwout's official returns.

CAUSE 6. The negligence and failure of the secretary of the treasury to discharge his duty, as the head of the treasury department, charged by law with the superintendence of the collection of the revenue.

By the act of September 2, 1789, section 2, it is made the duty of the secretary of the treasury to digest and prepare plans for the improvement and management of the revenue, and for the support of public credit; to prepare and report estimates of the public revenue and public expeditures; to superintend the collection of the revenue; to decide on the forms of keeping and stating accounts, and making returns, &c.

By the act of May 8, 1792, section 6, it is provided that the secretary of the treasury shall direct the superintendence of the collection of the duties on impost and tonnage, as he shall judge best; and by section 9 of the same act, that the forms of keeping and rendering all public accounts whatsoever shall be prescribed by the department of the treasury."

By virtue of section 6 of the above recited act, it appears, in the following extract of a circular of the secretary, that from thenceforward the duties originally confided to the secretary were in part assigned to the comptroller, to wit:

"Circular to the collectors of the customs.

"Treasury department, October 23, 1792.

"Sir: Pursuant to the discretion vested in me by the 6th section of the act entitled 'an act making alterations in the treasury and war departments,' I have concluded to commit the immediate superintendence of the collection of the duties of imports and tonnage to the comptroller of the treasury.

"You will, therefore, henceforth correspond with that officer relatively to all matters arising out of the laws which respect the laying or collecting of those duties; and you will consider his communications and instructions, in regard to such matters, as of the same force and validity which they would have if coming from me.

"This, however, is not to be understood to comprehend the disposition and payment of the moneys accruing from those duties, which, as heretofore, will be under my immediate direction.

"Accordingly, all the returns and documents which you have been accustomed to transmit to the secretary of the treasury are hereafter to be transmitted to the comptroller, except the following: 1. Weekly return of moneys received and paid; 2. Monthly schedule of bonds; 3. Monthly abstract of bonds unpaid; 4. Paid drafts, and receipts for moneys paid to banks; and otherwise, under special directions from me."

Through all periods since 1792, as well as before, and from the first organization of the treasury department under the act of 1789, the weekly and monthly returns of collectors, expressly reserved to the secretary in the above circular, have been required to be made to the secretary, and have been so made.

Whatever may be the construction of modern days, of the use or utility of these returns to the secretary, it is, beyond dispute, an established fact, that they originated in the wise purpose of placing that officer in possession of a ready and constant check, and independent of all other departments, upon all officers employed to receive public moneys; and, also, upon the treasurer having the moneys in keeping after the same have been paid over by the former.

For a correct exponent of the purposes of these weekly and monthly returns, nearly concurrent with their origin, the committee have reverted to a report made to the house of representatives in January, 1831, by a committee appointed to inquire into the condition of the treasury department, and in which it is said "the actual amount of moneys in the custody of the treasurer may be at any time ascertained, independently of his own returns, by the statements which are constantly made and transmitted to the secretary by those who collect and receive public moneys into their custody in the different parts of the union."

The importance in which these returns were held in other days by the heads of the treasury department, may also be seen in the constant repetition of circulars issued to collectors and receivers of public money, enjoining particularly and punctuality in the transmission of them. The following may be taken as an example of the estimation of them that has prevailed from the days of Jefferson downward:

CIRCULAR.

Treasury department, August 20, 1801.

Sir: At the same time that the punctuality manifested by the greater number of the collectors is acknowledged with real satisfaction, the remissness discovered in others renders it incumbent on me to impress on the minds of all, the absolute necessity of conforming to those regulations which have been heretofore prescribed, either by law or by this department. Of those, a punctual transmission of accounts to the comptroller of the treasury for settlement, pursuant to the twenty-first section of the collection law, is deemed to be of the first importance; and the president has accordingly directed me to say, that a rigid adherence to the regulation of rendering each quarterly account, previously to the expiration of the next ensuing quarter, shall hereafter be considered as indispensably necessary.

The documents to be forwarded to this office particularly, and which you are requested to render with punctuality, are as follows:

A weekly return of moneys received and paid by you. On this it is necessary, on account of the forms observed by some of the collectors, to request: 1st. That the return should be made regularly the last day of the week, and should include only the whole of the receipts and payments for the entire week, the said last day included. 2. That it should regularly be transmitted by the mail next ensuing the day on which it is stated. 3d. That the moneys received for bonds paid on the week when they became due, for bonds paid after having been put in suit, for duties on merchandise paid at the time of importation, and for duties on tonnage, should respectively be distinguished from each other, and also from moneys received on any other account. 4th. That the payments made in the treasury, the payments for debentures falling due on the same days with the duties on the same parcel of merchandise, for debentures issued for drawback of duties already paid, for bounties on pickled fish and salted provisions, for drawback on the exportation of domestic distilled spirits, for allowances to fisheries, and for expenses attending the collection of the revenue, should also be respectively distinguished from each other, and from payments made on any other account. 5th. That the day on which payments are made in the treasury, either by remittances, payments of drafts, or payments in bank, should be respectively specified. 6th. That the moneys received from seamen as hospital money, or in the care of agents disbursed for the assistance of seamen, should not be included in the return. But the specifications here mentioned must not be construed to prevent or exclude any other more detailed return which may have heretofore been adopted by the collector.

A weekly return of debentures issued during the week for drawbacks, and of such entries made during the same week as will hereafter entitle the person making the same to either a drawback, bounty, or allowance for fisheries.

A weekly abstract of bonds put in suit during the week designating those paid, and not so during the week, at the end of the abstract the bonds put in suit at any time previous to the week to which the abstract refers, and which may have been paid during the said week.

A monthly schedule of liquidated bonds, and a quarterly return of the moneys received and paid by you on account of the marine hospital.

It is to be understood, however, that this letter is not intended to forbid the transmission of any other accounts or documents in pursuance of former instructions from this department, and particularly of those usually transmitted to the comptroller and to the register of the treasury.

It may be proper here to remind those collectors who pay into banks, that the public moneys ought

not to be permitted to accumulate in their hands, and that those whose local situation renders it practicable should, at the end of every week, pay in the whole amount of the balance of the week, excepting only such sums as may be absolutely necessary to face the current disbursements of the ensuing week. It is, indeed, very seldom necessary to retain any money for that purpose, as the receipts of each week almost universally exceed the disbursements thereof; and the amount payable during the course of each may be always previously ascertained with great precision, except in relation to bounties; the payment of which depends, it is true, on a contingency, but the amount of which never can make any material difference in the estimate. The same principle should, as far as practicable, regulate the payments of those collectors who live at a distance from the bank in which they are directed to pay the amount of their receipts.

From the best view I have been able to take of the subject, it is my opinion that nothing is here requested from you which is not essentially necessary either for the security of the revenue, or for furnishing this department with important information; that nothing is requested which is not in your power to perform. Should you, however, apprehend any real and considerable difficulty in a strict compliance with every part of what is prescribed, your objections will be weighed with candor, and reasonable alterations introduced, so far as they may not derange the general system adopted, keeping this department constantly and regularly acquainted with every transaction which relates to the revenue.

Not doubting that your inclination will therein coincide with my own. I take this opportunity to invite you to communicate, from time to time, whatever your observations and experience may suggest, in relation to any defects, improvements, or evasions of the revenue laws. The effect of the present rate of duty on the importations and consumption of the several species of merchandise, as they may affect either revenue or commerce, and the efficacy of the present laws and establishments towards preventing frauds, equally injurious to the public and to the fair trader, are objects of primary importance, and on which your communications will be particularly acceptable.

I have the honor to be, with consideration, sir, your obedient servant.

ALBERT GALLATIN.

Benjamin Lincoln, esq., collector, Boston.

"Every transaction," which related to the revenue was thereby constantly brought to the acquaintance of the secretary's department.

With a view to render these returns still more available in their important uses, by the secretary, as well as in a better state of preservation, they were, until lately, made a component part of the records of his department. All the cash transactions of the weekly returns were carefully selected, and condensed into a record divided into columns, and the character of which will be fully understood by the following examination of Mr. Young, chief clerk, at the present time, in the secretary's department.

Mr. Young examined by Mr. Curtis.

Question 4. You have, at my request, produced to the committee a large folio, having the inscription upon the back of it "weekly returns of receipts and payments of the collectors of the customs," 1831, 1832; treasury department. Is that book from the office of the secretary of the treasury? From what data is that book made up? When was the practice of making entries in that book discontinued? Will you please annex to your answer a portion of the last page written in that book, under the head of "New York, Samuel Swartwout," with copies of the last two entries, to show the character of the book?

Answer. The book referred to is from the office of the secretary of the treasury. It is made up from the returns made to him by collectors, of their receipts and expenditures. The entries therein, as I have understood from the clerk, who had charge of it, were discontinued in 1831.

The annexed paper, marked M. Y. No. 1, is a copy of part of the two last entries in the last page of this book, under the head of New York.

M. Y. No. 1.

1831—NEW YORK. SAMUEL SWARTWOUT.
Date of return Oct. 5, Oct. 15.
Bonds 235,843 25 199,789 59
Bonds in suit
Merchandise 18,240 95 28,801 22
Tonnage
Hospital 240 00 315 00
Sundries
Gross receipts 254,330 20 228,905 31
Disbursements 65,313 87 40,905 24

Nett receipts	188,516 33	188,000 57
Bounties	20 80	
Debentures	35,344 50	26,535 55
Repayments		
Hospital	3,519 64	
Collections	26,928 93	14,369 69
Payments	215,253 74	188,000 00
Advances		
Balances		

When received October 12. October 19.

It will be perceived that the same testimony indicates that, since 1831, this species of important record has, from some cause, fallen into disuse in the secretary's department. And with the record, the elements of it appear also to have shared nearly the same fate, until "recent events" have roused them to a different destination. The following testimony of the same witness illustrates this fact:

Examined by Mr. Curtis.
 Question 5. Since the practice of making entries in the book of weekly returns of collectors has fallen into disuse, what disposition has been made of the original "weekly returns?" Have they been carefully preserved and bound together in books? Have they not, until the recent defalcation of Mr. Swartwout, been thrown aside as of no value; and has not search for their been lately made, and have they all been found?

Answer. Since the entries were discontinued in the book mentioned, the returns, after they were received, were referred to a clerk to be examined and filed. It was the duty of this clerk, if he should see any thing suspicious on the face of the return, to report it to the secretary or myself. After an accumulation of them for one or two years, they were removed from the files and put in a room where papers were placed, to which, it was supposed, no reference would be required. These returns have, as I believe, never been bound together since the burning of the treasury building, in 1833. I never considered them as of no value, but of very little consequence; yet, as they were of a character that, possibly, reference to them might be necessary, they were placed aside as stated.

In answering this interrogatory, the period embraced in my answer extends only as far back as September, 1833, when I first entered the department. The returns are now being arranged, and there are some yet missing; but all the bundles have not yet been examined.

As a part of the same system of securing to the secretary an independent superintendance of every transaction which relates to the revenue," instituted immediately upon the enactment of the law organizing the treasury department, another record, deduced from the monthly returns of collectors, has been kept in his department. The following examination of a clerk in the secretary's office will explain this in full:

Charles Dummer examined by Mr. Curtis.
 Question 1. Are you a clerk in the office of the secretary of the treasury, and when did you enter upon your duties as such clerk?

Answer. I am a clerk in the office of the secretary of the treasury, and entered upon my duties on the 7th January, 1837, as I now recollect.

Question 2. Is it a part of your duty as such clerk to take charge of a folio, denominated, by the gilt letters on the back of it, "custom house bonds?"

Answer. When I took charge of the duties which had been performed by Mr. Anthony, I found the entry from returns of bonds taken and liquidated by collectors among the duties which were attached to his desk; and I have, since I was appointed to the situation he held, entered such returns, as I received them, in the book marked "custom house bonds," and consider it a part of my duty; and it is the book I now have before the committee.

Question 3. By way of showing the nature of the book, and that there are two subdivisions, the one under the head of "general account of bonds taken and liquidated for duties on merchandise at the several custom houses," and the other, "account of bonds taken for duties on merchandise which fall due in the month of —, 183?" will you give copies of two pages of that book?

Answer. A gentleman of the committee, whom I afterwards understood to be Mr. Curtis, requested me, when I was first cited before them with the book marked "custom house bonds," to make a copy of two respective pages from said book; which I have done, and present them as a true copy of the pages marked by said gentleman to be copied from the book. These two pages embrace a transcript of the manner in which the book is kept under the heads of "general account of bonds taken and liquidated for duties on merchandise at the several custom houses," and an "account of bonds taken for duties on merchandise which fall due in the month of —, 182."

A. General account of bonds taken and liquidated for duties on merchandise at the several custom houses.

Districts.	January, 1837.	February, 1837.	March, 1837.	April, 1837.	May, 1837.	June, 1837.
Portsmouth	.	.	.	.	\$4,683 00	\$3,097 78
Newburyport	.	.	\$639 92	\$1,641 60	2,662 66	1,545 49
Gloicester	.	\$1,261 00	.	5,477 69	.	3,952 55
Salem	\$1,882 28	452 98	3,668 10	4,659 61	15,500 58	1,315 51
Ipswich.	.	.	.	.	.	.
Marblehead.	807 30	.	.	.	2,041 15	.
Boston	175,000 00	275,000 00	195,642 50	180,000 00	200,000 00	165,000 00
Plymouth, Mass.	none.	none.	none.	none.	none.	423 85
Barnstable.	.	.	.	.	.	.
Nantucket.	.	.	.	.	.	.
New Bedford	3,344 50	.	8,316 06	.	.	.
Dighton	.	.	2,839 90	none.	.	12,111 10
Yok.	none.	none.	none.	.	none.	none.
Saco.	.	.	.	.	.	.
Portland	1,343 95	7,454 21	13,701 12	17,856 91	.	25,455 97
Edgartown.	.	.	.	.	.	.
Bath	.	.	.	.	1,525 68	552 63
Wiscasset.	.	.	.	.	.	.
Penobscot	.	.	1,732 03	.	.	.
Belfast	.	.	.	.	535 76	597 57
Frenchman's Bay.	.	.	.	.	.	.
Maclias.	.	.	.	.	.	.
Passamaquoddy	.	.	.	511 92	1,192 61	none.
Waldoborough.	.	.	.	.	.	.
Kennebunk	.	.	.	.	784 67	3,226 95
Newport	.	.	.	3,751 62	2,437 48	1,379 68
Bristol	3,388 20	11,583 97	.	1,249 80	8,094 93	10,355 90
Providence	10,764 84	3,203 49	.	.	11,203 44	3,133 10
New London.	.	.	.	.	.	.
New Haven	501 56	none.	none.	12,581 06	14,363 72	9,621 47
Fairfield.	.	.	.	.	.	.
Middletown	.	.	438 18	5,026 08	1,127 12	2,305 64
Vermont	.	.	.	.	.	2,004 13
Sag Harbor.	.	.	.	.	.	.
New York	902,044 06	986,666 20	1,306,746 95	994,340 10	729,328 11	682,735 26
Champlain.	.	.	.	.	.	.
Cape Vincent.	.	.	.	.	.	.
Perth Amboy.	.	.	.	.	.	.
Great Egg Harbor	none.	none.	none.	none.	none.	none.
Little Egg Harbor.	.	.	.	.	.	none.
Newark, N. Jersey	.	.	.	.	.	664 05

B. Account of bonds taken for duties on merchandise which fall due in January, 1837.

Districts.	January, 1836.	March, 1836.	April, 1836.	May, 1836.	July, 1836.	October, 1836.
Portsmouth
Newburyport	\$1,709 27	\$1,379 42
Gloicester	1,787 00	.
Salem	2,173 00	14,321 00
Ipswich.
Marblehead.
Boston	200,000 00	137,500 00
Plymouth, Mass.	105 07
Barnstable.
Nantucket.
New Bedford	1,905 00	4,706 37
Dighton	1,845 00	1,348 56
Yok.
Saco.
Portland	5,213 38	1,984 47
Edgartown.
Bath	1,094 39
Wiscasset.
Penobscot.
Belfast.
Frenchman's Bay.
Maclias.
Passamaquoddy	4,025 12	160 44
Waldoborough.
Kennebunk.
Newport.
Bristol	1,276 00	1,180 01
Providence	2,582 54	2,573 28
New London.
New Haven	7,165 00	.
Fairfield.
Middletown	2,091 52	.
Vermont.
Sag Harbor.
New York	Aug. \$35,089 30	Nov. \$28,493 84	.	.	428,981 08	352,161 04
Champlain.
Cape Vincent.
Perth Amboy.
Great Egg Harbor.
Little Egg harbor.
Newark, N. J.	432 47	162 94
	35,089 30	28,493 84	.	.	661,188 33	518,677 20

CHRONICLE.

Value of real estate. There was a sale of ten lots in this city yesterday, in action in the square on which the bank stands. The lots were about twenty-two feet front on Maine street. The highest brought five hundred dollars per foot, the lowest three hundred and forty dollars. [St. Louis Rep.]

Bonds and mortgages. The old Globe insurance company, at the time of the great fire in December, 1835, had in its possession bonds and mortgages to the amount of more than a million of dollars. Nothing could show more satisfactorily the safety of such investments, judiciously made, than the fact that every dollar of the aforesaid \$1,000,000 and upwards has been realized by the company—principal, interest and costs. The company has thus been enabled to pay the assured \$71 65 on every \$100 lost. Its affairs are now completely wound up and settled.

A new company has, however, been formed, with the same name, and we believe under the same charter essentially—capital \$500,000. It will go into operation immediately. [Gilbert Allen, esq. president.]

[N. Y. Jour. Com.]

Steam. If the wild tribes of Lake Huron were to be told that the white man's recipe for conquering the waves of the great lake before them was to use up a very small portion of the fuel of six or seven years ago Dr. Johnson had been told as exhausted by a hard day's literary labor, he satrinating at his fire side waiting for his favorite beverage that the tiny volume of white smoke he was lessingly gazing at, as it issued from the spout of his black iron tea-kettle, was a power competent to rebuke the waves, and to set the tornado at defiance—the children of nature would listen to the intelligence with no greater astonishment than our venerable lexicographer would have received it.

[London Quarterly.]

Great Mobile. A destructive fire occurred at Mobile on the 31st March, which destroyed a large cotton warehouse, and several other buildings. About 1,000 bales of cotton were burnt, valued at \$75,000, on which there was insurance of \$50,000, and 320 bales of sugar, valued to the full value. The total loss is set down at \$150,000. The fire was caused by an incendiary.

The silk culture in Connecticut. A silk convention was held at Hartford, Connecticut, April 3d. F. S. Constock, esq. of Wethersfield, president. It was resolved to form a state silk society, to solicit the legislature to protect mulberry trees from depredation, to publish an address to the citizens of Connecticut on the importance of the silk culture, to give attention to the raising of worms and manufacture of silk, as well as the culture of trees, to form county auxiliary societies, and institute premiums, &c. Many specimens of silk were presented, interesting addresses made, committees appointed to examine machinery, &c. After which the convention adjourned to meet at the same place the 2d Tuesday of May.

Connecticut (and especially Hartford), has been foremost in this great enterprise, now become national—nor does she intend to abandon it.

The Alexandria Gazette says that at the last term of the criminal court for that county, in the case of the United States vs. R. B. Randolph for an assault and battery on Andrew Jackson, late president of the United States, a *nolle prosequi* was entered by the district attorney, with the assent of the court.

The Philadelphia papers state that the companies engaged in transporting merchandise to the west have agreed to reduce the rates of freight to the following prices:

Dry goods, &c.	\$2 25 per cwt.
Hardware,	2 00 "
Groceries,	1 50 "

The portable car body line of Messrs. O'Connor & Co. which went into operation last week, has opened the intercourse between Baltimore and the west by way of the Pennsylvania improvements; and when the tide water canal is opened, and the Susquehanna rail road extended to Wrightsville, both of which objects are now secured by the grants just made by Maryland, Baltimore will also have her transporting companies, and enjoy all the benefits to her trade connected with this operation. [Balt. American.]

More troops. The steamboat Ozark arrived here on Wednesday last from New Orleans with one hundred United States troops for Fort Gibson, under the command of captain Hart, of the U. S. Army.

The steamer Little Rock arrived on Thursday last with about the same number. She left on Friday for Fort Gibson. [Little Rock, Ark., March 25th.]

The Pittsburg papers state that the first iron steamboat in this country, of American iron is now building at the Washington works in that city, by Robinson & Mans. Her keel is 140 feet, deck 172 feet, 25 feet beam, and 6 feet hold; she is to measure over 230 tons, and will be finished by the 4th of July next.

The St. Petersburg papers state, that the population of the Russian empire at the end of 1835, since which time it appears no authentic account of it has been published, consisted of 53,123,353 persons, viz: 23,206,332 males, and 30,137,332 females. If this account be correct, and the circumstance of the females so much exceeding the males, is, we believe a solitary example in the world. Out of the above total number, the population of Poland amounted to 4,133,222; of Finland to 1,372,122; of the Trans Caucasian provinces to 1,373,316; and of the American possessions to 61,053.

Some modifications in the armament of the navy have recently been made by the admiral, whereby a proportion of bomb cannon is given to each vessel, as low down as the 23 gun frigates. The weight of metal in a broadside of a ship of 120 guns is now 2,023 lbs. The guns of the new patterns are ultimately to supercede the bored guns of the Congreve and Bloomfield patterns, but as there are a great many of these patterns to store, they are to be used as long as they last. The Congreve 24 pounder thus bored out is 7 1/2 feet long and 40 cwt; the Bloomfield 7 1/2 feet, 24 pounder is 41 cwt; and there is a Bloomfield 24 pounder of 8 feet, which has been bored out to the calibre of 32 pounds. There are also some 24 pounders of common pattern, of 7 and 9 feet length, of 43 cwt. and 50 cwt. respectively, which have been enlarged to the calibre of 32.

We extract the following from the Northern Bee of Saint Petersburg: "The average consumption of wood at this city is 150,000 cu of sleep 45,000; of calves 23,000; of pigs 20,000; of poultry 65,000, and of game 93,000. During last 10,000 cart loads of fish are consumed; and brandy to the value of 700,000 fr. and the favorite drink of the Russian peasantry, spirits distilled from grain, to 1,000,000 fr. During 1835, although the water was not severe, the consumption of fuel was 523,240 reves of wood, and 30,000 loads of charcoal. During the year no extensive robberies occurred; petty thefts amounted to 8,248 and of these the value of the property stolen in 6,000 cases did not exceed 100 fr. each.

Extraordinary performance. A locomotive, built by M. W. Baldwin, esq. of Philadelphia, drew a train of 45 cars freighted with 150 tons of nails and hoop iron staves, including an engine, and a load of 1,000 lbs. at a gross weight of 223 tons, from Reading to Bridgeport, at an average speed of 12 1/2 miles per hour. The quantity of wood consumed was 1 2-sins cords, which, allowing 2,000 pounds to the cord, is 2,600 lbs. or 11 lbs. 10 oz. per ton for the 40 miles, or 4 2/3 oz. per ton per mile.

[Pittsburg Advocate.]

The number of students at the university of Vienna for the present winter half-year is 2,620, of whom 232 study the law, 177 philosophy, 683 jurisprudence, the medicine and 466 surgery. The three colleges of the faculty are frequented by 1,634 pupils.

Death of Benjamin Pierce. The Nashua Gazette announces the death of an hon. Benjamin Pierce, a soldier of the revolution, and formerly the governor of New Hampshire.

Some idea may be formed of the taste for operatic entertainments in Paris, by the announcement of *Robert le Diable* for the one hundred and seventy-seventh time—no wonder when the orchestra is composed of one hundred and twenty finished solo players, and every thing else belonging to the establishment on a doubly great and perfect scale. [Nat. Gaz.]

Virginia banks. An act has recently passed the legislature of Virginia, which allows the banks of that state to increase their capital, and relieves them from the penalties incurred by the late suspension of specie payments. The bank of Virginia is allowed to increase its capital \$600,000, and the Farmers' bank of Virginia \$735,000, a portion of which is to augment the capital of the bank of the state. The latter is authorized to increase its capital \$150,000. The Exchange bank is authorized to increase its capital \$200,000, provided a branch is established at Falmouth.

The Eastern rail road company (from Boston to Salem) has declared a dividend of five per cent., being the profits of the first seven months since the opening of this road.

Large cargoes. The Natchez Free Trader of the 30th ult. publishes the following:

"The ship Talleyrand, which cleared at this port yesterday for Liverpool, had on board two thousand one hundred and sixty bags of cotton weighing eight hundred and eighty-one thousand and six hundred pounds—the largest cargo ever taken from Natchez. The cotton is valued at one million two hundred and ninety-six thousand dollars, and the freight amounts to fourteen thousand nine hundred and sixty dollars.

"The ship *St. Charles*, which started for New York, Franklin, which left port on the 25th instant, and on board one thousand eight hundred and eighty-six bales of cotton, weighing seven hundred and ninety-nine thousand nine hundred and ninety-one pounds, and worth one million one hundred and eleven thousand nine hundred and ninety-eight dollars.

The ship *Lelia* sunk off Tanner's creek, a few days since. She was a new ship and belonged to Alexander Brown and Sons, of Baltimore. Her cargo was estimated at from five to seven hundred thousand dollars, consisting principally of dry goods and hardware. Nearly all was insured.

Extraordinary recital. The overland route from Europe to India, requires a line of native Hindostan or *estafettes*, between Calcutta and Bombay. They go with the fleetness of the antelope through morass and mountain, ravine and jungle. But the number is almost limited by the smallness of the animals, and the encounter, and who, singling out his victim, seizes and devours him, while the rest of the party continue in Indian life to pursue their route, looking to this event as one to be expected in so serious an expedition. Frequently the leather bag containing the letters has been sent after and obtained, when a courier has been missing from the cause above stated.

Western rivers. The Pittsburg Advocate of Saturday, the 20th ult. says that the creaser in the Ohio for some days past, had been warm and dry, and delightful for every kind of business; but it was affecting the rivers. There was yet, however, 6 3/4 feet in the channel, and no danger of scarcity for some weeks yet. The steamboat business was still very active.

The steamboat *Kio* arrived at St. Louis on the 29th ult. from Orleans, and reports the Upper Mississippi low, only two feet and a half water on the Rapids.

Wabash river. The Disseminator, published at New Harmony, Ia., of the 23th of March, says the "Wabash river is nearly bankfull. Since our last, the steamboat *Rover* has passed down, and the *Jim Brown*, *Shylock*, *Native*, *Rover* and *Tide*, arrived and gone up the river. Hitherto but a few trading boats have gone down the river. We expect the present high water will bring whole fleets of them in a few days."

The past winter. An observing correspondent of the Boston Centinel says: "During the winter past, snow in small quantities has fallen on 18 different days, amounting in the whole to about two feet, less, probably, than was ever known to fall here in any winter before. In 1822 and '23, the quantity was judged to be 93 inches.

Relict of barbarism. The Quebec Gazette of the 1st April, chronicles the sentences passed at the criminal court of that city, on King's bench. Seven persons were sentenced to *burnt at the head*, and to undergo different terms of imprisonment. Of the seven, three were convicted on two indictments against each, and severally sentenced to be *twice burnt* on the hand.

Idleness of fashionable life. Obligated to pay attention to every foolish thing uttered and to all the idle compliments, paid and constantly to keep my mind on the rack, that I may not fall to introduce in my turn my jest or my tale. And this is called idleness! 'Tis the labor of a galley.

Tolerant! The Philadelphia U. S. Gazette of Tuesday, the following:

The New York papers of yesterday say:—"The Jews Synagogue at Philadelphia, was destroyed by fire on Saturday."

"Not all—not all. On Sunday morning the burning of some rubbish under the stairs in an old building, one floor of which is occupied by a Hebrew congregation, caused a monstrous snoker, but nothing more; and we hope for many years yet to hear our elder brethren on Friday evening raise their anthem in our neighborhood, unless they can find a better house—and on Wednesday to listen to the more modern strains of a Baptist society in the same house.

Launch. The United States sloop of war *Deatur*, of sixteen guns was launched in fine style at the navy yard, Brooklyn, last evening, at five o'clock. She edged gracefully into her destined element, and was greeted with a salute from the guns of the frigate *Hudson*, and "Hail Columbia" from her band. We rejoice to see the name of a man so justly dear to our country and navy, thus renewed in one of our noble ships of war. [New York American.]

The legislature of Massachusetts have passed an act which contains the following provisions:

Sec. 2. Whenever any property of the value of fifty dollars or more shall be destroyed, or be injured to that amount, by any persons to the number of twelve or more riotously, or tumultuously assembled, the city or town within which said property was situated shall be liable to indemnify the owner thereof to the amount of three fourths of the value of the property so destroyed, or the amount of such injury thereto, to be recovered in an action of the case, in any court proper to try the same: *Provided*, The owner of such property shall use all reasonable diligence to prevent its destruction or injury by such unlawful assembly, and to procure the conviction of the offenders.

Sec. 3. Any city or town which shall pay any sum under the provision of the proceedings section may recover the same against any or all of the persons who shall have destroyed or injured such property.

The U. S. frigate *Macedonian*, and sloop of war *Erie*, sailed from Pensacola on the 31st ult. for Tampico and Vera Cruz.

Buried alive. *New Orleans, April 5.* Yesterday, immediately after the remains of lieutenant Garnier were interred, the discourse of the numerous persons who had assembled to witness the ceremony, were preparing to return to their homes, their attention was attracted by the noise or groans of some person in distress, which appeared to come from a coffin that had just been deposited in the earth. It was immediately opened, and a young man, who had contained the body of a negro woman, who had fallen from a fall into a lethargic sleep and considered dead, but was awakened by the entrance of water into the coffin. She was taken out and brought to the city in fine spirits; and there is now every prospect of her recovery.

[Louisianian.]

The new capital, or state house of North Carolina, at Raleigh, is described in the Raleigh Star as a superb building, of 160 feet high, 30 feet in height, built of granite, and surrounded with 30 feet of the same material, 5 1/2 feet in diameter, and 30 feet in height. The model is the classic Parthenon at Athens. There is a splendid dome and a great number of spacious apartments, besides the twogigleisive halls. Cost \$500,000.

NILES' NATIONAL REGISTER.

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[Vol. LVI.—WHOLE No. 1,438

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE

The news by the *Great Western*, published in the present sheet, is quite pacific, and, with the improvement in the cotton market, has infused great spirit into the business of the Atlantic cities, and especially in the money market—which was much cramped by the impression that the boundary question might provoke a war. But it is evident that the public sentiment and the public policy of Great Britain are opposed to any belligerent movements—and that, discarding all considerations of its effects upon the trade of the country and the interests of individuals who own our stocks, the government will have enough to do to preserve peace at home—which is seriously menaced by the chartists and other disaffected persons in many sections of the kingdom.

A SPECIAL MESSENGER. It is stated in the *New York papers* that Mr. Kaye, who arrived in the *Great Western*, is bearer of despatches to the British minister in this city, and that they contain instructions to treat about the boundary question.

The *New York Commercial Advertiser* of Wednesday says: "We are enabled to state, on what we believe to be good authority, that such instructions have been transmitted to her Britannic majesty's minister at Washington, by the *Great Western*, as will obviate the necessity of sending a special minister to London. The seat of negotiations for the final adjustment of the boundary question is transferred from London to Washington; and these negotiations will be pressed to a definitive conclusion."

DEATH OF SENATOR TIPTON. By the *Logansport Herald*, Extra, of April 6th, we have news of the decease of general JOHN TIPTON, late a senator of the United States, from the state of Indiana. At the moment of apparent good health, he was attacked, on the night of the 4th instant, with what was called an apoplexy of the lungs, of which he expired on the afternoon of the day following.

General Tipton was a native of Tennessee, aged about 55, and had during his life rendered valuable service in different public stations.

ELECTIONS. The following is a correct statement of the votes given on the fourth trial to elect a member in the fourth congressional district of Massachusetts.

Parmenter,	4,972
Brooks,	4,433
Scattering,	511
Total,	9,916
Necessary for a choice,	4,959
	4,972

Parmenter's majority, 13
 Official canvass for mayor of *New York*.

	Clark.	Varien.	Scat.	Whole no. votes.
1st Ward 1,146	470	3	1,619	
21	795	335	0	1,130
31	1,176	565	2	1,743
4th	1,160	1,182	2	2,344
5th	1,356	1,233	4	2,593
6th	1,062	1,233	—	2,295
7th	1,774	1,825	—	3,599
8th	2,130	2,237	—	4,367
9th	1,853	1,929	2	3,284
10th	1,175	1,699	6	2,870
11th	633	1,629	2	2,262
12th	283	535	—	817
13th	933	1,391	3	2,327
14th	1,321	1,509	2	2,832
15th	1,343	554	2	1,934
16th	1,124	1,135	8	2,267
17th	1,184	1,451	—	2,665
	20,005	21,072	36	41,113

Maj. for Varien 1,067

CANADA FRONTIER, &c. The *Franklin, St. Albans, Messenger*, gives a detailed account of several arsons committed at Highgate, Alburgh, &c. The governor has forwarded 500 stand of arms from the arsenal at Vergennes, and authorised general Nason to call out as many of his brigade as he should deem necessary for the protection of this part of the frontier. About 150 men have been drafted and put on duty.

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A public meeting of the people has been held at Highgate, for the purpose of taking into consideration the state of affairs now existing on the frontier, and expressing their sentiments in relation thereto.

Among the resolves was one, "that this meeting views with deep regret the spirit of retaliation and revenge which is manifested by our neighbors north of latitude forty-five; and also by a portion of the Canadian refugees, who have fled to this country for protection, in the inhuman and unnatural practice of making use of the torch as an arbiter to decide their difficulties."

The *Burlington Free Press* of the 12th inst. states that the burnings on that frontier have been suspended for a few days past, and the gen. Nason, who has some three or four hundred men and arms at the line, it is said, has formed a temporary treaty of amity with the Tories at Mississquoi bay— they agreeing to restrain the brigands on the other side, provided the presses are silenced on this side.

The *Sackett's Harbor Journal* states that on the 7th inst. col. A. McDowell, sheriff of Midland district, U. C. arrived on board the British steamer "Commodore Barrie," from Kingston, with 22 of the Prescott prisoners, pardoned by the lieut. governor. Colonel McDowell sent for the magistrates of the village, and stated to them that he had been requested by his excellency to inform them of what he had done for these prisoners, and that he earnestly hoped it would have a happy effect in allaying the excitement which had led to so much trouble and distress to both governments; and that if it should have such a tendency, the remaining prisoners, in due time, would receive the benefit of it. The magistrates returned an appropriate reply to colouel McDowell, and the pardoned prisoners drew up and signed a paper declarative of their sense of the kindness with which they had been treated, and of their gratitude for their release.

FROM THE DISPUTED TERRITORY AND NEW BRUNSWICK. From the *Boston Daily Advertiser and Patriot*. The *Frederickton Sentinel* of the 6th instant says, on the authority of a person from the Aroostook, that the American militia were about to commence their march homeward, leaving the land agent with a party of about 200 men behind them. Two booms had been thrown across the river, for the purpose of preventing the passage of timber in the spring; but with what effect, the *Sentinel* remarks, remains to be proved.

We learn from the same paper, that the *New Brunswick militia* and voluntarily force, were to cease to receive pay and rations on the 10th inst., with the exception of one captain, one subaltern, two sergeants and thirty rank and file, to be stationed at Woodstock; one subaltern, two sergeants and thirty rank and file at Tobique and the mouth of the Restook, and a similar detachment at St. Andrews, for the protection of the queen's stores.

The head quarters and other companies of the 36th regiment, had returned to *Frederickton*, and they had been replaced by the 69th regiment, the head quarters of which were stationed at Woodstock. These two regiments are the only royal troops which remain in *New Brunswick*. The 11th regiment under col. Goldie, which has been ordered from *Sorel* in *Canada* to *Madawaska*, together with a detachment of royal artillery, was immediately ordered back to *Quebec*, where it is expected to arrive before the breaking up of the winter roads.

The first detachment of this regiment arrived at *Quebec* on the 7th inst., and it was to be followed in a day or two by the second. This is the third time this regiment has traversed the inhospitable regions between *New Brunswick* and *Quebec*, since the commencement of the winter.

FROM FLORIDA. The *St. Augustine (Florida) News* of the 30th ult. contains the following intelligence of the army in *Florida*.

Lieut. col. Harney, 2d dragoons, sailed for military posts south, on the 27th inst. Two Indians and a negro accompanied him, as guides and interpreter.

The 4th artillery is ordered north. The topographical survey of the military district, as contemplated by gen. Taylor, is rapidly progressing. A corporal attached to the command acting

with capt. Mackey, T. C., was killed in the *Etanaya* Scrub, about a month since. The Indians escaped. Gen. Macomb has arrived at *Black Creek*. His object, it is stated, is to make a treaty with the Indians.

St. Augustine, April 4. We hear that the house of Mr. Rollins at the head of *St. Mary's* river, on the edge of the *Okefenokee*, and within about forty-five miles of *Trader's* hill, was attacked by the savages soon after the withdrawal of the militia from that district. The wife of Mr. Rollins was shot dead, and himself, made a fortunate and narrow escape.

Tallahassee, April 6. On Wednesday evening last, the dwelling of capt. James Scott, residing about two miles from *Baileys* mills in *Jefferson* county, was attacked by a party of 10 or 15 Indians. At the first fire, a Mrs. Ferrine, residing in the family was killed, a lad, nephew of col. Bailey, shot in the arm, and a negro woman dangerously wounded. Captain Scott and his overseer, Mr. Skipper, bravely defended the house, drove off the Indians, killing two of their number, and invited the remainder back by their whoops to renew the attack. They did not however return. A few such receptions as the intruders met with at capt. Scott's, would we think render them somewhat cautious in their future attacks. [Floridian.

FROM JAMAICA. Kingston papers to March 14th, like those of previous dates, give very unfavorable accounts of the working of the apprentice ship system. The *Cornwall Chronicle* contains the following rather mysterious paragraph relative to an American vessel:

"Information having been conveyed to the officers of the customs at *Luca*, that a brigantine had been seen at anchor in *Bloody bay*, (a small inlet to the windward of *Negril*), for several days, an officer was despatched on Monday to take charge of her, and she was accordingly brought into *Luca* on the following day, (Tuesday), and proved to be the brigantine *Delight*, from *New Bedford*, *United States*, out on a whaling voyage."

CHILI AND PERU. The united army of *Chili* and *Peruvians* are still in the north of *Peru*, and it is supposed would attack *Santa Cruz* in *Lima*. This capital is well supplied with flour at \$12 per barrel. So far from *Chili* abandoning the enterprise against *Santa Cruz*, a reinforcement was shortly to be sent to *Peru* of 1,500 men and 600 horses.

NOVA SCOTIA. The two branches of the *Nova Scotia* legislature are at variance. The council has refused to agree to an appropriation of £1,000 for defraying the expenses of the delegates appointed by the assembly to proceed to *England* with a representation of the grievances of the province.

THE NEWS AND THE MONEY MARKET. The *Journal of Commerce* of Monday, 2 P. M. says:

There has as yet been no decisive action in the market since the news, but of course the cotton holders feel very much refreshed, and so do holders of stocks.

The Express of Monday, 2 P. M. says: The arrival of the *Great Western* has created a good deal of sensation in *Wall street*, and indeed in all the business parts of the city. The announcement that cotton had advanced about 14 pence from the 1st to the 23d March, and that the market was in a very firm state, together with the pacific character of the *English press*, caused great relief. The general impression was that the news was favorable and calculated to have a good effect here.

The Express of a later date says: The business omens in *Europe* are to us all auspicious. Corn is falling. Cotton is rising. American stocks stand pretty firm. *Wall street* smiles once more. The people who have been scared to death, wonder what has frightened them. It is indeed a glorious reflection that two nations of brothers—who is a common tongue, remember their lineage and cling to peace with an absolute horror of war.

The *Journal of Commerce* of Tuesday, 2 P. M. in allusion to the market on that day, says: Every thing is bright, though transactions are not numerous. Flour remains quiet as last week. Corn is higher; sales a 92 a 93c. bu.; rye 106c. The

holders of cotton are firm in their demands, though there is not, so far, much buying. Money is more plenty, the banks discount more freely.

The Express of Tuesday says:

The cotton holders withdrew their lots and would not sell at Saturday's prices, not until they had time to look round. Capitalists and moneyed men felt much relieved. Stocks immediately went up from a half to 3 per cent, and there were very extensive sales made. The banks show a more speculative spirit, a greater buoyancy, and more extensive operations than we have witnessed for a long time. The effect of the news will be most beneficial, particularly to cotton buyers and cotton operators. Cotton had begun to drag. Exporters and consumers held off with an impression that holders were under such heavy acceptances, that they would be forced into market, and that a fall would be submitted to. There was also a difficulty experienced by holders in obtaining advances or raising money on cotton. That difficulty will now be removed; the rise on the other side will give confidence to capitalists, to make advances, and will induce exporters and consumers to come into market and make their purchases, as there will be no hope of any fall here. The south, however, will reap the great advantage. The great bulk of the crop in this country, as well as that which has gone forward, is for southern account. The result, therefore, will enable the south to pay their debt to the north, which will be acceptable to all.

One of the best signs in the English money market is the decline in the price of grain, and the probable diminution of any extraordinary demand upon the continent. It had been feared that very large importations would take place, and that very great amounts of bullion would be wanted in payment. This apprehension had a decided influence on the money market. The rise of breadstuffs was looked on in this country, although of partial benefit, yet as a great ease. Had the price got up very high, money would have become exceedingly scarce in England. The balance of trade would have been in favor of the continent, and gold would have been exported to a great extent; to counteract this a general contraction would have followed; a great scarcity of money would have taken place; American as well as British securities would have fallen; cotton must have declined, and the effect of this security would have been sensibly felt on this side of the water.

The change will be most favorable to all interests. Cotton has risen, and is probably destined to rise higher. The Americans being well paid for the raw material, can well afford to purchase British manufactures freely.

The great alarm that has been apprehended here has been from a fear that cotton would fall, and that confidence in American securities might be impaired. The news in relation to these two matters have been most acceptable—the one has advanced, and the other, although not so saleable, is well sustained. There is therefore no expectation that stock will come back to the United States. Those capitalists who had American securities pledged in London, will be enabled to make arrangements, so as not to be compelled to submit to a sacrifice.

Private letters state, and the newspaper accounts confirm the report, that Humphreys & Biddle have disposed of their entire stock of old cotton. The management of this house is spoken of in the highest praise: they have succeeded in holding this immense stock through a whole season of depression, and with a powerful combination against them, until at last they have closed the sales at high prices, to the great advantage of the American owners, and to the no small benefit of our common country. The affairs of the United States bank particularly, as regards its cotton operations, are spoken of in the leading money articles, greatly to the praise and commendation of Mr. Biddle.

Philadelphia stock and money market. The Herald of Wednesday says:

The transactions at the stock exchange yesterday were quite large, and in almost every instance at a fine advance on Monday's prices. This improvement was produced by the news brought by the Great Western, which is considered highly favorable to the monetary and commercial affairs of both countries, as well as to the continuance of that good feeling which has heretofore existed between them.

Money was a shade easier, but we have not yet had time to feel sensibly the effect which will be produced by the late news. If it should have the effect of restoring confidence, money will become abundant, and an advance in the price of stocks will be the natural consequence.

The following exhibit of the prices of stocks before and after the arrival of the Great Western indicates more pointedly than any other sign the general impression as to the pacific character of the advices brought by that vessel:

	Saturday.	Monday.
United States,	112½	113½
Bank of Commerce,	102	103
Delaware and Hudson,	75	79
Ohio Life and Trust,	101½	104½
Bank of Kentucky,	85½	89
Vicksburg bank,	59½	63
Merchants' Exchange Co.	70½	73½
Mohawk rail road,	62½	65
Paterson rail road,	64	66
Harlem rail road,	53½	57
New Jersey rail road,	33½	103

Dividend. The bank of New York has declared a dividend of five per cent, for the last six months, payable on the first of May.

Sales at the New York stock exchange, April 16.

16 shares U. S. bank, 113½
A great deal of activity has been manifested today in the stock market. The sales have been extensive, and at a considerable advance from previous sales.

Sales of stock at Philadelphia, April 16.

37 shares U. S. bank, 115
THE TIMES IN MISSISSIPPI. The Brandon Sentinel of the 27th ult. says—

We understand the Union bank intends to commence discounting on the first Thursday in April, and that she will issue at least three millions of post notes, and if the exigency seems to require it, the line of her discounts will be extended to two or three millions more. This course on the part of the bank, the only thing which can dissipate the clouds now hovering over our country, and it will no doubt have a very happy and healing influence. The resources of the institution are perfectly adequate to justify her in adopting this salutary course, and the fact that the faith of the state, as well as nearly all the valuable property in it, is pledged for the redemption of the notes, will we hope, prevent depreciation.

In the subject of the embarrassments existing in Mississippi, we find the following paragraph in the New Orleans Bulletin of the 6th instant:

Mississippi. Great distress is said to prevail in many counties of Mississippi. Extensive plantations are thrown out of cultivation, and lying waste for the want of hands to till them, the slaves having been seized under execution and carried off by the U. S. survey paper that comes from that quarter is filled with advertisements of negroes, lands, &c. to be sold in satisfaction of judgment. This state of things had created quite an excitement. Public meetings were about to be called, to take into consideration the distressing situation of the people. We are glad to learn, however, that a disposition everywhere prevails to respect the law. On this point the Mississippian remarks, that there is very little of the mob-law spirit in Mississippi, much as has been said abroad in relation to that subject. The people seem to be convinced that there has arrived a crisis in our affairs, when property to a certain extent must change hands—and that the sooner the change takes place the better for all parties. Such is the correct view of the subject. To attempt a resistance would be useless. It could result in no beneficial effect, and would destroy the reputation of those involved in it, as well as the character of the state. When the laws of the country cannot be executed, the credit, public faith and honor of that country are threatened with disastrous consequences. However unfortunate the present state of things may be, it becomes every good citizen not only to submit to the laws without opposition, but to lend his influence to prevent the course of justice from being impeded or thwarted.

RECIPROCAL INTERNAL IMPROVEMENTS. We are happy to learn from the following message, transmitted to-day to both houses, by governor Seward, that the legislature of Pennsylvania invite, through a highly intelligent committee, the co-operation of our legislature in an effort to connect the canals of the two states at a point which will enable us to exchange New York salt and plaster for Pennsylvania coal.

Executive chamber, Albany, April 15, 1859.
To the legislature: At the recent session of the legislature of the state of Pennsylvania a committee was appointed by the honorable the senate of that commonwealth, with instructions to consult with the constituted authorities of this state, in order to ascertain their views in relation to a connection between the north branch division of the Pennsylvania canal and the Cheango canal, or the Chemung canal, or both of these canals in this state.

The honorable Charles B. Penrose, speaker of the senate of Pennsylvania, the honorable William Purviance and the honorable E. Kingsbury, junior, constitute the committee. I have received from those gentlemen a communication announcing their arrival

in this city, and explaining the object of their attendance.

I submit this communication to the legislature, and respectfully recommend that such measures may be adopted in relation to the same as are required by a becoming county toward the enlightened and enterprising commonwealth of Pennsylvania, and toward the honorable body immediately represented by the committee, as well as by the impotence of the subject upon which they desire to consult with the constituted authorities of this state.

WILLIAM H. SEWARD.

NAVAL. Old Ironsides. The Norfolk Beacon of the 14th inst. says: "This noble and favorite ship got under way from the anchorage off the naval hospital on Wednesday morning last, at about five o'clock, and notwithstanding the wind was easterly, and she drew nearly 24 feet water, and the tide had fallen about twelve inches off Seawall point shoals, she glided gallantly along with nearly all sail set to the breeze, and at 2 P. M. the pilot left her 10 miles at sea, the wind from S. E.

Mr. Hicks, the pilot who conducted the Constitution to sea, says he never saw a ship perform more handsomely, that the wind was ahead off Old Point, and the ship had to beat out of the capes—that the officers and men were in high spirits at the ease and rapidly with which they got to sea from their anchorage off the naval hospital. Mr. Hicks left the ship ten miles out at sea on Wednesday at one o'clock. He thinks the Constitution is a fast sailer, and says she works very easily.

In the first time, we believe, that so heavy a ship as the Constitution passed directly from port to sea without a moment's delay in the road."

We learn from the Army and Navy Chronicle that a board is now setting in Washington, to devise and recommend plans and models for sea steam vessels of war, three of which were authorized to be built, or the materials procured, during the last session of congress.

The board is composed of naval and civil officers, and citizens, and is therefore a kind of mixed commission. It consists of, com. Stewart and capt. M. C. Perry, of the navy; S. Humphreys, esq. chief naval constructor, and Messrs. Hunt and Lenthall, naval constructors, Mr. Haswell, engineer of the U. S. steam ship Fulton, and William Keable, esq. one of the proprietors of the West Point foundry. The Philadelphia Times says: "The keel of a ship of war, to ratify articles of peace, is now being laid at the navy yard in that city; and that a steam ship is about to be erected in the large ship house of which the 'Pennsylvania' was once a noble tenant. A naval tender is likewise to be therein erected, though whether to be rigged sloop or brig-wire is not yet determined. Commodore Stewart will act as overseer of the whole. We congratulate our industrious mechanics, at the prospect of once more hearing the hammer of the workman within the walls of this national depot of our city."

The East India squadron, under the command of com. R. ad, arrived at Bombay, from Muscat on the 1st of November. Wilstn'r ad Muscat the *Columbia* was visited by the sultan's son, and the young prince, the lord high admiral of Arabia. At the same port, the *Columbia* lost two men by sickness, and had six men more on the sick list. It was also very sickly at Bombay. From Bombay the squadron proceeded to Colombo, Island of Ceylon, where it arrived on the 23d of November, and on the 30th an English man of war schooner, arrived from Point de Elle with a request from the American consul to the governor, Mackenzie, that an armed English vessel might be sent to the spot, not knowing that the American ships were there just in time to meet the demand. All hands immediately volunteered for the expedition, and on the 1st of December the squadron sailed for Qualla Battoo, and by this time the plunders of the Eclipse have received merited chastisement.

SOUTH AMERICA. Accounts from Buenos Ayres of the 26th of January state, that the blockade of that port was still rigorously continued by the French. No bombardment had taken place. Governor Rosas, in his opposition to the demands of France, was sustained by the unanimous approval of the legislature.

Fructoso Rivera, president of the oriental republic, had taken the field in the province of Entre Rios, against Don Manuel Oribe, the late president, who was endeavoring to raise an insurrectionary army there. The French supported Rivera.

A correspondent of the Journal of Commerce, writing from Montevideo under date 31st January, says:

You are authorized to state that the consul of the United States at Montevideo had protested against

the government of the oriental republic, for permitting the sale of property in this port, belonging to citizens of the United States, and seized illegally by the French blockading squadron, within the jurisdiction of this republic; said property having been sold at public auction without trial or condemnation, and sanctioned by said government. The consul also protested against the French for having seized the said property in the waters under the jurisdiction of a neutral power, and selling the same without trial or condemnation.

The property in question was captured by the French 14 miles to the eastward of Martin Garcia island, under the dominion of this republic, and within three miles of the Banda oriental coast.

Mexico. The following is an extract from gen. Mexico's despatch to the commander at Tampico, announcing his victory over gen. Cos:

"Liberating army! Have the pleasure to announce to your excellency, that we have just obtained a complete triumph over the division termed the vanguard of the government troops, under the command of Don Martin Cos. I will inform you of all the details of this brilliant action, as soon as I shall have gathered them. For the present, I shall only state, that after three hours hot firing, we compelled our enemies to capitulate. You will see by the act of capitulation enclosed, that the vanquished troops are to fall back upon Mexico, by regular marches, with the troops of the rear guard, who are advancing on me. I have taken 200 prisoners. One hundred and fifty of the centralists came over to our ranks at the beginning of the action. All their artillery, baggage, and 350 stands of arms fell into our hands.

"We have to deplore the loss of four officers and twelve privates. Six of the officers and twelve privates of the enemy have been killed.

"JOSE ANTONIA MEXIA."

In a letter addressed by general Mexico to the editors of the N. O. Louisianaian, he says:

"The future policy of the country is uncertain. It is true the people are with us, but they are without arms, and many of them are frightened by the French invasion. There is some probability that the negotiations at Vera Cruz are finished, and peace may be restored between Mexico and France. But although the treaty with France has left the government free to make head against us, yet we are not intimidated, and, as before, we shall do our duty. The result of the struggle is very uncertain, but my heart assures me of success. We shall see."

General Martin Perfecto Cos, who commanded the government army, fled in a shameful manner before the engagement, leaving the command in the hands of colonel Avalos, who conducted himself with great bravery.

A letter from Tampico to a merchant in New Orleans, dated on the 23d of March, says:

General Mexia is here; has well fogged the government troops, at Tuspan, and is now waiting for general Urrea, who will be here to-morrow, to concert plans for future proceedings. The French question has been settled. Bustamante has left Mexico to lead the army against this place. Gen. Arista and the government forces are in Tula, about sixty leagues from this. All may yet go well for the federal cause.

New Leon. By way of Tampico we have received the important intelligence that the state of New Leon has declared in favor of the federal system. The plan adopted at Tampico on the 16th December was proclaimed, and a provisional government established. The governor had called upon the electors to appoint municipal councils. It is probable that this declaration of New Leon will enable general Lemus to march into the interior at the head of a strong force.

Advices from Tampico to the 3d instant have reached New Orleans. It appears that the federal general Urrea was fitting out a secret expedition of 700 men, which was to sail from Tampico on the 4th, in five vessels chartered for the purpose. Conjecture (says the New Orleans Bee) was busy with the supposed object of the expedition. Some were of opinion that its operations would be directed against Matamoros; while others imagined that the federalists aimed at getting possession of the fortress of San Juan de Ulloa.

Mexico and France. New Orleans slips of the 10th and 11th instant, announce the arrival in that port of the French steam frigate *Meteore*, from Vera Cruz, which place she left on the 2d instant. She brings the interesting information of the final ratification of the treaty recently concluded between admiral Baudin and the Mexican authorities. The following "order of the day" was issued by admiral Baudin, upon receiving the intelligence of the ratification of the treaty.

ORDER OF THE DAY.

Frigate Neride, port of Vera Cruz, March 29, 1839.

The admiral announces to the crews of the squadron and to the garrison of Ulloa that he has just received from the Mexican government the ratification of the treaty of peace concluded on the 9th March, between France and Mexico.

These ratifications are such as the admiral required. The cabinet of Mexico has renounced the pretensions which it had avowed. The doubts which had been raised of its sincerity at this moment, have been dissipated.

The admiral, representing the kind and generous intentions of France, has imposed moderate conditions upon Mexico. The object of the expedition nevertheless, has been fully attained.

Mexico pays an indemnity of three millions of francs to those of our countrymen who had put in their claims before the war.

The necessary guarantee for the future security of persons and property of Frenchmen is obtained.

The amount of indemnity to those who have suffered through the law of expulsion will be fixed by arbitrators.

Our commerce in Mexico hereafter is placed on the same footing with that of the most favored nation. In consequence of the peace, the fortress of Ulloa will be restored to Mexico. This restitution will take place in the first days of next month. The squadron will then return to France, with the exception of a small number of vessels required for the station.

Seamen, artillerymen, marines! each of you, in quitting the coast of Mexico, will carry in his heart the satisfaction of having co-operated in a work useful and glorious to France. The country against which you have fought, and to which you had it in your power to do much harm, will bless your valor and your generosity. And your admiral will always be happy to bear witness to the spirit of order and subordination, to the courage and devotion which you have shown in the whole course of this expedition.

(Signed) CHARLES BAUDIN.

The following additional items are furnished by the Louisianaian:

Among the passengers on board the *Meteore* is the abbe Auduze, who has acted in the capacity of chaplain to the fleet. We understand that the worthy abbe is charged with a mission from the French government to the republic of Texas, for which country he will depart in a few days.

Intelligence from the interior of Mexico states that Santa Ana received \$200,000 from the merchants of Mexico for signing the treaty. This sum, joined with the threats of admiral Baudin to act with violence, and the declaration of the inhabitants of Vera Cruz to place themselves under the protection of France and of the federalists of Mexico, in case the treaty should not be ratified, induced Santa Ana to sign.

As we have already stated, the false Gorostiza intended a trick, and the government of Mexico sanctioned it. That minister formally declared, in a speech to the senate, that if the treaty were promptly ratified, they might afterwards allege that the word *pagar* (to pay) signified *entregar* (to deliver).

Admiral Baudin, vexed at such an impudent artifice, immediately sent an express to Mexico, to declare in plain and strong terms, that after what had passed since the treaty was signed, he considered it as null, unless the Mexican government made a protestation renouncing every sinister interpretation of the said treaty, and declaring that the treaty was made in good faith, and without any reservation, mental, verbal, or grammatical.

The answer of the government was satisfactory, and the official ratification arrived at Vera Cruz on the 25th March.

The Ontario, sloop of war, sailed from Vera Cruz to Tampico.

The brig *Consort* was to sail for the United States after the arrival of the conducta, which was expected from the interior.

Extract of a letter, dated,

Vera Cruz, April 2d, 1839.

"All the difficulties between France and Mexico have been terminated to mutual satisfaction. The conduct of admiral Baudin during the whole course of the negotiations, while advancing the interest of France, he treated the Mexican government with the utmost deference, and spared it even the shadow of any humiliation which might wound her *amour propre*.

"Vera Cruz has resumed its activity. The confidence of the inhabitants in admiral Baudin, is such, that he debates in good faith, and has made them fear for a while that, the treaty concluded by the plenipotentiaries at Vera Cruz, would not be entirely ratified, and we are all determined to hoist the French flag, and place themselves under the protection of the admiral. The ratification arrived, however, at last, on the 25th. It was full and satisfactory.

"An imposing ceremony took place on the 27th, for the funeral services of the French who had died during the expedition."

All the French in the harbor, all the Mexican authorities, among others general Gaudalope Victoria, one of the signers of the treaty, admiral Baudin, and abbe Auduze were present at the ceremony. abbe Auduze delivered a funeral discourse over the deceased, full of eloquence and beauty.

Every five minutes, until three o'clock in the afternoon, when the ceremony was finished, guns were fired on board the admiral's ship, the *Neride*, the English frigate *Madagascar*, and the American sloops of war, the *Ontario* and *Vandalia*, the *Consort* being under repairs.

SIXTEEN DAYS LATER FROM EUROPE.

The steamship *Great Western* reached New York at an early hour on Monday morning, after it will be seen by her log, a very boisterous passage. She left Bristol on her regular day, the 23d March. She brings London and Liverpool accounts to 22d March inclusive, and Bristol to the 23d inclusive.

Boundary question. The *England*, which left New York on the 2d of March, arrived at Liverpool on 19th. She carried out the president's message relative to the northeastern boundary, and the "memorandum," or temporary arrangement, concluded at Washington between the British minister and Mr. Forsyth, secretary of state. In short, at the departure of the *Great Western*, the British government and people were in possession of the worst features of the case; yet they seemed to have received it with tolerable equanimity, and to have anticipated no other than a pacific termination of the dispute. The spirit of the government is seen in the annexed paragraph from the *London Morning Chronicle*, and as for the people, we learn through a British subject who came passenger in the *Great Western*, that they manifested very little effervescence on the occasion. Even the *Times* is adverse to war, and proposes a compromise on terms which, if we understand them, Maine would probably be ready to accede to.

The *London Morning Chronicle* (government paper) of March 21st says: "The intelligence from the United States, is upon the whole, of a satisfactory character. Notwithstanding the disposition of the citizens of Maine, and the apprehensions which a portion of the American press entertains that some hasty and inconsiderate proceedings of that state may precipitate war, we are strongly disposed to confide in the central government, and without whose approbation it is scarcely possible that collision should take place. Where the disposition is so manifestly good, we are justified in anticipating a peaceful issue."

The temporary adjustment of the boundary dispute appears to have given general satisfaction to the *London* press, and even the most ultra of the anti-American journals have manifested a degree of moderation on the subject which was hardly expected.

The *Herald*, it is true, recommends the immediate sending of 20,000 men and 10 sails of the line to the North American coast; and the *Standard* affirms that no diplomacy but that of cannon and bayonets can be relied on—but the *Times*—the thunderer of the British press—discourses on the matter in the following moderate and reasonable manner:

"We have heard from high and grave authorities in the United States men who seem to believe that there have been really conscientious in their allegation, that there could be not a shadow of doubt as to the right of Maine to the whole of the disputed territory; these persons at the same time intimating a strong conviction that the bone contended for was not worth to either country a dozen human lives.

It now appears that, however the joint memorandum of Messrs. Forsyth and Fox may be calculated to avert, (and God grant it may succeed in doing so), any immediate appeal to violence and bloodshed, the tone of the senators who have spoken upon the subject corresponds minutely with that of the senate which put aside the arbitration of 1830-'31, and insisted that England had no right to the least portion of the soil contended for. Although, therefore, measures humane and considerate have been pursued on this occasion for postponing the armed conflict, and saving the irregular and precipitate effusion of blood, nothing has taken place to encourage the least hope that by any expedient but *surrender of the whole* subject in dispute, will this country be able to calculate on a more than transient gleam of repose for her provinces in North America.

In this journal we have repeatedly thrown out a suggestion, which with a due sense of our own very

humble pretensions to be heard where great national interests are concerned, our unfeigned and cordial love of "peace, in the spirit of peace," now inclines us to reproduce, viz: that as most national misunderstandings are best healed by each party sacrificing something of its extreme rights, for the sake of showing good will and good neighborhood, England should frankly offer to the state of Maine that large section of country which has always been an unquestioned and recognised part of New Brunswick—viz: that portion of it which lies west of the town of St. John's, along the shore of the Bay of Fundy, until it meets the present Maine frontier of Passamaquoddy bay, including the whole of the Charlotte county," extending north to what is called in the maps the "military post" on St. John's river, and thence along the southern extremities of the highlands of which "Mars Hill" forms a part, until it strikes the meridian, close to that old landmark.

This scheme of compromise we recommended in the Times journal six or eight months ago. It would be better for both parties—1st, for England, because it would leave in her possession the whole of the disputed territory, and her interprovincial communication between Fredericton and Quebec unbroken; 2d, and eminently better for the state of Maine, inasmuch as she would gain for it a fine country, to which she has never dreamed of putting forth a pretension; a definite and profitable water frontier on the west, formed by the St. John's river and the Bay of Fundy, a greater compactness and roundness of territory than at present, and considerably more in point of surface than England could in the way of mutual cession be on any fair principle called upon to relinquish, being even in superficial miles considerably beyond one-half of the space disputed. We cannot for our parts comprehend on what pretext the state of Maine should object to a settlement so true and beneficial. Nor, in the case of any man but lord Palmerston, does it appear to us that any English minister could throw difficulties in the path of such a proposal.

Remember, this is not yielding on our side to compulsion. We declared this opinion more than eight months ago. We did so from an honest anxiety for national peace and human welfare. There is through this temporary convention of Messrs. Forsyth and Fox a gleam of light, and that one we see and if well employed, it may conduct us through the labyrinth. But with such inducements to activity, and such materials of compromise, and such repeated warnings to prepare for the worst, what must this man, lord Palmerston, be made of who would neither negotiate through the ordinary methods of diplomacy, nor recollect that an armed negotiation is among the most approved and infallible means of prevailing upon an inattentive adversary to give an ear to reason?

The letters from London all agree in saying that the English ministry are entirely averse to war, and that no serious apprehension is felt of such an event in the money circles, though the possibility of such an event had created a good deal of caution.

The Bankers' Circular. We have the London Bankers' Circular of March 29th, the latest, and probably only copy in this country, as it was sent off at 7 o'clock on the evening of that day. Its leading article is a temperate, and (for that side of the water), very intelligent review of the border difficulties between Maine and New Brunswick. Not the least idea of war is entertained. We cannot give the entire article, and prefer not to mutilate it. The following article forms a sort of postscript to the leader, and as it relates to the cotton and stock markets, and to the effect of the news from Maine on the latter, we lose not a moment in extracting it.

The grave character of the question of peace or war between England and the United States, which is now so discussed in the political circles of London, must for the present we think supersede other subjects which we wish to notice, because it is one of the most scribable importance to the manufacturers, capitalists and bankers of this country. And as our reflection had led us to a more favorable conclusion concerning it than most public men and periodical writers worthy of attention had arrived at, we felt it necessary to state at some length the grounds on which we had formed it. The amount of British capital invested in American stocks is so large, and the confidence of its holders received so severe a shock by the intelligence that the respective border authorities had threatened, and one of them had actually commenced hostile operations, that the minds of all men were directed to the consideration of the issue of this state of things. We have the strongest confidence in its being a favorable one, and think that the awkward incidents which have taken place may well be converted into a means of bringing about a speedy settlement of the dispute, which both parties, we believe, sincerely and earnestly desire.

In the meantime, the great amount of business which has recently been transacted in American stocks, will be in a great measure stopped or suspended, until the determination of congress with relation to the report of the committee on foreign affairs be known, and the conduct of the government of Maine be ascertained. Ask any broker in the stock exchange about those securities, and he will answer, "they are all sellers and no buyers, therefore there are no transactions in them." Even the stock of the United States bank, which, if we may use the expression, is a description of security naturalized in this country like the stock of our own banks, so many undisturbed family investments have been made in it, has been affected, and sales have been made in it at prices a fraction or two lower. Now the reports of that bank being extensively engaged in cotton speculations never lowered the value of their stock. Those reports were groundless as far as any immediate interest beyond liberal banking profits secured to the bank was concerned. If they had been well founded to the alleged extent, the bank would have gained a sum exceeding, we believe, £500,000 by those cotton operations. Messrs. Humphreys and Bidde, of Liverpool, have not a single bale of their immense stock left unsold, and all that they will in future have for sale will be from fresh arrivals. So that the accounts, as far as the old stock is concerned, may be wound up, and this will indirectly augment the resources and efficiency of the United States bank, and enable it the better to assist the banks of the south, whose comparative weakness now compels them to press severely on their customers, in order to be enabled to maintain their own resumed payments in cash.

On this matter last alluded to we must shortly make some observations, when we shall take the opportunity of submitting a plan which provides for a more safe, easy and regular method of effecting remittances from the United States to England; because it appears to us to merit consideration with the view of aiding the manufacturing interest of this country. It is one patronised by men who stand deservedly high in the estimation of the commercial world.

We said five weeks since that, on the corn law question, "the number of votes altogether in favor of a change is estimated at a point below 200." The event (195 votes) has merely confirmed this; the termination of the debate and the strength of the voting upon it have, however, tended to give firmness to the corn market, but that which has produced more effect is the knowledge that 500,000 quarters of wheat bought for England abroad have been countermanded. This countermand cannot affect the more remote markets, and, as to those nearer home, we believe that in the northern ports, including HamBurg, nearly double that quantity has been purchased for British account.

Until to-day money has been, throughout the past week, very easy; so much so that the amount borrowed of the bank of England by some of the brokers (which altogether, we understand, did not exceed £500,000) was paid back by them. It is now tight in the same quarters, but the rates for lodgments and discounts remain unaltered.

Exchange on Paris—3 days, 25.17½ a 25.20.
3 months, 25.12½ a 25.17½.
New York—60 days, 47½ money.
Philadelphia—do 47½ do.

Price for gold in bars is £3 18s. per oz. Silver in bars, 6s. 8d. per oz.

Intelligent gentlemen arrived in the Great Western state that among the people of England, the government and all classes, the idea of going to war with this country is deemed perfectly preposterous; that rather than it should take place they would see the whole territory sunk in the ocean; that they look upon it as a border dispute, in which the feelings of the two countries are not involved; and that, as it is a mere question of land, and not of honor, it may be easily adjusted, and cannot in any way lead to hostilities between two diverse and kindred nations, whose hearts and interests are indissolubly united.

The proposal of Mr. Webster to take possession of the disputed territory on the 4th of July does not appear to have produced much excitement. It is remarkable that the whole affair had produced no variation in the funds.

The subject of the president's message, and the proceedings of congress had not, however, been brought before parliament before the departure of the Great Western.

A correspondent of the Bristol Mirror, whose letter is dated London, March 21, says: "In London the news from the United States has not produced the variation of a solitary fraction in the funds. People here seem to treat the idea of a war with America as an absurdity."

The London Courier of the 20th March says: The boundary question between Maine and New Brunswick had produced an extraordinary degree of excitement throughout the United States; but for the present, we trust, a rupture between the two countries has been prevented by the memorandum signed by Mr. Forsyth, the secretary of state of the United States, and Mr. Fox, the British minister. By that memorandum, which will be found in another column, it is agreed that the troops sent into the disputed territory by the governors of Maine and New Brunswick are to be respectively withdrawn, and that "if future necessity should arise for dispersing notorious trespassers, or protecting public property from depredation by armed force, the operation shall be conducted by concert, jointly or separately, according to agreements between the governments of Maine and New Brunswick."

Such an arrangement may answer the purpose of a temporary "make shift," but, if allowed to remain, will lay the seeds of future disputes.

The same paper, in copying the remarks of American papers, in relation to the good effects of the protocol, says:

"We sincerely hope this anticipation may prove correct, for a war between England and the United States would be equivalent to a surrender of Mexico and other parts of Spanish America into the hands of France. At the same time, if the United States persist, as they have hitherto done, in rejecting every arrangement, short of a full and unconditional concession of all their claims, we do not see how an appeal to arms can eventually be avoided, a contingency that would not only prove a curse to the two principals in a quarrel, but would be likely to inflict incalculable evil upon the whole civilized world."

The Great Western made her passage out to Bristol in 114 days. The Liverpool steamer had not arrived in England before the departure of the Great Western.

Among the passengers in the Great Western is prof. S. F. B. Morse, of New York, bearer of despatches from our legation in France to the departments of state and war at Washington.

The advance in corn, from the latter part of February when the advance began, to our present latest dates, was rather more than 1d. per lb.

The bank of England on the 14th of March declared a semi-annual dividend of 3 1-2 per cent. for the last half year.

The princess Charlotte Bonaparte, daughter of Joseph Bonaparte, died at Sarzane, Italy, about 11 o'clock beginning of March.

The semi-monthly steam packets from England to Halifax, are to start from Liverpool.

A minister from the Brazils had arrived in England, charged with a settlement of French claims on Buenos Ayres, by the mediation of Great Britain.

Sir Thomas Harvey will proceed immediately to take the command in the West Indies, in the Westchester, and captain John Parker is appointed the flag captain. (This movement is in consequence of the death of the vice admiral Sir C. Pezet.)

The Wesleyan centenary fund, at the latest date had increased to £183,000, (£812,520).

The English papers are full of accounts of turbulence in Ireland, which has attracted, at last, attention in the house of lords. Lord Normanby states the riots to amount to no more than the riots of the last 40 years.

A report was in circulation the evening of the 22d in London, that a message was to be brought down to parliament for a supply of 20,000 additional troops to the army.

The Chartists, so called in England, or the radicals, are reported to be arming in all directions; large masses of the population are in a very uneasy state. Horse artillery, and mounted brigades of foot artillery have been suddenly ordered to Manchester from Warwick.

Parliamentary proceedings. The great question of the corn laws excluded almost every other topic, in both houses, throughout the week ending on the 16th of March. In the house of commons it was brought up by Mr. Webster, who moved that the house go into a committee of the whole to consider the laws—supporting his motion by an elaborate and skillful speech.

In the course of the debate lord John Russell reiterated his preference of a moderate fixed duty.

The debate was brought to a close on the 18th, the motion being negatived by a vote of 342 to 195.

In the house of lords the discussion arose upon a resolution moved by earl Fitzwilliam, that the corn laws had failed to secure that steadiness of price which was essential to the best interests of the country. The resolution was supported by lord Brougham and the earl of Radnor, and opposed by the dukes of Buckingham, Richmond and Wellington, the marquis of Lansdowne, the earl of Ripon and

lord Melbourne. It was negated by a vote of 224 to 24.

In the course of the debate the duke of Richmond solemnly declared that if the corn laws were repealed he would sell his property, and depart with his capital and retainers to some happier land. And lord Melbourne affirmed, with great vehemence, that the proposition to abolish restrictions on commerce was the maddest and wildest that ever was conceived.

Lord Brougham gave notice, immediately after the vote was taken, that on the 15th he should move that the house go into committee, to consider what is expedient to be done with respect to the corn laws.

Boundary question. In the house of commons, March 15, Sir S. Canning inquired of the noble lord the secretary for foreign affairs, whether he had received any information from Washington with reference to the recent collision which was reported to have taken place upon the boundary between the state of Maine and our province of New Brunswick. He need not remark how important this subject was. He was desirous to know whether the noble lord had been informed of the course which the American government proposed to take in consequence of this transaction. He also wished to be informed whether there was any reasonable probability of the negotiations which had now been carrying on for eight years, for the settlement of this question of disputed territory, being brought to a satisfactory termination.

Lord Palmerston stated, in reply, that he had received but very imperfect information upon this subject from our minister at Washington. The circumstances to which the honorable gentleman referred were only known generally in that city, their details not having arrived. It was not yet, therefore, in his power to state what course the American government intended to pursue. He would be, however, fully justified in stating that the most friendly disposition towards this country prevailed in that quarter. (Hear.)

Sir S. Canning—What is the date of the communication to which the noble lord referred?

Lord Palmerston replied that he did not remember the exact date, but that the communication had reached him by a rapid conveyance (the Great Western). He could not say whether the result of the negotiations referred to by the honorable gentleman would be satisfactory or not; but this he could say, that both governments were animated by a most serious desire to obtain such a result. (Hear.)

In the house of lords, on the 16th March, the earl of Roden moved for a select committee to inquire into the state of Ireland since 1825, with respect to the commission of crime, supporting his motion in a speech of six columns, giving a most frightful picture of the enormities and outrages committed in that unhappy kingdom, which he ascribed entirely to misgovernment.

Lord Normandy vindicated his administration in a speech of six columns.

The duke of Wellington supported the motion at great length. Lord Melbourne opposed it, declaring in the course of his remarks that the duke of Wellington's speech was one of the boldest he had ever heard, and that the motion was one of pure undoubted censure upon the government.

It was carried, 63 to 58—majority against ministers live.

The boundary question. London, March 20. By the packet ship England, captain Waite, from New York, which city she left on the 1st instant, and arrived at the state of Ireland since 1825, with respect to the commission of crime, supporting his motion in a speech of six columns, giving a most frightful picture of the enormities and outrages committed in that unhappy kingdom, which he ascribed entirely to misgovernment.

The president, Mr. Van Buren, with the promptitude which a subject of such importance demanded, addressed a message to congress, the tone of which is pacific, at the same time that he maintains that the territory in dispute belongs to the United States. He expresses his desire that the hostile force which the government of Maine sent to take possession of this territory, should be withdrawn, but he insists not upon this, as he is bound to do if his in-

terventions are pacific. The correspondence arising out of the message between the British minister Mr. Fox and the American minister Mr. Forsyth, as well as the correspondence between the governor of Maine and Sir John Harvey, will be found annexed to the message, in another part of our paper.

The whole is of surpassing interest, the question being one of the continuance of a prosperous peace, or, if it may be, an immediate recurrence to a war of disastrous consequences to one party, if not to both. The territories of Great Britain in North America must be preserved at all hazards; and aggressions upon them of any kind must be resisted by all means.

[Shipping Gazette.]

From the London Times, (Tory paper), March 20th.
Lord Palmerston has been interrogated more than once, or twice, or a dozen times, within the course of as many years, touching the state of the New Brunswick boundary quarrel, and as often, with that snirk which is peculiar to his lordship, and which conveys a sneer much more plainly than a reply, has left the question to his own imaginings, from utter despair of getting any thing out of his lordship more satisfactory than "I don't choose to tell you—ask some other time."

That other time has often come, and has now gone, we are apprehensive, not to come again.

When lord Palmerston stupidly, or flippanly and carelessly, acquiesced in the rejection by the United States' government of the judgment pronounced by the king of Holland, to whose arbitration the whole question had been absolutely and finally referred on the part as well of the republic as of Great Britain, the result might easily have been foreseen. The duty of lord Palmerston was to have urged the finality of that adjudication, which the litigating powers had reserved to themselves no right or power to rescind, and which, although it actually stripped Great Britain of more than one-half of the disputed land, was at least an intelligible settlement, assigning for a large portion of the boundary line the course of the St. John's river, and leaving in the hands of Great Britain that which has been throughout the object of highest consideration with her government—namely, the most practicable and convenient route between Frederickton and the St. Lawrence.

The haste, however, with which the senate of the U. States, and in imitation of their eagerness, the government at Washington, declared the decision of the king of Holland, to be "inadmissible," must have opened the eyes of any Englishman who was not determined to keep them shut to the real, though unacknowledged views of the republicans, and have led lord Palmerston that he must proceed with all despatch to the settlement, and irrevocable arrangement of the question, by amicable, but active and diligent, negotiation; or provide for the other and more distressing, but, in such circumstances, unavoidable alternative, of maintaining the just pretensions of his country by her armed power.

Lord Palmerston appears to have demeaned himself as if no such contingencies lay before him. He gave in to the rejection of the arrangement made by the king of Holland, without betraying the slightest consciousness that any other adjustment of a difference, in itself so serious, would be required by the United States from this country, or by England at the hands of her foreign minister. He did not merely fall asleep at his post, but never dreamed of spicing by a renewed negotiation the settlement which his own folly had suffered the United States to break off. So far as our recollection carries us, his cool and easy treatment of the question was equivalent to this—"The U. States have hung round the king of Holland's neck, and it is now for them to make theirs." Why, then, was from the beginning precisely this—"We want the whole of the disputed territory, and we will have it too."

But, as lord Palmerston made no movement towards a peaceful issue of this misunderstanding, so was he equally careful that for an opposite issue England should be totally unprepared.

The Americans took care that the success of their own policy should depend on their own will, not on the mercy of their rivals. Our correspondent in this day's Times, "A North American Colonist," explains the shrewdness and composure with which Jonathan goes about his work.

The rebellion in Canada, and the war of "sympathy" have been Godsend to the governor Fairfield and his "jumbos," who will thus have powerful diversions in their favor. Large lots of the soil of Upper Canada were long since said to have been sold by that exemplary patriot Mackenzie, as payment in advance for the personal exploits of all sympathizing riflemen who, in the cause of freedom, should cross the frontier and liberate the queen of England's Canadian subjects from the yoke of cultivating their own lands and reaping their own harvests.

Lord Palmerston told Sir Stratford Canning, the other night, that he could not say whether or not the

negotiation respecting the boundary would have a successful issue. Vastly consulting this; but he was satisfied in stating that the cabinet of Washington had the most friendly sentiments towards this country." Vastly encouraging indeed! But if the cabinet of Washington should either willingly or by compulsion happen to support the state of Maine in its armed aggression upon the crown and people of England, will lord Palmerston please to inform us how much Mr. Van Buren's "friendly sentiments" are worth in the public market?

We deprecate war. We dread it for the sake of humanity, for the sake of North America, beyond all for the sake of England, which must dearly suffer. But there is such a thing as driving a great country, however temperate, and tolerant, and pacific, into war, just as it is possible for the best natured and benevolent man in the world to be forced by indignity into a private quarrel. England can do no more towards avoiding war than abstain from offering injustice. If she suffers wrong tamely, then is she unjust to herself and to posterity; for she invites thereby, and will inevitably have to endure, a repetition and variety of insults. If both governments be wise, they cannot go on to bloodshed. But the wise and just may, by the foolish and unprincipled, be compelled, and dragged, and trampled, and spurned into a conflict. In that case the responsibility is not divided, because the crime is altogether unilateral. It is the simple case of a wanton oppressor, and an unwilling and unoffending victim.

If England be kicked into such a war unprepared, the responsibility for so terrible a disaster, though not shared between her and the United States, inasmuch as she, as a nation, must be exonerated, will rest heavily between the United States and the British government, which has the country connected. For such a government there can be no forgiveness, nor any punishment severe enough for its enormous treason.

London, March 21. A good deal of anxiety prevails amongst the leading parties connected with the question of the United States and the North American colonies, in consequence of the unpleasant accounts respecting the disputed territory. People of the first information have to-day openly expressed their opinion that this rupture, for such it is, however the ministerial scribes may gloss the matter, is pregnant with incalculable mischief, not only to our own settlements, but as regards our relations with the United States, the government of which does not appear to have the power to restrain the lordly and reckless vagrants that infest the border frontiers of the self-styled land of liberty. It is maintained that our government alone are to be blamed for the unpleasant political aspects which have for some time threatened our supremacy from the other side of the Atlantic; with a crippled navy it is not to be expected that the despot of the world, whether monarchial or republican, would respect British dictation. [Morning Post.]

From the Bristol Mirror March 23.

The Great Western. This unrivalled ship will sail from King Street takes 105 passengers, and one o'clock she takes 105 passengers, and a quantity of goods, consisting of silks, printed cottons, worsted stuffs, hardware and a large stock of jewelry. Among the passengers are Mr. Kaye, a government messenger, with despatches, lord Frederick Paulett, lieutenant Col. Oldfield and capt. John Forbes, Judge Halburton, alias "Sam Slick, the clock maker," is also passenger, who is going home to Nova Scotia.

London, March 21.—**State of the country.** A large body of artillery marched yesterday from Woolwich into Northamptonshire. The object is, doubtless, the prevention of outrage in the manufacturing districts. In reply to a question put by the duke of Buckingham, lord Melbourne admitted a few days ago, that government was cognizant of the fact that the Chartists, throughout the kingdom are arming by thousands. The times are such as to require on the part of the executive, a large measure of wisdom, promptitude and firmness. Violent language is now used in every quarter, in order to prepare the people for violent action, as the only cure for the grievances, under which poor producers of all sorts have so long suffered.

The duties of government in the circumstances are of a most onerous kind. Firmness and promptitude, are as we have stated, necessary in order to repress outrage;—but more promptitude and firmness in the use of the means of coercion will not eradicate those social evils, of which violent language and preparations for arming are but the indications. The miseries of the laboring poor must speedily force themselves on the consideration of the legislature. Well will it be for the country, if the legislature shall be found to administer relief. The new poor law must, assuredly, be repealed.

From the London Sun of March 22

Cily 12 o'clock. Ministers being in the minority last night in the house of lords, on the motion of the earl of Roden respecting Ireland, has rather damped the funds this morning, as well as the sale of some three and a half per cents.

Flat passed on. The British market appears rather heavy, owing to a report that the government are going to increase the army with 25,000 men, for in all probability great reinforcements may be required to send out to Canada, should the United States government continue obstinate in their demands on the boundary question. Several sales, both of three and a half per cents and consols have been effected during the morning. Consols at one period were at 92 5/8; at present they may be quoted at 92 5/8-3/4 money; account 92 5/8; exchequer bills lower, 55 5/7.

Militia. Notice has been received that one-third of the available force of the militia will be called out for 12 months for permanent duty, to be succeeded by the other portions in rotation, and the whole body to be called out for twenty-eight days' training yearly.

[*See Flying Post.*]

From the Manchester Guardian.

The Chartists and their arms. We learn from a variety of sources that the making and selling of pikes and fire arms, amongst the working population of this neighborhood, is going on in the most open and barefaced manner; and judging from what we have heard on the subject, we can imagine that there can be little doubt that some thousands of these dangerous weapons are now in the hands of parties who at all events declare that they are ready to use them at the bidding of what is called "the national convention."

Icebergs floating in the Atlantic. Liverpool, March 22. Several vessels which have arrived within the last fortnight were interrupted in their progress by getting entangled in fields of floating ice. The George Washington, the Elizabeth Bruce and the South America were all in this predicament! The South America was entangled among floating icebergs for thirty hours. The first iceberg the ship fell in with rose from fifty to sixty feet above the level of the sea. It was dark when she approached it, and capt. Barstow very wisely resolved to lay to till day light. About two o'clock, when the moon broke out from the dense clouds in which she had been previously enveloped, and threw her light on the numerous icebergs, shooting up like towers, which were visible round the horizon, the spectacle is described by the persons who beheld it as having been awfully sublime. The ice reflected the beams of the moon, and the combination produced a mild splendor, which approached if it did not rival the light of day. The presence of so much floating ice in the Atlantic as far down as lat. 44 is rather an unusual occurrence.

BELGIUM. The chamber of deputies, after 14 days debate, agreed to accept the treaty as proposed by the London conference, by a vote of 58 to 42. The assent of the senate was confidently expected. The decision of the chamber caused no excitement out-of-doors. The dispute between Belgium and Holland may be looked upon as settled.

FRANCE. The elections having resulted unfavorably to the cabinet, the ministers again tendered their resignation on the 8th, and it was accepted. Marshal Soult was then sent for by the king, and subsequently M. Thiers was also called in. Negotiations for the formation of a new cabinet were in progress until the 20th. On that day the new ministers presented to the king an outline of the policy on which they would come in, as follows:

1st. That France should declare war against Don Carlos. 2. That France should declare to Austria that she would not allow of a marriage between an Austrian prince and the young queen Isabella, as had been proposed by prince Metternich. 3d. That the affairs of Belgium must be considered as settled. 4th. That the war against Mexico should be persevered in. 5th. That the conversion of the five per cent. rentes should be adopted. 6th. That certain concessions should be made to the growers of beet-root sugar. 7th. That the question of electoral reform should be adjourned. 8th. That the laws of September should be revised; and 9th, and principally, That the *presidence reele* should be insisted on, or, in other words, that, except on very state occasions, the king should not preside at the council of ministers.

To these conditions the king refused his assent, declaring that, if necessary, he would rather submit to be deposed than accede to the terms insisted on; but the latest postscript from Paris says that he afterwards withdrew his refusal, and expressed his willingness to accede to the conditions.

The constitution of the new ministry had not been officially announced; but it is given as follows by the London papers:

Marshal Soult, war and president; Thiers, foreign affairs; Passy, interior; Humann, finance; Dupin, justice and religion; Duperré, marine; Dufrane, commerce; Sauzet, public works; Villeman, public instruction.

The Paris diorama had been destroyed by fire, with the three paintings on exhibition.

RUSSIA. The emperor of Russia, convinced of the mischievous effects of the lottery on the poor and industrious peasantry of Poland, has published a decree, ordaining that the lottery shall be abolished in the kingdom of Poland on the 1st of January, 1840.

Markets, money, &c. London money market, March 21. The late intelligence received from the United States has not created any unfavorable impression upon our money market. The accounts are deemed rather satisfactory by most parties connected with America, in so far that they are calculated to impress on both governments the necessity of an immediate settlement of the disputed question, which has been the origin of such unpleasant proceedings, and although some border collisions are apprehended, it is generally anticipated that no very serious results will ensue.

American stocks, London, March 20. The American securities have been sold freely, and United States bank shares have fallen 2s. 6d. per share. The supply of every description has been ample, at the following quotations:

Five per cent. pound sterling Alabama, 91 to 92.
Five per cent. Alabama, 92 to 93.
Five per cent. Indiana, 92 1/2 to 93 1/2.
Five per cent. Louisiana, (Baring's), 93 to 94.
Five per cent. Louisiana, (Lizardi's), 95 1/2 to 96 1/2.
Five per cent. Mississippi, in £ sterling, 93.
Six per cent. Ohio, 1856, 98 to 99.
Five per cent. New York, 91 to 95.
Five per cent. Pennsylvania, according to dates, 90 to 93.
United States bank shares, £24 15s. 0d.
Six per cent. Virginia, 93.
Six per cent. Florida, in £ sterling, 95.
Six per cent. Camden, &c. rail road, 104 to 105.
Six per cent. Maryland, par.
Five per cent. South Carolina, in £ sterling, 95 to 96.
Five per cent. Harrisburgh and Lancaster rail road, 90 1/2 to 91 1/2.

London, March 22. Several purchases of U. S. bank shares, &c. rather a large amount, have been made to-day for investment, at £24 10s., and there are more purchasers at that price, and if the sellers remain firm they will probably obtain an advance.

The general impression as to the boundary question, is that the recent disturbances will not lead to war, but will have the beneficial effect of bastening an adjustment of the difficulty.

We understand there is more inquiry for state stock. There is no market for second rate securities. Our capitalists are at present extremely cautious, and will not encourage any new American loans or companies. Nothing could more tend to increase the permanent price of American securities, than a final adjustment of the boundary question.

Money is tolerably plentiful and the bank not at all uneasy at the constant drain of gold, though I think there will be a pinch for money yet.

Our accounts from France as to political prospects are rather threatening. So they are from India. Trade is generally good and the demand for goods from the continent is brisk.

English cotton and corn markets.

Liverpool, March 22. Cotton. The accounts by the packet which left this on the 2d instant, would inform you that we had experienced some revival in the demand for cotton, and that prices had improved 1-2 per lb. Since then the demand has been far more active, and the business unusually extensive at gradually improving prices, amounting to a further advance up to this time of 3-4d. a 1d. per lb. the greatest advance being in the low and middle qualities. In good and fine the advance is about 1-2d. per lb. The moderate revival of demand at the close of last and first of this month seemed to arise from some improvement in goods and yarn, but our market received a fresh impulse on the 4th instant from New York accounts to the 7th ultimo, more decided than before as to the short crop and to the falling off in the supplies into the ports, which, together with the further rise in prices here, produced extensive speculative operations, and large purchases on the part of dealers and consumers. Subsequent advices from New York down to the 1st instant of similar import, and quite as decided, have had the effect of keeping up the demand, and it may be that the possibility of hostilities, arising out of the northeastern boundary question, has contributed to give firmness to the market the last day or two. The improvement in yarns hitherto is not at all

equivalent to the rise in cotton, but greater confidence in the short crop accounts induces a more general belief that goods and yarns must continue to advance, and hence there are not so many mills working short time.

The sales for the week ended 8th inst. amounted to 88,900 bales; about 40,000 to speculators. For the week ended 15th inst., they were 60,750 bales, about 45,000 on speculation, and this week they amount to 49,820 bales, 19,000 of it taken by speculators. Of this week's business, 17,000 are Upland, at 70 3/4-9 3/4; 17,000 New Orleans, at 7 1/4-1 1/4; 2,520 Alabama and Mobile, at 8 1/2 1/8-1 1/8; and 170 S-A island at 22 a 36d per lb. Fair qualities may be quoted at 9 1/4-1 1/8-3/8. The import into Liverpool since the 1st January, amounts to 210,000 bales against 365,000 to same period last season. The supply from the United States is 158,000, being a decrease of about one-half. The stock in this port is estimated at 234,000 bales, of which about 182,000 is American cotton.

By the returns received to day the last aggregate average of wheat was exactly 73s. per qr. so that the duty remains at the lowest point for another week.

A reduction of a penny in the average would have advanced the duty, and it is not unlikely to go up to 4s. or possibly to 6s. 5d. per bbl. on flour in a few weeks. The foreign supplies of wheat are very heavy and the markets much depressed. Flour extremely dull at 36s. a 37s. with some retail at 38s. per bbl. About 5,000 bbis. Turpentine have been sold this week at 12s. 6d. per cwt. for good quality. The business in tobacco this month has been about 500 lbs. at full price.

Liverpool, March 20. Grain. Of wheat the exports from this to Ireland continue to exceed the imports from thence—but of foreign wheat, chiefly from France and Italy, and of flour from the United States, the arrivals have been very considerable during the past week; much exceeding the demand, which has been very limited from the millers and dealers, and though some parcels from Odessa and Marianopolis wheat have been taken by speculators, last quotations have been barely obtainable, and in some instances a small decline has been submitted to on this, and on every article in the corn trade; the Yorkshire markets of the past week were also much depressed, and a little lower; and at Manchester on Saturday, very few sales of grain, flour or oatmeal, could be effected from this port.

The duty on rye and beans from foreign ports is this week increased 1s. 6d. per quarter; an order is given that there is no alteration; it is likely that the duty on wheat will be increased next Friday to 2s. 8d. per quarter. Some few sales of foreign flour for export have been made at 37s. a 39s. per bbl. for sweet, and 33s. a 35s. for sour.

March 22. We have again to notice a good arrival of foreign wheat since Tuesday last, amounting to nearly 11,000 quarters, exclusive of several cargoes not reported, besides about 20,000 barrels flour, chiefly from the United States.

On Wednesday a fair sale was experienced for good fresh wheats, but the demand has since slackened materially, and beyond a moderate retail inquiry from our local millers for the lower qualities of foreign, which have been disposed of at 2d. to 3d. reduction, very little business has been done to-day, and were buyers to appear for the better descriptions, rather lower terms would be accepted.

Irish flour quite unobtainable in the face of the heavy imports from abroad, and foreign appears for the present to be almost equally neglected.

GREAT WESTERN STEAM SHIP.

New York, 14th April, 1839.

To the editors: Sir: I have the pleasure to communicate to you that the Great Western left Bristol in the 23d ult. at 11h. 20m. and arrived here at midnight.

The following are some particulars of the voyage: **Saturday, March 23,** wind W. N. lat. W. lon. at 11, 20, P. M. slipped from the Bay King road, strong breezes and squally, rain, less wind.

March 24, wind W. lat. 51 10, lon. 5 14, 9 A. M. passed Lundy Island, fresh breezes and cloudy W. ground swell.

March 25, wind W. lat. 50 93, lon. 8 58, distance 147, fresh breezes and squally, rain at times, irregular W. N. W. swell.

March 26, wind W. lat. 50 10, lon. 14 29, distance 132, moderate gales and squally with cross high sea, moderate and less sea.

March 27, wind westerly, northwesterly, lat. 49 24, lon. 15 39, distance 137, increased to fresh gales and squally, rain and sleet, high N. W. sea.

March 28, wind vbl. W. N. W. lat. 45 10, lon. 13 15, distance 140, same weather and sea, unsettled weather, squally, rain, strong breezes, hazy and less sea.

March 29, wind W. S. W. westerly, lat. 47 38, lon. 20 38, distance 100, increased to strong gales and squally at times, heavy rain and light sea.

March 30, wind W. N. W., W. S. W. lat. 47 14, lon. 22 00; distance 80, strong gales, heavy squalls, hail, rain, thunder, lightning and heavy sea.

March 31, wind W. S. W., W. N. W. lat. 46 22, lon. 24 4, distance 101, strong heavy gales, squalls, hail, rain, heavy cross sea.

Monday, April 1, wind N. W., W. S. W. lat. 45 22, lon. 27 17, distance 143, squally unsettled weather, rain at times, confused sea.

April 2, wind W. N. W., W. N. W. lat. 44 10, lon. 29 34, distance 120, moderate gales, heavy squalls, hail, rain, lightning, high cross seas, heavy squalls, hail, rain, lightning, high cross seas, heavy squalls, hail, rain, lightning, high cross seas, heavy squalls, hail, rain, lightning, high cross seas, heavy squalls, hail, rain, lightning, high cross seas.

April 3, wind W. S. W., W. N. W. lat. 43 38, lon. 31 13, distance 75, strong gales, heavy squalls, rain at times, high cross sea.

April 4, wind W., W. N. W. lat. 42 26, lon. 32 30, distance 109, same weather and sea, noon more moderate and cloudy.

April 5, wind W. S. W. vbl. N. E. lat. 41 13, lon. 35 26, distance 152, strong squally weather, rain at times, moderate and cloudy, sea going down.

April 6, wind round the compass, lat. 41 13, lon. 39 30, distance 192, variable unsettled weather, rain, thunder, lightning heavy squalls.

April 7, wind N. N. W., W. S. W. lat. 39 37, lon. 41 45, distance 164, hazy and rain, sea getting up, strong gale, very heavy squalls and heavy sea, strong breezes and cloudy, less sea.

April 8, wind W. N. W., W. S. W. lat. 40 00, lon. 45 16, distance 183 fresh breezes and squally, N. E. S. well, moderate and cloudy, moderate head sea.

April 9, wind S. W., N. W. lat. 40 32, lon. 40 10, distance 216, increased to strong breezes and squally weather at times, rain and short chopping sea.

April 10, wind vbl. north, lat. 40 28, lon. 53 5, distance 207, squally unsettled weather, rain at times, short chopping sea.

April 11, northwesterly, lat. 40 35, lon. 57 01, distance 212, fresh breezes and cloudy, short chopping sea, moderate and line.

April 12, wind southwesterly, lat. 41 27, lon. 61 27, distance 230, increased to strong breezes and squally, short high sea, moderate and hazy.

April 13, wind vbl. southerly, lat. 41 16, lon. 66 25, distance 225, moderate and hazy, rain at times, heavy ground swell.

April 14, wind vbl. N. E. lat. 40 13, lon. 71 30, distance 235, increased to fresh gales and dark with foggy weather, rain at times, ground swell, 11, 30, received a lot, 12 arriv'd off Sandy Hook, I am, sir, your obedient servant,

JAMES HOSKIN, R. N. captain.

SWARTWOUT DEFALCATIONS.

Report of the committee of investigation, chosen by ballot, by the house of representatives, January 17 and 19, 1839, on the subject of the defalcations of Samuel Swartwout and others, and the correctness of the returns of collectors and receivers of the public money; also, the report of the minority of the committee.

[CONTINUED FROM PAGE 111.]

Question 4. Do you know the object for which that book is kept in the secretary's office, and what is the use made of it?

Answer. I do not know the object for which the book was originally kept, or what use was made of the information, as my connexion with the book has not been long. I should think, however, that the object must have been to aid the department with information, particularly when the system of credit was different from the present.

Question 5. From what data do you make entries in this book from time to time?

Answer. I make the entries from returns which are received from the collectors of customs; they are made of bonds taken and liquidated monthly, as I think.

Question 6. Do not these returns purport to be "monthly returns of bonds taken and liquidated," returned by collectors to the treasury?

Answer. As far as I have examined those I have received, they are monthly returns.

Question 7. Has that book ever been called for by the secretary of the treasury, the chief clerk or other person in the secretary's office, for examination?

Answer. It has not been called for by the secretary or chief clerk or other person, for examination, since I have had charge of it.

Question 8. Up to what period are the entries in that book brought up and completed?

Answer. January, 1839.

Question 9. Does that book enable one who examines it to see what amount of bonds are payable in any given month at the port of New York, and other ports?

Answer. So far as the returns present them, it does.

In continuation, and to complete the record view secured to the secretary at all times, of "any transaction which relates to the revenue," a third book was formerly compiled for his office from the quarterly returns of collectors made to other accounting officers of the treasury. It will be seen, from the following testimony of the present secretary, what was the nature of this record, and how far it has fallen into disuse under his administration of the office.

Levi Woodbury, secretary of the treasury, examined by Mr. Wise.

Question 21. When were you appointed to the office of secretary of the treasury? Please look on the book presented, entitled "collectors' quarterly returns," and say whether you have ever examined this book, and when?

Answer. I entered on the duties of secretary of the treasury about the 4th of July, A. D. 1834. The book mentioned appears to be that before referred to, in which one of the clerks in my office was in the habit of making the entries sent from the auditor's office. I have no recollection of ever having had occasion to examine that book for any particular purpose, or ever to have examined it till since the question arose concerning the discontinuance to make those entries. On some occasions I have visited the rooms of the different clerks in my own office, and made a general inspection of the books in which they were then writing, or of the business in which they were then engaged, and noticed their handwriting, filing, arrangement of papers, &c. and make such inquiries as to their business as occurred to me to be proper; but have no recollection of examining this book.

Question 22. Does not the book referred to in your last answer show the following statements respecting each quarterly account of each collector in the United States, and in distinct ruled columns.

Collector's account current, second quarter of 1835. S. Swartwout, collector, New York.

Dates when accounts were received at the treasury	Oct. 6, 1835.
Balance due the collector from last quarter.	
Payments into the treasury	\$2,438,174 54
Allowances to marshals, marine hospitals, &c.	10,698 53
Debitures paid	137,278 83
Duties repaid	4,897 62
Expenses on collection Sundrys.	113,964 64

Balance due to U. States.	
On bonds	5,823,870 07
Outstanding debts	33,595 69
Cash	351,525 16
Balance due to the United States from the last quarter	4,934,996 07
Duties on merchandise	3,955,533 90
Duties on tonnage	1,928 57
Duties on passports.	
Moneys received from marine hospitals	5,136 57
Interest on bonds	1,069 26
Fines, penalties and forfeitures.	
Unclaimed merchandise.	
Light money	292 87
Sundrys	35,050 84
Balance due to the collector at the end of the quarter.	

And was not the foregoing entry, which is given as an example, the last entry made in said book of the accounts of Samuel Swartwout, being for the second quarter of 1835; and have any entries of a like character been made in said book, or any other book in your office, as to the accounts of any collector, since the third quarter of 1835?

Answer. The book in which the entries were made of the aggregates of several items from the accounts returned by collectors to the first auditor, contains such headings or titles as are described in the above interrogatory; and the entries, made as I suppose by the clerk in my office, Mr. Dungan, who had charge of the book, are in the sums or amounts described in the interrogatory.

In the next pages the entries for the 3d quarter of 1835, do not contain any sums for twenty or twenty-three ports, including New York among them; and no other entries for any port appear to have been made in that book afterwards. Nor do I know that these aggregates were, subsequent to that time, entered or copied in any other book in my office, either for New York or any other port; but presume, from Mr. Dungan's statements, that the accounts not having been afterwards sent in to him from the auditor's office, he omitted to go after them, or send for them, and the aggregates were not afterwards copied by him; and that he omitted

also to make any report to me of these circumstances, for the reasons before stated in reply to a former interrogatory.

Mr. Dungan is, however, now a clerk in the office, where he has been, I understand, over twenty years; and can give to the committee, if they desire it, fuller explanations as to the entries made by him, and the cause of his discontinuance to make them, and the use, if any, which had ever been made of them during his acquaintance with them.

From the preceding testimony, it is manifest that although all the before named records appertain to one "general system," which was devised to secure an independent superintendence of the revenues to the secretary of the treasury, at the same time the execution of the laws for collecting those revenues was committed to subordinate officers. The system has, of late years, been permitted to fall into utter neglect and disuse, 1st, by the total discontinuance of two out of the three books of records of which it consisted; and 2d, by the entire disuse of the third book, though preserved in form.

The following testimony adds to the surprise of this result in the investigation of the committee; that while a part of the important system of the treasury department, designed to guard and preserve the public revenue against speculation and frauds, has been permitted to fall into oblivion, and another fragment of it has been continued to be made to this day; neither the part abandoned nor the part continued has ever been known to, or comprehended, and much less appreciated in use, by either the head or any subordinate clerk of the treasury department.

Thomas Dungan, the clerk in charge of the quarterly book, and referred to in the preceding testimony of Mr. Woodbury, being examined by Mr. Curtis, testified as follows:

Question 10. Have you sufficient knowledge of the nature of the weekly and monthly returns made by the collectors to the secretary of the treasury, so that you can say whether they were not intended both for a check on the collectors, and also to enable the secretary to make estimates?

Answer. I have not. They have, except for three or four years before the burning of the treasury, been kept by other persons.

Question 11. If the weekly and monthly returns would enable the secretary to estimate the amount of money he could calculate upon, would they not also furnish the secretary a check upon the collector, if they were carefully compared with the quarterly return book which you had charge of?

Answer. I cannot tell how that would be, as there has never been any comparison that I know of. They might, if honestly made out.

Question 12. Do you think yourself competent to give an opinion concerning the objects for which the weekly and monthly returns were originally intended, or concerning the use that was made of them by the secretaries, before you had charge of the quarterly book?

Answer. I do not think I am.

Question 13. How did it happen that the entering of the quarterly returns of collectors on the book of quarterly returns in the secretary's office was discontinued, and when was it discontinued?

Answer. I was sick; and when I returned to the office, the quarterly returns were taken from my desk by the auditor's clerk. I went after them; they had been sent to the register's office. I consulted Mr. Anthony; he thought they were not of much use, as credits were so short, and I never entered any more after that. This was the second or third quarter of 1835.

Question 14. When you had the quarterly return book, and when you had charge of the "weekly returns," had you any orders to do any thing with them except to enter them in the books?

Answer. Not any.

Mr. Young, chief clerk in the department of the secretary of the treasury, examined by Mr. Curtis, testified as follows:

Question 22. Can you, or any other clerk of the department known to you, in the department, speak with certainty of the import, effect and meaning of all the entries in the "bond book" under the head of "collector of New York?" Who formerly had charge of it?

Answer. I am not aware of any clerk who is conversant to a sufficient degree with the entries in the book referred to, who could satisfactorily explain them. Having already stated what I believed was the object of requiring the returns which are entered therein, I have never had occasion, myself, to make myself acquainted with the manner in which it was made up. The clerk who kept it for many year died in December last.

William B. Randolph examined by Mr. Curtis.

Question 1. Are you employed in the treasury department? What situation have you held, and

what situation do you now hold? How long have you been connected with the treasury department?

Answer. I am employed in the treasury department at this time as chief clerk in the treasury's office, and have been connected with the department in several offices and situations for nearly thirty-one years.

Question 7. From the examination you have made of the "bond book" from the secretary's office, and of the entries therein, can you speak with certainty of the import, effect and meaning of the entries of bonds taken at New York?

Answer. I cannot explain them all satisfactorily to myself.

Mr. Woodbury, secretary of the treasury, examined by Mr. Wise.

Question 23. Is any book of registration, in the nature of a ledger account, or other transcript, made in the department of the secretary of the treasury, of the monthly returns of the collector of the port of New York, of bonds and revenue accruing; by which registration, or other transcript, the balances or differences in said monthly returns can be ascertained without recurring to the original returns? If yes, please exhibit the same for the year 1837 and the first quarter of 1838.

Answer. I am not aware that any book of registration of those returns is now kept up or made in the department. I have not been accustomed to resort to it or examine it, if one is. But when I have had occasion to know the aggregates in any of the weekly or monthly returns after they passed out of my own hands, I have sent for the returns themselves, and obtained the information wanted from them. My impression, at the same time, is, that such a book was formerly kept, into which these aggregates were copied, but that the copying of them has been discontinued: of this fact, however, I cannot speak with certainty without examination. In the great amount of business in my office, and the extraordinary increase of it during the past three or four years, the making up of the records and entries, and the immediate regulation and disposition of the books in which they are made, is, from necessity, devolved on different clerks; and the supervision to see that they are made in season, and in proper cases, must be intrusted, in a great measure, to the chief clerk in the office, under general instructions from the secretary. Whether a similar practice was not always in existence, the older clerks in the office will be able to explain.

James H. Smoot, a clerk in the treasury department, was sworn as a witness.

Examined by Mr. Curtis.

Question 1. Are you a clerk in the office of the secretary of the treasury, and how long have you been such clerk?

Answer. I am. I was made a permanent clerk in the department under the act of June 23, 1836; previous to which I had been employed for some eighteen months or so as a temporary clerk?

Question 2. Have you charge of the weekly or monthly returns of collectors made to the secretary of the treasury?

Answer. I have charge only of abstracts of bonds in suit, and of debentures, which reach the department very irregularly. Such as have reached my desk have been faithfully preserved. It is not in my power to state certainly any thing like a proportion of such as should have been received, being ignorant of the business of the custom houses. I believe they are required once a month. Some of the collectors make returns "none."

Question 3. What are your orders in respect to these returns? Has the secretary ever called for them since in your possession? Are they bound in books, or are they loose and not filed or endorsed?

Answer. My orders were simply to preserve them on taking possession of the desk. I have lately received directions to have them bound, and to continue that practice. I do not recollect that the secretary has ever called for them. I am satisfied he has not. They are loose, and not bound in books. They are not endorsed, save that most of them in lead pencil naming the port.

It seems to be the opinion of the present secretary of the treasury, (under whose administration this important system of record-checks has been permitted to fall into neglect, and almost oblivion,) that the returns of collectors to him, from which it is made, are only for the purpose of enabling him to obtain a vague estimate of the current receipts of the treasury. This may explain his neglect of those returns, although it is not a justification of it. But if this were their acknowledged and sole purpose, it is most apparent, from the testimony before the committee, that such a use of them by the secretary has been but inconsiderable and exceedingly sparing.

The far different use of which they are susceptible, and which was once made of them, is illustrated in the following examination:

The examination of Mr. Randolph by Mr. Curtis. Mr. Curtis exhibited to the witness the following extract:

"The abstraction of the amounts paid on bonds never returned as liquidated, forms about one-half of the entire defalcation of the late collector at New York. Of the other moiety, the two principal items are, cash held on deposit to meet unascertained duties, and cash retained ostensibly to refund duties paid under protest.

"In connexion with the abstraction of those sums, as well as of those paid on bonds, I would observe that, until a few years past, the accounts current received at the office of the first auditor, with the quarterly accounts of collectors, were called for and compared, in the office of the secretary of the treasury, with a record there kept, and with the several returns rendered to the secretary, in conformity with the requisitions of his circular dated the 14th of October, 1815, and repeated on the 14th of November, 1835.

The list of returns thus rendered embraced the following:

- A weekly return of moneys received and paid;
- A monthly return of debentures paid;
- A monthly abstract of bonds put in suit during the month;
- A monthly summary statement of duties collected;
- A monthly schedule of bonds taken and liquidated during the month;
- A quarterly return of the moneys received and paid under the acts for the relief of sick and disabled seamen.

"Those examinations and comparisons would, it is conceived, be greatly useful, and especially when it is considered that the returns thus rendered to the secretary, weekly and monthly, are the only returns of the kind received by the department within or during the current quarter.

"Should it be deemed proper to revive the practice, it is suggested, to obviate the inconvenience and delay, in the office of the first auditor, attending the use, in the office of the secretary, of the accounts current, that the collectors furnish those documents in duplicate.

"I have the honor to be, very respectfully, sir, your obedient servant, "J. N. BARKER.

"Hon. Levi Woodbury, secretary of the treasury.

Question 8. Will you please to examine the foregoing extract of a letter addressed by the present comptroller to the secretary of the treasury, and say whether or not you concur in the opinion expressed by the comptroller in respect to the utility of the examinations and comparisons mentioned by him, and whether or not one or two intelligent clerks could perform that duty?

Answer. The returns enumerated in the foregoing list, (considering the "statement of duties collected" to be a statement of all duties accruing and secured in the period,) seem to embrace all the items of debit and credit which could arise in the quarter. If they do, it follows that, taken in connexion with the condition of the account for the previous quarter, they would afford the means, by comparison, of ascertaining the general results of the account current for the present quarter. The utility of such comparison would depend upon the advantage gained by knowing general results at an earlier period than they could be obtained from the settled account; and the advantage upon the degree of reliance which could be placed upon the correctness of the returns. Intelligent clerks would be required to carry on this business. The number necessary would depend upon the quantity of details, which I cannot well estimate.

To the same point may be cited Mr. Miller, the first auditor.

Examined by Mr. Dawson.

Question 36. Have the books which were adopted and used by former secretaries of the treasury as checks on collectors of the customs, viz: "Weekly returns of receipts and payments of collectors of the customs," "collectors' quarterly accounts current," and "account of bonds taken and liquidated," been regularly attended to, or have they fallen into disuse and been neglected for the last four or five years?

Answer. There do appear to be some books in the secretary's office that seem to have fallen into disuse for a number of years past. The condition of those in the auditor's office, in regard to the bonds taken at New York, who also suffered to fall back, as has been fully explained.

Question 37. If those books had been regularly kept, would they not have furnished means to detect any defalcation of any collector of customs?

Answer. I have not examined the books alluded to with care, but am of opinion that, if the returns required by the several circulars of the secretaries of the treasury to be made to the department are properly entered and compared with one another, any material error or fraud practised by a collector must be discovered soon thereafter, unless the naval officer and collector and their clerks should combine to defraud the government, by making false returns of the real amount of duties secured within the quarter. The books alluded to, I understand, were used to make entries in, from the said returns.

It is, then, ascribable to a want of proper application and use of the means actually within the reach, and constituting an important feature in the archives of the secretary's department, that the defalcations of Mr. Swartwout escaped detection in that department, as they did in the subordinate departments from like causes. Whenever these means have been used with discrimination, and for the purposes which, in the opinion of the committee, suggested their necessity, (and it is apparent that they were sometimes so used by the present secretary,) they did not fail to lead to useful inquiry and explanation. For instance: in disclosing to the committee portions of official correspondence with Mr. Swartwout, the following letters are of the number, and indicate the practical worth of proper attention to the returns of collectors to the secretary, as checks upon collectors, in conjunction with their use as mere estimates of receipts:

Treasury department, August 17, 1837.

SIR: I perceive in your return No. 31, "of moneys received and paid," for the week ending the 5th instant, the sum of \$92,196 35 for payments on account of "revenue cutters and boats, contingencies, &c.;" and also, in the succeeding weekly return, No. 32, the additional sum of \$92,009 91 is also charged for similar objects. As expenditures for these objects have been heretofore small, in comparison with these, and as there is some press for money at your port, I will thank you to inform me of the cause of the great increase of expenditures for these purposes. I am, very respectfully, your obedient servant,

LEVI WOODBURY, Secretary of the treasury.

Samuel Swartwout, esq., Collector of the customs, New York.

Custom house, New York, Collector's office, August 19, 1837.

SIR: In your letter of the 17th instant, received this morning, it is stated that in No. 31 of our "weekly returns of moneys," \$92,196 35 is charged to payments on account of "revenue cutters and boats, contingencies, &c.;" and in No. 32, \$92,009 91 is also charged for similar objects.

I would first observe, respectfully, (to correct an error,) that these sums have been reversed at the department, through mistake, as it will be found on examination of the returns, that in No. 31 the latter amount is given, and in No. 22 the former amount.

With regard to the great increase of these sums, I have to state that it is owing to the amount of treasury drafts, and which are thus explained: On the credit side of the return we enter, as so much money, the amounts received on bonds and cash duties by drafts; and to counterbalance these sums, we charge, on the opposite side, the aggregate amount of the drafts themselves. But there being no express item in the return, to which we could distinctly apply the drafts, they were placed under that of "revenue cutters and boats, contingencies, &c."

This was the only place where we thought proper to put the amount, unless it might be under the item "payments on account of collections;" but even there it would be blended with other sums.

The true amount in No. 31, of payments actually on account of "revenue cutters and boats, contingencies, &c.," is \$7,134 17

The amount of treasury drafts \$8,159 74

The amount in No. 32, for the same object, is as follows:

\$4,096 68
\$8,099 67
\$92,196 35

If our course should be disapproved, we might, for the present, erase the item "payments in bank to credit of treasurer," and over it write "treasury drafts," and opposite place the amount; or the item might be interlined, as would be best preferred.

I have the honor to remain, very respectfully, your most obedient servant,

SAMUEL SWARTWOUT, collector. Hon. Levi Woodbury, secretary of the treasury.

The following is a specimen deduced from the attention in practice of the present secretary, to the monthly returns of the collector at New York to the secretary, and illustrating how effectual these returns are in the detection of deficits, as well as in the estimate of receipts:

Treasury department, March 15, 1838.
 Sir: Perceiving that the amount of duties received at your port during the month of February is much smaller than was anticipated, I will thank you to explain to me the cause, if you can account for it. By the extension of credit for nine months, under the first section of the act of the 16th of October last, those which fell due in the latter part of the month of May preceding would become payable towards the close of February last. Besides, under the second section of the same act, allowing a credit of three and six months upon all merchandise subject to cash duty imported "on or before the 1st day of November," the three months' bonds bearing date the 1st of the last mentioned month would consequently fall due in February. Should the diminution of the anticipated amount of receipts from duties prove to be owing to the default of the obligators in not paying their bonds, you will be pleased to state the amount of such, together with any other facts tending to throw light upon the subject. I am, very respectfully,

LEVI WOODBURY,
 Secretary of the treasury.

*Samuel Swartwout, esq.,
 Collector of the customs, New York.*

*Custom house, New York.
 Collector's office, March 17, 1838.*

Sir: In answer to your letter of the 15th instant, inquiring into the causes of the discrepancy between the amount of duties received at this port during the month of February last, and the amount that was anticipated, I have to observe that whatever difference exists has arisen out of some error in estimating the amount payable, and not from any actual or material difference between the amount accruing and the amount paid.

Of the bonds which fell due from the 16th to the 31st May last, there were extended \$290,000
 Of this sum, there have been put in suit 15,000
 Thus leaving 275,000
 Under the second section of the act of 16th October last, there were taken and paid, due in February \$110,000
 385,000

The ordinary three months' bonds taken in November last, and due and paid in February, were 75,000
 Total, \$460,000

By the above, it appears that the bonds which were payable in February have been collected, with the exception of an amount of \$15,000, which has been put in suit; and that the whole amount payable did not amount to \$500,000.

The residue of our receipts, as per the returns in February, were composed of cash duties, bonds in suit paid, and interest on extended bonds. I have the honor, &c.

SAMUEL SWARTWOUT, collector.

Hon. Levi Woodbury, secretary of the treasury.

In the opinion of the committee, had the same scrutiny of Mr. Swartwout's returns to the secretary been uniformly made in his office, as by the preceding letters it is apparent was made occasionally, the legitimate purposes of those returns would have been accomplished, and Swartwout's defalcations could not have escaped detection beyond the termination of the first quarter in which they originated.

It may be remarked, that in the testimony of the secretary, as of that of this chief clerk, which repudiates the use (on the ground of there being valueless to detect defalcations) of the records deemed so essential in the opinion of so many individuals who have preceded themselves in office, there is to be found also the proof that no use of these records had, at any time prior to Swartwout's defalcation, been attempted by the secretary, or any other person in office under him. While, therefore, the one branch of this testimony seeks to found an opinion that is to serve as an apology for the neglect of a palpable duty, the other branch divests that opinion of all claim to actual experience in the use of the thing it repudiates and must proportionally weaken any reliance that otherwise might be placed upon it.

In this connexion, it should also be remarked, that, since the discovery of Mr. Swartwout's defalcations, the same comparisons for which the neglected records in the secretary's department are believed by the committee to have been instituted,

have been revived for future observance by the secretary. The results of negligence, and not those of experience, have been the sources from whence lessons of prudence have been derived, but too expensively to the government in this instance. The subjoined answer to the eighteenth interrogatory propounded to Mr. Woodbury by Mr. Wise elucidates these particulars:

"The entry of the amount of the quarterly accounts of collectors in a book was discontinued in November, 1835, and is stated by the auditor to have happened in consequence of one of his clerks not sending them for that purpose to the clerk keeping the book here, because they were detained by him too long.

"But this discontinuance was never reported to the secretary of the treasury, either by the auditor, or the clerk keeping the book, till last November or December. When it was reported, I deemed it proper, till congress made some legal provision on the subject, to adopt their suggestions, and ascertain if any benefit would result from such comparisons. I therefore requested the auditor himself to report to me weekly, not only the balances on the accounts as rendered, (which alone did not seem likely to afford much aid in detecting faults, if a comparison was instituted), but to report the balances found due on the final settlements. And I have since requested him to report explanations as to those balances when large or unusual.

"Whether, after this, any comparisons in my own office, between those and the weekly abstracts which I have directed to be made, will ever lead to any detection of such defaults as escape the accounting officers, is somewhat problematical, for reasons stated in document No. 69.

"But I deemed the effort proper, under the opinions expressed by those officers."

The foregoing testimony renders it certain that a revival of the comparisons resorted to under other administrations of the department, is now made designedly. The whole testimony is equally explicit that the records for such comparisons were not discontinued designedly, but little by little, through the slow and dull process of oversight and neglect—oversight in regard to the value, and neglect in regard to the actual use of the records.

It was undoubtedly by means here adverted to that Mr. McLane, while secretary of the treasury, was induced to call for an explanation of Mr. Swartwout, of a large outstanding balance which appeared upon his quarterly account at one period. In the testimony of Mr. Shultz, former auditor of the custom house under Mr. Swartwout, answer 6, the circumstance is thus adverted to:

"Soon after Mr. L. McLane came into office as secretary of the treasury, he sent to the comptroller for the account current of the collector of New York for the preceding quarter, and observing therein a large balance due to the United States, he wrote to Mr. Swartwout a letter, the substance of which was—'Mr. Collector, I perceive by your last account current that you are indebted to the United States in a large sum. Please to deposit that sum in the Branch bank to the credit of the treasurer of the United States, and send on the receipt therefor without delay.' Mr. Swartwout referred this letter to me, with the request that I would give an account of that balance, saying he was not aware of being indebted to the United States in any sum. I took the necessary custom house books home with me, sat up a great part of the night, and rendered an account of every item making this balance. This account was next morning sent to the secretary of the treasury, who, not understanding the manner in which the custom house books were kept, sent this statement to the comptroller's office, with the request that it might be examined by the comptroller of the collector's department, and be reported to the secretary. The statement was found correct of the items of the balance, without a difference of a single cent. This same statement is probably now in the office of the secretary of the treasury, if not burnt."

The great probability that an habitual recourse by the secretary of the treasury to a condensed record of the accounts of collectors, such as was heretofore kept in the secretary's department, would laterly, as it did in the days of Mr. McLane, have arrested the attention of a prudent and energetic officer, may be readily estimated by the extraordinary manner in which the quarterly balances of Mr. Swartwout's accounts for "cash retained" and for "amount of duties credited and not yet paid, and suspended accounts," have been permitted to grow and enlarge, unchecked, within the last few years. The following is an illustration, not of what came to the knowledge of the present secretary, but of what would have reached him had "the records" of his office been perpetuated, estimated and used.

By the testimony of Mr. Fleming, auditor of the custom house, (see committee's journal), it appears that Mr. Swartwout had charged to the government, in his accounts, items as follows:

1st quarter, 1835. "Amount of duties credited and not yet paid"	\$206,919 09
2d quarter. "Amount of duties credited and not yet paid"	295,416 84
3d quarter. "Amount of duties credited and not yet paid"	553,178 74
4th quarter. "Amount of duties credited and not yet paid, suspended accounts, &c."	274,343 43
1st quarter, 1836. "Amount of unsettled duties on deposit, unsettled accounts, &c."	543,204 67
2d quarter. "Amount of unsettled duties on deposit, unsettled accounts, &c."	856,019 93
3d quarter. "Amount of unsettled duties on deposit, unsettled accounts, &c."	1,053,531 57
4th quarter "Amount of unsettled duties on deposit, unsettled accounts, &c."	1,168,116 44
1st quarter, 1837. "Amount of unsettled duties on deposit, unsettled accounts, &c."	675,695 43
2d quarter. "Amount of unsettled accounts, duties on deposits, &c."	577,493 22
3d quarter. "Amount of unsettled accounts, duties on deposit, &c."	516,331 06
4th quarter. "Amount of unsettled and suspense accounts"	532,396 69

And, in the same quarterly accounts, the following items:

"Cash retained the 31st March, 1835"	70,882 46
"Cash retained the 30th June, 1835"	56,111 32
"Cash retained the 30th Sept. 1835"	14,083 19
"Cash retained the 31st Dec. 1835"	108,349 17
"Cash retained 31st March, 1836"	145,675 02
"Cash retained June 30th, 1836"	159,933 68
"Cash retained September 30th, 1836"	152,579 43
"Cash retained December 31st, 1836"	38,763 55
"Amount retained March 31st, 1837"	31,528 01
"Amount retained June 30th, 1837"	117,842 15
"Amount retained Sept. 30th, 1837"	49,295 54
"Amount retained December, 31st, 1837"	79,231 56

The fact that the incumbents of the two accounting offices in the treasury were, as represented in the annexed examination of the secretary of the treasury, borne down by age and infirmity, furnishes, perhaps, some explanation why less attention was devoted to the extraordinary balances contained in Mr. Swartwout's preceding quarterly and weekly returns than otherwise might have been in those offices; but the same consideration, notorious as it was, would seem to have demanded greater watchfulness and particularity in the principal superintendent of the revenue, the secretary himself.

Mr. Woodbury examined by Mr. Owens.

Question 25. Who held the offices of first auditor and comptroller at the time these defalcations, or the greater part of them, occurred? Were you personally acquainted with them? Were they competent, physically and mentally, to discharge the duties of their respective offices? Did you ever suggest to the president of the United States the great importance of having competent men in those offices, and the circumstances under which you made the suggestion?

Answer. Judge Anderson held the office of comptroller for many years previous to 1836, and resigned, I think, in the summer of that year.—Richard Harrison, esq. also held the office of first auditor a great number of years before November, 1836, when he also resigned. I was well acquainted with them after 1834. They were both gentlemen very much advanced in life—I think over seventy years of age; and they had suffered (and especially the former one) from the infirmities incident to their great age and long continued labors. But they were both men of much worth and fidelity; and hence, though less able than in former years to meet the calls on them of the usual business of their respective bureaus, and much more the increasing calls and business of 1835, and especially 1836, the department felt reluctant to see their removal on account of the complaints and similarities made of their increasing infirmities and disabilities. But after several conferences on the subject with the president, I understood that they both agreed to resign, and did so at the time mentioned; but without the slightest complaint or reproach as to their integrity and disposition, while in office, to exert all the vigilance, energy and labor, of which they were capable.

From the following testimony of William B. Randolph, now chief clerk in the office of the treasurer, it appears that balances so extraordinary were suf-

ficient to arrest the attention and excite the astonishment of subordinates in office.

Examined by Mr. Curtis.

Question 2. Have you, at any time, while employed in the comptroller's office, examined the quarterly returns of Samuel Swartwout, late collector of New York? If yes, for what year were these returns which you examined; and was there any feature in the accounts which attracted your attention?

Answer. During parts of the years 1835 and 1836 I was employed in the comptroller's office to revise the accounts of collectors north of the Potomac; among them, the accounts of Samuel Swartwout, late collector of New York. His accounts for the last quarters of 1835 and the account for the first quarter of 1836 passed under my inspection; in these I noticed the large and increasing balances of cash on hand, amounting on the 31st March, 1836, to nearly \$700,000, for which I was not aware of any sufficient reason.

Question 3. Do you mention this fact to any person, and to whom?

Answer. I spoke of this circumstance frequently among my fellow clerks as affording Mr. Swartwout a fine opportunity for accommodating his friends, and perhaps benefiting himself; and I feel confident that I mentioned the fact to Mr. Laub, the then chief clerk, who frequently acted as comptroller; but I did not otherwise speak of it in a manner calculated to excite the attention of my superiors.

The house will discover, by recurring to the form of weekly record of the returns from collectors, formerly kept in the secretary's office, so minute was the care then deemed essential to the security of the revenue, that one column was devoted specially to recording the day on which such weekly returns were received at the department. A day's omission of duty in these returns then, was liable to immediate detection. In the care with which Mr. Gallatin, while secretary of the treasury, enjoined the duty of collectors to have their returns "brought regularly the last day of the week, and include only the whole of the receipts of payments for the entire week, the said last day included," may also be appreciated by recurring to the circular of that energetic and distinguished financier, also given in the early part of this division of the committee's report. How effectually this same scrutiny would have checked the earliest misuse of public money by Mr. Swartwout is apparent, when it is considered that the whole of it was covered up and concealed prior to 1837 by uniformly omitting in his weekly returns the official receipts of Saturday, and not forwarding his returns until the following Monday, and frequently not until Tuesday of the succeeding week, thus giving the receipts of from two to four days, with which he replaced his prior deficits. The mistaken estimate by the present secretary of the utility of this precision on the part of the treasury, is easily measured by the advantage which is now seen to have been taken by Mr. Swartwout of the absence of it. The practice of Swartwout, in this particular, will be found illustrated in the following examination of Mr. Phillips, late assistant cashier of the customs; and the indulgence of it, through the negligence or want of a just estimate of it, by the present secretary of the treasury, is no less clearly brought to view in the testimony which is also subjoined hereto.

Mr. Phillips examined by Mr. Curtis.

Question 33. In your statement, contained in your letter of the 9th of November, 1838, addressed to Mr. Griffin, you say, at the close of the letter; "by reference to the weekly returns made to the treasury department, it will be seen that large amounts were frequently retained, under the name of 'amount due the United States, to be carried to next return,' which accounts have the signature of Mr. Swartwout; and, in many instances, would not be forwarded until Tuesday, in order that the collections of Saturday and Monday might place him in funds to make the transfer from his account to that of the treasury of the United States." Please state whether it was a frequent practice to delay the weekly returns required by the secretary to be made on Saturday, and not to send them forward until Tuesday; and when that practice began?

Answer. It was the rule of the office to make up the weekly return early on Monday of each week, and it embraced all the collections of bonds up to Friday afternoon; consequently, the bonds falling due on Saturday and Sunday, and payable on Saturday, would not appear on the account until the following week. It was the frequent practice to delay the weekly return until Tuesday; and it commenced, I think, in 1833 or 1834.

Question 34. Until the banks suspended specie payments, and the collector was ordered to withdraw the bonds from the banks and collect them at

the custom house, was it not the practice of Mr. Swartwout to pay over to the credit of the treasurer of the United States, weekly, nearly all the money in his hands; and does not this appear from the weekly returns?

Answer. It was the practice, until the banks suspended specie payments, for Mr. Swartwout to pay over to the credit of the treasurer of the United States, weekly, nearly all the money in his hands; and it does appear in the weekly returns. After the suspension of specie payments, Mr. Swartwout retained all the moneys collected in his own hands, (except \$70,000 in specie, transferred to the credit of the treasurer), and the same continued to accumulate until he retired from office.

Mr. Woodbury examined by Mr. Curtis.

Question 25. Do you remember to have noticed that Swartwout got into the practice, during the last year or two of his term of office, of omitting to despatch his weekly returns from the custom house until Tuesday?

Answer. I do not remember to have noticed any general change on that subject; nor should I be likely either to notice the difference of a single day in their arrival at the office, or the alterations in the mode of transportation by the mail, and in its general speed, and the interruptions in the mode of arrival, have been frequent, and accidents both in the custom house and the post office in New York and this city may occasionally affect the arrival or delivery of the letter here for twenty-four hours. But from so large a port as New York, and especially since the suspension of specie payments, I should notice two or three days' omission. The times, or days, when the returns were actually mailed or despatched, do not appear on the face of the returns; and the wrappers showing when the package was mailed, but not always with accuracy the day it was left in the post office, and thus despatched by the collector, are not taken off and inspected by me, but are removed by a messenger; after that, the returns themselves are examined by me in person.

Question 29. During the time Mr. Swartwout was acting as collector, did you regard the "weekly returns of cash received and paid out at the custom house," as including the cash paid for bonds and cash duties on the several Saturdays on which those returns are dated?

Answer. If my attention was ever turned to that particular point, I could state what my opinion was, provided it was expressed in writing; but I do not remember that the question ever arose. Looking, however, to the circular requesting the weekly returns, and to the period when the return are received at this office, I should suppose they were intended to embrace the receipts of Saturday, as well as every other day in the week.

Question 30. If the weekly returns included only the cash received for bonds paid, and cash duties received up to Friday, inclusive, on what day thereafter might those returns ordinarily have come into your hands, as the mails have run for the last two years?

Answer. If they were made out after the close of business on Friday, and mailed the next night, they could reach here by Sunday or Monday evening, I suppose; though my recollection as to the speed of the mails, or the hours of departure of them from New York, during the whole of the two years, is not very accurate. They would, then, if delivered punctually at the post office here to the messenger, reach my office Monday or Tuesday morning. But I think they are not generally received in the office here till Wednesday morning.

There is another feature in the policy which appears to have been pursued by the secretary of the treasury towards Mr. Swartwout, which is deserving the consideration of the house. It consists in the fact, that while the secretary, through the comptroller, acquiesced in the claim of Mr. Swartwout to retain, under pretence of indemnity for duties to be refunded by him to merchants who had paid them to him under protest, the large sum of \$201,000, he acceded to the provision of money by the comptroller for the successor of Mr. Swartwout to refund those same duties. It is true that, on being informed by the successor of Mr. Swartwout that he had borrowed of the latter the sum of \$25,000 for the purpose of these payments, the secretary, under date of April 21, 1838, expressed a hope, in reply, "that Mr. Swartwout would consider that a sum as a payment to that extent on account of the" \$201,000 due the United States then in his hands. It is likewise true that, being informed, on the 21st of May following, by the successor of Mr. Swartwout, that the \$25,000 borrowed of the latter had been repaid, the secretary, under date of June 12, expressed himself as follows: "The duties refunded under old protests will, it is hoped, be paid by your successor out of the money he retains for his indemnity."

It is not clear, from any evidence attainable by the committee from the secretary of the treasury, or any other treasury officer, what moneys were refunded by Mr. Swartwout's successor, upon the before named claims. But it is manifest, from the correspondence, that the sum thus in effect permitted to be drawn a second time from the public moneys is of large amount, and that Mr. Swartwout was compelled to contribute towards it a sum only equal to \$5,000. It is difficult to perceive a proceeding more strongly characterized by the absence of that energy and vigilance which are essential at all times to the security of the public treasury, and most desirable of all to be found in the head of the financial department of the government.

While the committee entertain the opinion that cases of defalcation among revenue officers may arise, respecting which the secretary of the treasury ought not to be regarded as in any degree in fault, they are far from believing that cases of defalcations may not arise, in which the secretary should be regarded as alike responsible with his subordinate accounting officers. A just principle is believed to have been advanced upon this subject by the committee of the house of representatives appointed to examine into the condition of the treasury in 1801. In the report of that committee it is said: "It is the immediate duty of the comptroller to superintend the adjusting of the public accounts, and to direct prosecutions for all delinquencies of officers of the revenue, and for debts due to the United States, though the secretary, in virtue of the authority as superintendent of the collection of the revenue, would be also responsible for the permission of any neglect or abuse of trust in the officers of the revenue, and receiver of public moneys, after the same should come to his knowledge." The knowledge of Swartwout's defalcation by the superintendent of the revenue, and to each accounting officer of the treasury, cannot surely be controverted after the period when it was known that \$201,000 had been retained by him under the pretence of refunding protest money, and that he had, notwithstanding, so neglected and refused to apply the fund, as to compel the treasury of the United States to satisfy the same protests from its separate and subsequently accruing resources.

The committee will further to recapitulate here the extraordinary submissiveness and want of energy that are betrayed by the secretary of the treasury, in his tolerance, without known complaint made to the executive, of the retention and use of the public moneys collected by the present collector at New York for collected or imposed against, and under the protests of merchants. The correspondence between the secretary and said collector on this subject has been already incorporated in detail in a prior division of this report, relating to the correctness of the returns of the collector, and need not again be presented. But it is most apparent, from that correspondence, that such retention and use of the public money by said collector is not only against the letter and spirit of the revenue laws, but also against the solemn opinions of duty communicated to the collector, of the secretary of the treasury, and of the attorney general of the United States. And yet the collector is permitted to execute the law only as he understands it. In fact, as well as in example, this submission of the higher to the subordinate officers charged with a due execution of the laws, is derogatory of the government and most pernicious to the public interests. It is believed that the secretary of the treasury, for immediate correction, whether regard be had to the honor of the government or to the security of the public money.

From the preceding evidence, the committee report as established facts:

1st. That, of late years, important books of record, designed to contain a condensed statement of the accounts and liabilities of collectors of customs, weekly, monthly and quarterly, have been permitted to fall into disuse in the department of the secretary of the treasury, and thereby render nugatory many of the essential checks upon the defalcations of that class of officers, arising from existing laws and treasury regulations.

2d. The negligence and failure of the secretary of the treasury to discharge his duty as the head of the treasury department, charged by law with the superintendence of the collection of the revenue, and his want of a correct appreciation of the before named records in the superintendence of the collection of the public revenues, and the consequent neglect to continue and complete them, are justly regarded as a primary cause of the escape from defalcation, for so long a period, of the immense defalcations of the late collector at the port of New York.

3d. That the secretary of the treasury has been acting in a proper discharge of his duty in office, permitting Samuel Swartwout, late collector of the city of New York, quietly to retain the sum of \$201,000, now being out of office, under pretext of indemnifying himself against claims of importers for duties in him under protest, and liable by him to be returned, while it was known to the secretary, within a few weeks thereafter, that said Swartwout was neglecting to refund such protest moneys, as he pledged to do, and that the same was being refunded, from necessity, out of other accruing resources of the government, by said Swartwout's successor in office.

4th. That the secretary of the treasury has been acting in a proper discharge of his duty in office, permitting the present collector at New York to retain, under his own control, and subject to his own use, commingled with said collector's private funds, large and accumulating sums of the public moneys, collected for duties paid under protest, and against the declared opinion of said secretary, and the declared opinion of the attorney general of the United States on the subject, also, against all former orders of the department, and instead of causing the same to be paid into the treasury of the United States.

PART II.

THE DEFALCATIONS OF WILLIAM M. PRICE. The extent of the defalcations of Mr. Price, as district attorney, is found in the testimony of B. F. Butler, esq., his successor in office, to be \$72,124 36; and, however, in all probability, to some other illegal services not yet rendered in the charges of Mr. Price.

The subjoined extract from the testimony of Mr. Butler presents the results of his own examination into the subject. The committee is unable to comprehend, however, the practicability of any concealment by the district attorney, respecting suits commenced, or suits discontinued, by payment of services, from the knowledge of the solicitor of the treasury, for any period much exceeding the vacation between terms of the district and circuit courts in any state, provided clerks of courts, marshals and collectors, are properly held up to a discharge of their respective duties by the solicitor, and provided due diligence is used in the solicitor's office in comparing the periodical and frequent returns to him required by law of these several officers. It is unnecessary to recapitulate here the requirements of the law in these particulars, and the duties of the solicitor arising therefrom, as they will be understood in the sequel.

It does not appear that the returns actually made by Mr. Price were untrue, but all the returns required by law to be made were not made; and this act must have been detected in each case at the receipt of the office, if the comparison expressly required by law, of returns made there, had been made with proper care. For instance: the case of the United States vs. Bancker, particularized by Mr. Butler, must have been originally, and for many terms, certified by the clerk of the court to the solicitor as a suit pending. When it ceased to be pending, it ceased to be certified, of course; and then due diligence on the part of the solicitor could have detected the fact, and held the attorney immediately accountable.

The discharge of Treadwell in 1835, on which Mr. Price received \$5,000, was made on terms prescribed by the treasury department; and it is presumed that it must, of course, have been conducted through the solicitor's office, as such is the requirement of law. Is it possible due diligence on the part of the solicitor would not have laid sight of an order upon the records, when it had specially directed that no order upon so large a sum, even though the attorney had neglected to report upon it?

The same remarks are equally applicable to each of the other cases, wherein Mr. Price is a defaulter, and wherein he omitted to make report to the solicitor.

It will be observed that Mr. Butler says, it appears that in January and February, 1837, Mr. Price received \$9,646 07, and in May, 1837, \$6,051 11, on custom house bonds, no part of which has ever been paid.

The solicitor of the treasury, in his testimony, says: "the clerk of the district court, during the year 1837, reported two hundred and forty-one bonds put in suit by the district attorney. On a comparison of the returns with the returns of the district attorney, on bonds put in suit, so as to ascertain what the legal proceedings, it appeared that judgment had been entered on all but fifty-two bonds; of those forty-four came within the provisions of the second section of the act of 19th March, 1836, for the relief of the sufferers by fire, and the suits thereon were accordingly discontinued; of the re-

maining eight, seven bonds are reported as put in suit on the 25th January, 1837, and one on the 5th April, 1837. On these eight bonds, the clerk does not report that judgments were recovered by the district attorney, who, therefore, remains charged with them."

Now, if the money received by Mr. Price in January, February and May, of 1837, was received on any of these last named eight suits, (as, probably, it must have been, inasmuch as the solicitor says, in his testimony, all the bonds reported by the collector as transferred to the district attorney had been reported on and accounted for by the latter), and, as the clerk of the court, in his report, it is difficult to attribute the escape of Mr. Price's defalcations for these sums to any thing but negligence on the part of the solicitor of the treasury. The suits having been once reported as pending, the suits having been certified in like manner, at each successive term of the court; or omitted altogether, because settled, or otherwise, in the attorney's report. The law requires each report to include suits pending as well as suits concluded. If they were reported as concluded, vigilance by the solicitor would have detected the fact, and held the attorney responsible for them at the return day of the execution; if not reported as pending or concluded, vigilance would equally soon have detected the fact, and sought an explanation. His defalcation on these eight suits, and the want of information concerning them at the solicitor's office, are attributable, therefore, to a negligent administration of the duties of that office, in the opinion of the committee, and find no apology in any defect of the existing laws.

Extract from the testimony of B. F. Butler, esq. Having had no knowledge or information of Mr. Price's conduct as a receiver of public moneys, until since his departure from the city in December last, I am not able to state the causes which led to his defalcation, nor have I formed any decided opinion on that subject; but I have become acquainted, since I have been in office, with some circumstances which appear to have enabled him to receive and retain public moneys, without being liable to be called to a prompt settlement therefor, and which I regard as among the causes that led to his defalcation. First, and principally, by the circular of the solicitor of the treasury, dated July 27, 1830, district attorneys whose custom house bond shall desire to discharge part of the whole, of his debt previous to judgment, may request him to pay the money to the collector, who delivered the bond for suit, taking the same to him and handing over to the district attorney proper receipts therefor; but if, instead of paying the money to the collector, as requested, the obligor makes a tender of the whole amount due the government to the district attorney, he is to receive the same, and forthwith to deposit it in bank to the credit of the collector who delivered the bond for suit; or, if there be no bank near in which government deposits are made, to pay the amount to such collector. Pursuant to these instructions, I understand that Mr. Hamilton, the predecessor of Mr. Price, always referred persons applying for this to pay bonds received from the collector of this to the collector's office; and that Mr. Price generally pursued the same course until some time in the year 1837. It appears from his registers, in the year 1837, that he received payment, in the winter of 1836-'37, he received payment, in several instances, on bonds in suit or judgment; and that, in the spring or summer of 1837, he practiced receiving payment at his office on custom house bonds delivered to him for collection became a settled one. In this way public moneys, to a large amount, were brought into his hands, and he was exposed to temptations, and they to hazards, which would not have existed had the former usage been kept up, especially as neither the collector nor the officers of the treasury department could generally know, except from Mr. Price's own reports, what payments were made to him on this account. More than two-thirds of the sum for this account. More than two-thirds of the sum for this account. More than two-thirds of the sum for this account.

This practice also enabled him to retain this money in his hands for a considerable time before paying them over. Several of the payments made by him to the collector during the year 1838, were after a delay of one or two months, and I have found one case in which he held \$3,849 57 for ten months.

Secondly. In suits on treasury transcripts, and in litigated cases generally, and in proceedings of a special nature, the treasury officers have no means of knowing officially, except from the report of the district attorney, what moneys are received by him. This enables an unfaithful or careless officer to retain money in his hands, and exposes them to loss. Mr. Price's defalcation commenced with cases of this nature.

The first instance of official delinquency which I have discovered, was in not paying over to the collector of Boston any part of the sum of \$2,500 received by Mr. Price on the 17th June, 1835, from Evert A. Bancker, assignee of Scoville & Birbeck, against whom a chancery suit had been brought for the purpose of recovering a balance due to the United States on a custom house bond executed by Scoville and others. This chancery suit had been pending for several years, and the officers at Boston had no knowledge of the progress made in it, except from the communications of the district attorney. It was only during the last week that I ascertained from Mr. Bancker the fact of the above payment, no entry of it being found in the register of Mr. Price; and I have reason to believe that it was never made known to the collector of Boston. On the 7th September, 1835, Mr. Price received from Ephraim Treadwell, of this city, on his discharge as an insolvent debtor, pursuant to an order of the secretary of the treasury, the sum of \$5,000. This money was not paid over, nor was the fact of its payment, nor of the discharge of Treadwell, communicated to the treasury department. In October of the same year, Mr. Price appears, from his register, to have received about \$1,066 in two chancery suits then pending, in which the United States were interested, and which sums have never been paid over. His defalcation, prior to December, 1836, according to the information in my possession, was confined almost exclusively to the sums above mentioned. In December, 1836, he appears to have received \$1,228 97; in January and February, 1837, \$9,646 07; and in May, 1837, \$6,051 11, on custom house bonds, no part of which has ever been paid over. This increased his defalcation to about \$25,000, at which it appears to have remained until after the 1st April, 1838; between which time and the 5th day of December, 1838, it was extended to about the sum of \$72,124 36, above mentioned.

I am not able to state whether or not Mr. Price made all the returns to the treasury department at Washington required by his duty and the instructions of the solicitor; but I have reason to believe that, when suits were commenced on bonds, they were generally reported; and that the returns of custom house bonds in suit were regularly made to the solicitor up to the end of the last September term of the district court.

But there is a cause auxiliary to that of inefficiency or negligence in the administration of the department of the solicitor of the treasury, to which are ascribable the incipient impulses of Mr. Price's defalcation. It is to be found in the pecuniary irresponsibility and want of trustworthiness, as a professional man, at the time of his appointment to the office of district attorney in 1834, by president Jackson, as also at the time of his reappointment in 1838, by president Van Buren. To these characteristics of Mr. Price appear to have been added, at each period of his appointment in the capacity from which he was selected. The subjoined proof establishes the fact.

Alexander Hamilton, a witness called by Mr. Owens.

Examined by Mr. Curtis.

Question 4. Did you know William M. Price, late district attorney of the United States, and his general reputation for pecuniary responsibility? What has been that reputation for fifteen years past?

Answer. I have known him for the period mentioned, and during the time have understood him to be entirely without pecuniary responsibility.

Arend S. De Peyster, formerly weigher in the custom house, called by Mr. Price.

Examined by Mr. Huston.

Question 10. Are you acquainted with William M. Price, late district attorney of the United States? If yes, please state whether he was regarded, before and after his appointment, as a man worthy to be intrusted with collection of large sums of money?

Answer. I am acquainted with William M. Price, late district attorney, and answer the question in the negative.

Russell H. Nevins, called and examined by Mr. Owens.

Question 5. What was the reputation of Wm. M. Price for pecuniary responsibility at the time of his late appointment as district attorney of the United States?

Answer. It was, in my estimation, and according to the best of my knowledge, the general opinion that he was utterly unworthy of any pecuniary credit. I have known Mr. Price upwards of thirty years.

Question 6. How long has Mr. Price been thus regarded in your community?

Answer. My opinion of him has been the same for the last twenty years. With the public, he may

have gained something in the course of the last few years, prior to his late departure.

Question 7. Do you say that Price's reputation had improved any before his appointment as district attorney of the United States?

Answer. Not to my knowledge.

George A. Worth, cashier of the City bank of New York.

Examined by Mr. Curtis.

Question 4. Were you acquainted with William M. Price, late district attorney of the United States? If yes, what was his general reputation for pecuniary responsibility prior to, and at the time of, his late appointment as district attorney? Was Mr. Price regarded in this community as trustworthy in pecuniary matters?

Answer. I was acquainted with Mr. Wm. M. Price. My impression is, that Mr. Price's responsibility, in a pecuniary point of view, was very light. Prior to his appointment as district attorney, his name would have had no weight in bank.

Question 5. Was Mr. Price's reputation such that you would have felt justified in intrusting him with the collection and receipt of money for the City bank, prior to and at the time of his late appointment as district attorney of the United States?

Answer. I was not at the time alluded to, sufficiently acquainted with Mr. Price to have done so without first making the necessary inquiries.

Question 6. Was it not notorious in the community at the time of Mr. Price's appointment as district attorney of the United States, and before that time, that he was regardless of pecuniary obligations?

Answer. I have no distinct knowledge that will authorize me to answer that question. How Mr. Price may have stood in pecuniary matters with others I know not.

Question 7. You are asked concerning the common report, the general reputation, in respect to Mr. Price, and not concerning your own knowledge of him. Would you, (if it had been within the scope of your duties as cashier of the City bank,) relying upon the general reputation of Mr. Price, at the time above alluded to, have intrusted him with the collection and receipt of any considerable sum of money for your bank?

Answer. No.

James B. Murray, late president of the Morris canal company, called by Mr. Owens.

Examined by Mr. Curtis.

Question 5. Were you acquainted with William M. Price, late district attorney of the United States? If yes, how long? Was Mr. Price prior to, and at the time of, his late appointment to said office, regarded in this community as worthy of confidence in pecuniary matters?

Answer. I have been acquainted with Mr. Price for thirty years, and have never known him to be considered as of much pecuniary responsibility prior to his being appointed district attorney.

Question 6. Would you, as a merchant, have regarded it as safe and prudent to place demands in his hands for collection, when, in the course of business, the money to any considerable amount would have passed into his hands.

Answer. I should never have employed Mr. Price to have collected any demand for me involving the necessity of a large sum of money passing through his hands.

George Griswold, merchant, called by Mr. Owens.

Examined by Mr. Curtis.

Question 2. Were you acquainted with William M. Price, late district attorney of the United States? If yes, how long have you known him, and what was his reputation in this community for pecuniary responsibility at the time of, and prior to, his appointment to said office?

Answer. I think I have been acquainted with him for about fifteen years. I should think he had as little reputation for pecuniary responsibility as any man you could find. I should say his reputation was decidedly bad; I never saw the day when I would trust him with two hundred dollars.

Question 3. Was Mr. Price's reputation such at the time of his late appointment, in this community, that you should have regarded it safe and prudent to intrust him with the collection and receipt of any considerable sum of money?

Answer. Certainly not.

Jonathan Goodhue, merchant, called by Mr. Owens.

Examined by Mr. Curtis.

Question 3. Were you acquainted with William M. Price, late district attorney of New York? If yes, what was his reputation for pecuniary responsibility at the time and prior to his appointment to said office? You are not asked for your own knowledge, but of the general report in this community, concerning Mr. Price's pecuniary responsibility.

Answer. I have known Mr. Price for many years, but not in the way of meeting him frequently. From what I understood of his business in his profession, and of his inheritance from his father's estate, and, on the other hand, of his habits of expenditure, I did not suppose his pecuniary responsibility was of much account, if, indeed, of any.

Question 4. From what you knew of Mr. Price, and his general character in the community, would you have considered it prudent, at any time, to intrust him with the collection of notes or bonds, to any considerable amount, if the money was to pass into his own hands?

Answer. I should not have considered it prudent to do so.

John Ward, broker, called by Mr. Owens.

Examined by Mr. Curtis.

Question 5. Were you acquainted with William M. Price, late district attorney of the United States? If yes, how long have you known him? What was his reputation for pecuniary responsibility at the time of and prior to his appointment to said office?

Answer. A slight acquaintance for a year or two past. He was generally considered without pecuniary responsibility.

Question 9. Have you, or not, known his general reputation for a longer period, and for many years past?

Answer. I consider his general reputation has been exceptional for many years, and I have known it for many years.

Question 10. Would you, as a broker and man of business, have regarded it safe and prudent to have trusted Mr. Price with the collection and receipt of any considerable sum of money?

Answer. I should not.

David Clarkson, president of the Brooklyn (late deposit) bank.

Examined by Mr. Curtis.

Question 1. Were you acquainted with William M. Price, late district attorney of the United States? and how long have you known him?

Answer. For many years.

Question 2. For the last ten years, or prior to and at the time of his taking said office, what was his reputation in this community for fidelity and responsibility in pecuniary transactions? Would you have deemed it safe and prudent to intrust him with your business, if your money were consequently to pass into his hands?

Answer. Since I have known him I have been, myself, unfavorably impressed as to his standing; and his pecuniary responsibility secure that I should have considered my property insecure in his hands.

While it is not deemed by the committee within the scope of its legitimate province to investigate the causes "which have disturbed the right course of appointment, and have placed or continued power in unfaithful or incompetent hands," the conviction is irresistible, that, in the case of Mr. Price, as well as in that of Mr. Swartwout, they have resulted in immense losses of the public money, alike disreputable to the government and demoralizing to the country. And, from the testimony in the case, the committee find the following facts established:

1st. That William M. Price, as district attorney, is a defaulter to the government in a large amount.

2d. That his defalcations are attributable to the notorious irresponsibility and want of character of said Price at the periods of his appointment and re-appointment, and during his entire terms of office; and to the continued neglect of the proper and efficient discharge of duties as the office of the solicitor of the treasury, by the late and present incumbents of that office.

PART III.

THE CORRECTNESS OF THE RETURNS WHICH HAVE BEEN MADE BY THE PRESENT COLLECTOR AND NAVAL OFFICER OF THE PORT OF NEW YORK, RESPECTIVELY.

So far as this inquiry related to the returns of the naval officer, no impediment was started or encountered from any source. And, considering that nearly two thirds of the whole revenue of the government passes into the hands of the collector of this port; and considering the natural, and by no means unworthy, distrust that has of late pervaded, and still pervades, the public mind in relation to the safety and proper disposition of so large a portion of the government funds as are managed, while in transit to the treasury, by him; and considering, more especially, how free and well prepared, as a general rule, every officer intrusted with the delicate task of conducting the money concerns of the people should be to lay bare to the public gaze, at any time when called upon for the purpose by even the semblance of competent authority, if all as it should be in the department of such officer; the committee regret extremely that they were not equally successful in pursuing their inquiry into

the correctness of the returns which have been made by this collector, as into those of the naval officer. But they feel constrained to say, that, of the part of the collector, there was a sensitiveness manifested upon the subject of their inquiry wholly incompatible with the high bearing that ordinary characters pure dictates and conscious integrity and wholly at variance with the obligations of duty imposed upon him by his station. The hope is indulged, however, that, in this case, it may have proceeded only from the petulance and vanity some times incident to the possession of "brief authority;" although it would be claiming too liberal an exercise of charitable feeling to require the committee to yield, without qualification, to such conviction. The inquiry reached far enough to enable them to pronounce definitely that the return of the collector, in relation to the public money received by him, if true in their details, have not been made in details according to the requirements which should be enjoined upon him by the secretary of the treasury, in whom is vested, by existing laws, the absolute superintendence of the collection of the public revenue, nor have they been what the safety of the treasury demands.

But, being desirous of presenting the case of this collector to the house and country in the precise light in which they reached and viewed it, the committee will adhere closely to the order and to the facts in which it stands upon their journal.

The committee being in session at New York, apprized Mr. Hoyt, the collector, of the fact; and furnished him a copy of the resolution of the house under which the committee were proceeding.

On the 26th of January the following resolution was passed in committee, without a division, and communicated by the chairman to the collector, to wit:

On motion of Mr. Dawson,

Resolved, That the collector of the customs for the district of New York be required to place before this committee the book containing a copy of all letters to and from the treasury department of the United States since the first of January, 1837; also his book containing the record of all orders and instructions from that department since the first of January, 1837.

To which resolution the following answer was received from the collector:

Custom house, collector's office, New York, January 26, 1839.

SIR: I have this moment received your communication of this day, covering a resolution in the following words:

On motion of Mr. Dawson,

"Resolved, That the collector of the customs for the district of New York be required to place before this committee the book containing a copy of all letters to and from the treasury department of the United States since the 1st of January, 1837; also his book containing the record of all orders and instructions from that department since the 1st of January, 1837."

I now send you two letter-books, which I am informed by the only clerk now in this office during the time of Mr. Swartwout, that had any especial charge of the correspondence; which two books contain "the letters to and from the treasury department of the United States since the 1st of January, 1837," up to the time Mr. Swartwout went out of office.

I also send you a book of circulars, which the same clerk informs me is the only one he knows of. I am not aware of any others.

If I have not interpreted the resolution correctly, you will be pleased to inform me. Very respectfully, your obedient servant,

J. HOYT, collector.

Hon. James Harlan, chairman, &c.

The foregoing reply of the collector, and its accompaniments, bore upon its face a designed restriction of the call made upon him to the letters, orders and instructions that had passed between the treasury department and the late collector, Mr. Swartwout, and embraced none of a subsequent date, or to which the present collector was a party, although the only legitimate construction of which the call was susceptible embraced the latter as well as the former. Believing the documents withheld in this manner to be essential to the investigation, Mr. Dawson moved, on the 28th of January, the following resolution in committee:

Resolved, That Mr. Hoyt, the collector, be required to furnish this committee with all letters to and from the treasury department and the collector of the customs at New York; and also all orders and instructions from the treasury department to said collector since the 1st day of January, 1837, up to the present day; and the answers of said collector, if any, to said orders and instructions, not already furnished to this committee.

Mr. Owens moved the following amendment: "Provided the said letters, orders and instructions, have reference to the late defalcations embraced in the inquiry of this committee."

On this amendment the yeas and nays were ordered, on the motion of Mr. Owens, and decided in the negative by the following vote:

YEAS—Messrs. Foster, Owens, Wagener—3.
NAYS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

The question was then taken on the original resolution, and the yeas and nays being ordered, on motion of Mr. Wagener, the resolution was adopted by the following vote:

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.
NAYS—Messrs. Foster, Owens, Wagener—3.

At the evening session of the same day, the following letter from the collector was received, and read in committee:

Custom house, collector's office,
New York, January 28, 1839.

SIR: I received your note at half past 1 P. M. this day, covering a resolution, in the words and terms following, viz:

"Resolved, That Mr. Hoyt, the collector, be required to furnish this committee with all letters to and from the treasury department and the collector of the customs at New York, and also all orders and instructions from the treasury department to said collector since the 1st day of January, 1837, up to the present day; and the answers, if any, to said orders and instructions, not already furnished to this committee."

"A true copy from the minutes."
"P. R. FENDALL, clerk."

In reply to that resolution, I have to remark, that I am a public agent, responsible to the law, which I recognise as my superior, to the same extent as the committee are; and I have no right to exceed the authority delegated to me, and more than [than] the committee have to exceed that delegated to it.

It is a rule I have observed since I have occupied my responsible station I now do, in all matters connected with the performance of official duty, to look into the authority of all persons asking for my official action, to see upon what authority that action is demanded or requested. In pursuance of this principle, with which the committee must be familiar, I have looked into the "copies of certain proceedings of the house of representatives," furnished to me on the 25th instant, by order of the committee; and I there find, after a recital of the defalcation of the late collector of New York, that the committee are authorized to inquire "into the causes and extent of the late defalcations of the custom house at New York and other places, the length of time they have existed, the correctness of the returns which have been made by the collectors, naval and other officers, and the deposit banks respectively, and all such facts connected with the said defalcations as may be deemed material to develop their true character." "That the said committee be required to inquire into and make report of any defalcations among the collectors, receivers and disbursers of the public moneys which may now exist, the length of time they have existed, and the causes which led to them."

This, then, being the authority delegated to the committee, it becomes necessary to inquire, before I send the correspondence of the collector's office of this port with the treasury department, since the 1st day of January, 1837, up to the present day; "to inquire whether the said committee, or any of its members, charge the undersigned with being a defaulter. Respectfully, your obedient servant,
J. HOYT, collector.

To the hon. James Harlan, chairman, &c.

On the following day, January 29, Mr. Wise moved in committee the following resolutions:

Resolved, That, in response to the letter of Mr. Hoyt, of the 23th instant, the chairman be instructed to call upon him again to furnish this committee with all letters not heretofore furnished, from the several officers of the treasury department to the late and present collector at New York, and from said collectors to said officers of the treasury department, since the 1st day of January, 1837, up to the 17th day of January, 1839; and, also, with all orders and instructions from said officers to said collectors, and the answers of said collectors thereto, if any, not heretofore furnished, since the 1st day of January, 1837, up to the 17th day of January, 1839.

And it further resolved, That this committee cannot recognise any authority or right whatever, in any collector, receiver or disburser of the public money, to call upon "the committee," or "any of its members," to prefer or to disavow a charge of his "being a defaulter," before such officers send "the

correspondence" of his "office," when required under the authority of the house of representatives, "to send for persons and papers," to enable its committee "to inquire into, and make report of any defalcations among collectors, receivers and disbursers of the public money which may now exist;" nor can this committee, or "any of its members," report whether Mr. Hoyt is, or is not, now, a defaulter, until, by examination of the "persons and papers," for which it has sent and will send, it shall discover "who are the defaulters; the amount of defalcations; the length of time they have existed; and the causes which led to them;" and when the committee shall have found the facts embraced by these inquiries, or closed its investigation, it will make report thereof to the house of representatives.

On motion of Mr. Hopkins, the yeas and nays were ordered.

The resolutions were adopted.
YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

NAYS—Messrs. Foster, Owens, Wagener—3.

On the 30th of January the chairman laid before the committee the following letter from the collector:

Custom house, collector's office,
New York, January 29, 1839.

SIR: Your letter, covering two resolutions passed by the select committee this day, came to me at half-past one, P. M.; but the pressure of current official duties was such, that I had not the opportunity to make a reply in time to lay it before the committee previous to its adjournment.

I regret that the committee has not thought proper to reply, explicitly, to the inquiry made in my letter of yesterday, as to whether it intended to charge me with official defalcation. An answer to that inquiry appeared to me to be not only a matter of right, but also one which it was my duty to institute, inasmuch as I could not conceive what connexion that portion of the documents called for by the committee which relates to my own official conduct could have with the defalcation of my predecessor; nor could I see any cause for calling for such a report, unless it was the intention of the committee to extend to me the charge of defalcation. But though an explicit answer has not been given to my inquiry, I cannot but consider the second resolution passed by the select committee, and enclosed in your letter, as intimating, at least, that the committee deem it necessary to inquire into "the collection and disbursement" of the public moneys by me, as collector of this port, and into the accounts appertaining to the same; and that they also deem it possible that such an inquiry may show me a defaulter. Regarding the resolution referred to in this serious aspect, I feel it due to the public service, as well as to my own character and rights, to call on the select committee, as I have now done, to make a full and thorough investigation into my necessary, before leaving this city to the end that it may make such a report in the matter as shall either sustain this intimation, or remove all grounds for the injurious suspicions it is calculated to excite. The justice of this appeal is too obvious to need comment, and I will not doubt the readiness of the committee to recognise it; although I cannot but question the accuracy of the construction which the committee has given to its powers, under the resolutions of the house of representatives, which I can scarcely think were intended to authorise the committee to make a sweeping call for the papers of a public officer, against whom no charge of defalcation is preferred, for the purpose of ascertaining whether he is not a defaulter. Yet, such is my anxiety to give every facility to the investigation of my accounts, and such my unwillingness to rest for a moment under the imputation implied in the resolution of the select committee, that I shall cheerfully submit to it all the official correspondence I have held with the treasury department, and all books and papers relating to the receipt and disbursement of the public money, and to the particulars and state of the accounts during the period mentioned in the resolution.

It will also give me pleasure to communicate, either orally or in writing, any other information on the subject which may be in my power, and which the committee may wish me to lay before it.

I shall, therefore, immediately proceed to select all the letters, orders and instructions, received from the treasury department, within the period referred, relating to the receipt and disbursement of the public moneys, and the state of the accounts; and I will have the honor to transmit the same to the select committee as soon and as fast as schedules thereof can be prepared. As to the official letters, on the same subject, written by me to the department, the originals of them are in the possession of the several officers to whom they were addressed, and I am therefore unable to send them, as requested

in the resolution; but I shall be enabled to lay copies thereof before the committee, if copies will be received, and are desired. Such copies, if called for, will be furnished as speedily as expert copyists can prepare them.

I have already communicated to the select committee all the correspondence of my predecessor in office, on the subject referred to, which the committee has called for, so far as I know of its existence. Very respectfully, your obedient servant,
J. HOYT, collector.

Hon. James Harlan, chairman, &c.
Also, on the same day the chairman laid before the committee the following letter from the collector:

Custom house, collector's office,
New York, January 30, 1839.

SIR: In pursuance of the promise made in my communication of yesterday, to the select committee, concerning my correspondence with the treasury department, I now send to the committee the official letters from the secretary of the treasury to the undersigned, as per schedule A, hereto annexed.

I also send the letters from the treasurer of the United States, as per schedule B.

I also send the letters from the first auditor of the treasury, as per schedule C.

I also send the letters from the solicitor of the treasury, as per schedule D.

I also send the letters from the first auditor of the treasury, as per schedule E.

I also send the letters from the first comptroller of the treasury, as per schedule F.

I also send a book, labelled "circulars from the comptroller and secretary of the treasury." The clerk whose duty it was to arrange that book, I regret to say, has not put the circulars in the book in the order in which they bear date; and there may be some in manuscript not in that book, but in the letters transmitted.

I have made a hurried selection of the letters I now transmit, from my desire to comply promptly with my undertaking; and it is therefore possible I may have omitted some, which I will send hereafter if I discover that any have been omitted.

To avoid the contingency of a loss of any of the letters, I would respectfully request that you would permit the clerk of the select committee to compare them, and indicate to me whether the letters correspond with the schedules. Very respectfully, your obedient servant,
J. HOYT, collector.

P. S. In the heading of this communication I have stated "schedules annexed;" I have put the schedules on the top of each separate file of letters.
J. HOYT.

Hon. James Harlan, chairman, &c.

The evasive responses thus made by the collector to the calls of the committee, partaking of a species of special pleading quite out of place in the intercourse of public agents, however suited to some other forum, and studiously withholding thereby all records by which the correctness of his own proceedings in the returns he had made while in office could be tested; and especially the disposition of mind indicated in the quasi apology put forth in his letter of the 29th of January, for not communicating his own official letters to the officers of the treasury department, viz: that "the originals of them are in the possession of the several officers to whom they were addressed, and I am therefore unable to send them as requested, &c. but would send copies if desired," &c. precluded the hope of obtaining from that quarter any thing like satisfactory information respecting his returns and the basis of them, with the exception to something of more binding solemnity than respectful calls in the shape of resolutions, and probably not without recourse to the testimony of others. No more, consequently, was obtained from the collector, except by making him a witness, and examining him under oath, which, at a subsequent and proper stage of the investigation, was done.

On the 5th of February, Mr. David S. Lyon, formerly a deputy collector at New York, was under examination as a witness, and information was sought of him respecting the amount of money which had been received under protests by the collector. This part of the proceeding is extracted from the journal of the committee, in the order of its occurrence, as follows:

Question 3. What is the total amount of money received into the possession of Jesse Hoyt, as collector, or individually, under protest, from the commencement of his official term to this day?

Mr. Owens objected to the 2d interrogatory.
Mr. Foster called for the yeas and nays on the question, shall the interrogatory be propounded?

The question was then put, and decided in the affirmative.

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

Question 16. Has any, and what amount received by you under protest been paid into the treasury of the United States?

Answer. My correspondence with the department on this subject leaves it in doubt on my own mind how I am to consider the question with reference to the understanding of the department. I have frequently stated to it that it could use the money in its own way and form, if adequate protection was given to me. In answer to one of my letters, the secretary wrote me under date of 22d of December last, of which the following is a copy. *Treasury department, Dec. 22, 1838.*

Sir: As heretofore intimated to you, the opinion of the attorney general has been taken upon the subject presented in your letter of the 17th of October last, a copy of which is herewith transmitted for your information.

In view of this opinion, I would suggest, that the moneys held by you on account of duties paid under protest by the parties, as also those received on account of cash duties not ascertained at the time, should be placed to the credit of the treasurer, so that they can be drawn for as needed; but at the bottom of each weekly return the amount held for each of these objects may be enumerated.

By this course no difficulty will arise till congress legislate on the subject, as they have been requested to do, because the accruing duties will all be paid enough to return from, and the comptroller or myself will give proper directions in all cases presented, for retaining duties which have been paid under protest.

So in regard to duties not ascertained: any excess or deficiency can be regulated afterwards, when the duties shall have been actually ascertained, until some legal provision is made by congress. I am, very respectfully, your obedient servant,

LEVI WOODBURY, *sec. of the treasury.*
Jesse Hoyt, *esp. collector of the customs, New York.*
The following is a copy of the opinion of the attorney general, referred to in said letter:

Attorney general's office, Dec. 19, 1838.

Sir: I have the honor to acknowledge yours of the 7th instant, in which you state that "it frequently happens, especially at the larger ports of entry, on the importation of some particular description of goods, that the importer disputes the duty, to which the collector, acting under the instructions of the comptroller, decides the articles in question to be liable under the tariff laws. But, with the view of getting possession of his goods, the importer pays under protest the amount of duty demanded by the collector, and at the same time gives that officer notice not to pay the money over to government, and immediately institutes a suit against the collector to recover back the amount so paid."

"Under these circumstances, the following question arises, viz: Can a collector legally retain in his hands, beyond the control of the department, and distinct from his other funds arising from duties, moneys so received?"

In answer to this question, I would say that, under the laws of congress in relation to duties on imported articles, the duty of the collector is to carry into execution the instructions of the treasury department, and to conform his acts to them. If, in doing this, he shall collect more money than the judiciary shall afterwards, in an action against the collector by the importer, adjudge to have been due to the government, there can be no doubt that it is the duty of the government to save the collector from injury. But the question you present is of a very different character. It is, whether the collector has the legal right to retain the money so received in his own hands, beyond the control of the department. &c. My opinion is, that no such right exists; and that the collector should, notwithstanding such protest and suit by the importer, pay over to the treasury all money by him received under such circumstances, as though no protest had been made or suit commenced.

I am aware that it may be said that this course would expose the collector to inconvenience and loss. The force of this suggestion is not perceived. Now the collector keeps the money in his possession until the controversy is decided by the judiciary, and then pays over to the government what may be in his hands—that is, the whole collected by him, if the importer has failed in his action; or, if the importer has succeeded, the balance which may be in his hands, after deducting the amount of the law recovered against him. My impression is, that the law never intended that money collected for public purposes should be held by individuals to await the event of lawsuits. If the money be paid into the treasury, and a judgment be fairly obtained against a collector on an overcharge of duties, it would be the duty of the government promptly to discharge such judgment and release the collector from its consequences.

You say a similar point arises under the following circumstances: "On an importation of goods liable to cash duties, some time unavoidably must elapse before the duties thereon can be calculated, and the exact amount payable ascertained. It appears to be the practice in such cases, to receive from the importer a sum of money deemed sufficient to cover the amount when ascertained; and any deficiency is afterwards made up, or the surplus furnished by the collector, as the case may be. These funds the collector designates as money taken and held for unascertained duties."

"The same question as the foregoing is presented in this case."

It seems to me that the intention of those who originally framed our revenue laws, was that the duties should be ascertained and paid, where cash duties are imposed, before the goods are delivered to the owner. But it is understood that in some ports this is wholly impracticable, and therefore a departure in practice from the idea which I have suggested is indispensable.

This state of things could not have been foreseen by those who originally passed the acts of congress under which the revenue is still collected. The vast increase of the commerce of the United States, and its concentration at particular ports, renders that impracticable which at an early period could be easily effected. If the law cannot be executed according to its letter and probable intention, on account of the altered condition of the affairs of the country, congress alone can supply the proper remedy. In the mean time, however, until congress shall act, such treasury regulations should be adopted and enforced as will best secure the objects of the law. It could never have been the intention of congress that a collector should receive money for duties under a private arrangement with the importer, and keep the money in his hands until it was convenient for him to cause the amount of duties to be ascertained. If such a practice were tolerated, it might be the interest of the collector to postpone the ascertainment of the duties, as, in the mean time, he would have the uncontrolled use of the money. It would also increase the danger of faithlessness in the collector, by permitting large amounts of money to remain with him, and under his individual control, instead of being in the treasury of the United States. The tenor and spirit of all our revenue laws seem to inculcate the idea that the intention of congress has at all times been, that money collected for revenue should be promptly placed in the treasury, and not be permitted to remain in the hands of the collector. Therefore, in any regulations you may make upon this subject, that object should be constantly kept in view. I am, sir, very respectfully, your obedient servant,

FELIX GRUNDY.

The honorable secretary of the treasury.

To which letter of the secretary I wrote to him on the 24th of December as follows:

New York, December 24, 1838.
Sir: I wrote you on Saturday in relation to the form of keeping the account of cash deposited for unascertained duties; since which, I have yours of the 22d, accompanied by a copy of the opinion of the attorney general on this proposition, as well as on the proposition to pay over the money received by me under protest. The reasoning of the attorney general is very sound on both points as to what the law should be; and would be entirely satisfactory as to what it actually was, if the highest judicial tribunal of the land had not decided on one of them contrary to the conclusion at which the attorney general has arrived. He does not seem to have adverted at all to the decision of the supreme court in the case of Elliot against Swartwout, reported in 10 Peters, 137, where the subject was discussed, and substantially settled, and that the collector was not bound to pay over the money to the government when he had received notice not to do it. But he says, what is very true, that "if the money be paid into the treasury, and a judgment be fairly obtained against a collector for an overcharge of duties, it would be the duty of the government promptly to discharge such judgment, and release the collector from its consequences." The duty of the government is one thing; the manner of discharging that duty is another and different thing. It would seem, from his view, that a judgment must not only be obtained against a collector, but it must be "fairly obtained;" and of this the government is to be the judge, as a preliminary step to the performance of an act of justice, which every one who has any experience with the action of our government knows is very often tardy. I do not, in the term government, as used by me, mean the present or any other administration of that government, for the one is but the agent and subordinate to the other.

The question with me is, whether, under the present *uncertainty* of collector's securities, I ought to do as an act of grace to the government what the law does not compel me to do. That the law ought to be as the attorney general seems to be of opinion that it is, there can be no doubt. But should I, who am already borne down by responsibilities of all kinds, voluntarily add to those from which I cannot escape, at the risk of every thing? or rather should I not look to the language of the court in the case referred to, which I find to be this?

"Any instructions from the treasury department could not change the law, or affect the rights of the plaintiff. He was not bound to take and adopt that construction. He was at liberty to judge for himself, and act accordingly. These instructions from the treasury seem to be thrown into the question for the purpose of showing, beyond all doubt, that the collector acted in good faith. To make the collector answerable after he had paid over the money without any intimation having been given that the duty was not legally charged, cannot be sustained upon any sound principles of policy and law. There can be no hardship in requiring the party to give notice to the collector that he considers the duty claimed illegal, and put him on his guard, by requiring him not to pay over the money. The collector would then be placed in a situation to claim an indemnity from the government."

This "indemnity from the government," alluded to by the court, comes back to the proposition of the attorney general, and leaves me a supplicant to the justice of the government, without the power of enforcing any claim. I propose when I go out of office, that my accounts with the government shall be settled in one hour by Shrewsbury, or some other good clock, whether that going out by death, removal or resignation; and whatever money should be held by me under "protest," I should cause to be deposited to the credit of the treasurer, on the government engaging to satisfy the claims of the parties protesting. The use of the money, in the mean time, I will give you, in any form you choose to have it except the form which may leave me to the tender mercies of congress, or to any change in the views of the administration.

I will report to you weekly in any form you suggest. You can draw for it in like manner.

Very respectfully, your obedient servant,

J. HOYT, collector.

I also received from the comptroller of the treasury, on the 1st instant, a letter bearing date the 29th of January, alluding to the same subject; to which I replied, under date of the 1st inst. by letter in the following words:

Custom house, New York, February 1, 1839.

Sir: I have your communication of the 29th January last, in relation to the form of keeping the accounts.

Since the 1st of January, the money deposited for unascertained duties has been passed immediately to the credit of the United States, and has formed a part of the money transferred weekly to the separate credit of the treasurer; all of which has been duly notified to the secretary of the treasury and the treasurer.

I have laid your communication before the cashier and auditor, and, as soon as we have the opportunity to confer together, we will advise you of the time when we shall be able to prepare our books and blank forms of returns to meet the suggestion of the department.

I write now to say, peremptorily, that I will not pass the money I receive under protest to the credit of the United States until congress makes provision for my protection. For the reasons of this course, I beg to refer you to my former communications to the department on the subject. The supreme court of the United States have pronounced on the question; and it is due to the public service, as well as to the officers of the government and the merchants, to have the question definitively settled. If, per severe in the course which the highest judicial tribunal of the land has sanctioned, the duty of congress to interfere is the more striking, and, I should suppose, could not but lead to an early interference by congress.

The money, as the department has been advised, is drawing seven per cent. interest. The fund is fast increasing, and will continue to increase until the litigated points are adjusted by congress.

I will not venture to speak of the delay or inattention to the public business on the part of the representatives of the people, because it would not become me to do so; but if any other class of public servants managed the public business in the same way, I should think they ought to be severely reprimanded. Very respectfully, your obedient servant,

J. HOYT, collector.

To J. N. Barker, *esp. comptroller, &c.*

[TO BE CONTINUED.]

CHRONICLE.

A subject for antiquarians. The last Little Rock (Ark.) Times, contains a letter from one of Mr. Sabin's detectors, giving the particulars of an excavation in the earth, near the Rock, where was found, at the depth of four or five feet, a well-set furnace, bits of broken kettles, made of earth, the "conceivably of whose segments indicated a capacity of 20 gallons," besides other little Pompeian relics. "The question now arises, how came these relics here, and how long have they been buried?"

A former world. A fierce controversy exists whether the giant remains of a man in chalk, &c. near the surface, are the remains of a man, or of a low or the highest order of animals. Professor Owen read an account before the London Geological society of some of these fossil remains at Stonesfield quarry. He says they have eleven clavus nails, and the teeth are double rooted, fanged, &c. showing close affinity to the Australian opossum. At the same meeting, we observe presents from our countryman, Silliman.

Mons. Papineau. A Canadian, arrived in Paris, March 9, and attended M. Lafitte's soiree the next evening, where he was a lion of the first water, and introduced to all the liberals. His arrival was deemed opportune for the coalition, as a new excitement for increased agitation.

The Delaware. So great has been the rise of water in the Delaware in consequence of the late rain, that a part of the Woodbury railroad has been washed away, just below Kaighn's point, rendering it impassable for the cars. Many cords of wood have been washed away from the banks of the Delaware; the lower stories of many of the houses between Camden and Kaighn's point have been inundated, articles of domestic furniture floated away, and domestic animals drowned.

[North American.]

Large verdict. At the circuit court held at Catskill, N. Y. last week, an action of assault and battery was tried, in which James Byrne was plaintiff, and A. R. Livingston defendant. It occupied the court two days. The jury returned a verdict for the plaintiff of \$4,000 damages.

The awful plunge! The St. Catharine (U. C.) Journal, of the 6th, states that five men went over the Niagara Falls on the previous Thursday. The Journal says: "The only particulars which we have been able to learn are, that just before the water was discovered in the middle of the river, above the falls, vainly endeavoring to make their way through the ice, with which they were enclosed, to the Canada shore. Their utmost exertions proved unavailing, and in a short time they were seen to enter the cascades, when they disappeared. In half an hour, a boat with two men in it, and three men in it was discovered in the same awful situation, and trying too, to gain the Canada side, but in a few moments shared the melancholy fate of the other. Yesterday the body of a man was picked up in the whirlpool, supposed to be one of these unfortunate men, having about his person two hundred dollars, and a valuable gold watch."

Painful casualty. We are informed that Dennis Dulce, a native of Ireland, was drowned at Mount Morris, on Friday last, while generously engaged in rescuing a boy about ten years of age from the fate that unfortunately became his own. The boy fell into the river above the dam, and owing to the strength of the current, was unable to regain the bank. The man succeeded in the perilous situation of the lad, threw himself into the stream for his rescue. He caught the struggling lad and pushed him forward to the shore. The boy was saved, but his preserver sank to rise no more. Mr. Dulce had made arrangements to return to Ireland the coming autumn. [Rocheater Daily Adv.]

Charles C. De Witt, esq. formerly member of congress from Ulster county, N. Y. made an attempt to commit suicide on board the steamer "Trenton" on Friday instant, which caused his death about an hour after he was landed at Newburgh. He expressed an unwillingness to live on account of pecuniary embarrassments which had occurred during his absence from this country as charge d'affaires at Guatemala.

It is proposed in the Michigan legislature to abandon the project of a ship canal around the point of the strait leading to connect Lake Huron with Lake Superior. During the last session 50,000 dollars were appropriated to it.

Missing vessel. From the Natchez Free Trader of April 24 we learn that the ship "Trenton," capt. Gray, of Natchez, which cleared on the 23th November, and left the Balize on the 1st December, has not been heard of, but is supposed to have sailed on the 25th of November, five days out. The "Trenton" was bound to Liverpool, having on board 1,200 bales of cotton, and was owned by Messrs. T. S. McAllister and D. C. Michie, of Natchez. Capt. Gray's family reside at Boston. Insurance was effected equally at the two offices in Natchez, on vessel and freight, amounting to \$25,000. The cargo was insured at Liverpool.

The "Tippecanoe Club" of Philadelphia has issued an address requesting the national living convention as the only legitimate body for the nomination of the wibg candidate for the presidency.

The citizens of Pensacola have tendered a public dinner to captain W. K. Latimer, of the U. S. navy, who has been stationed at the navy yard at that place for some years, in testimony of their regard for his character as an officer and a gentleman. Captain L. is

about to leave the station, at his own request, for the north.

University of Pennsylvania.	From the catalogue for 1838-9, we perceive there are students in the
Collegiate department	105
Medical do.	162
Academical do.	409
Quarry (English) schools	128
	804

The citizens of Apalachicola, Florida, have recently manifested their respect for their late representative, J. M. White, esq. by the presentation of a magnificent silver vase of the most exquisite workmanship. The inscription declares that it is presented "as a testimonial of their respect for the purity of his private character, admiration of his distinguished talents, and gratitude for his eminent services."

The ship General Parkhill has sailed from St. Marks, Florida, for Liverpool, with 1,923 bales of cotton. This is the third vessel this season, making altogether 5,000 bales, chiefly owned by Mr. R. H. Barry. Spite of Indian murders and destruction of her plantations, Florida is doing wonders; where she raises her staple seems to us a mystery.

The cashier of the Framingham bank has offered a reward of \$50 for the apprehension of Jubal Harrington, late postmaster at Worcester, who lately absconded from that place, leaving behind him forged papers, on which he had obtained money, particularly a note of \$250, on which he had forged the name of Adam Harrington, and which had been discovered at the Framingham bank. One of our slips received from New Orleans a few days since, stated that Harrington was in that place.

Melancholy death. On Monday in Boston, James Freeman Curtis, esq. the highly esteemed superintendent of the Worcester rail road, came to his end in a shocking manner. The ears had just left the depot at Boston, when Mr. Curtis put his head out of a window, and received a severe blow by striking one of the posts of a bridge. He lived but a short time afterwards.

Large cargoes! We were among those who inconsiderately published the article corrected in the following from the Boston Atlas:

North Advertiser. I have noticed the remarks which have travelled all the way from Vicksburg and Grand Gulf, of two cargoes of cotton, one shipped from each place representing each to be worth over one million of dollars. Their accounts have been published in some of the southern papers, and in some of the Boston papers, and in your journal among others. I have been a little surprised that such palpable errors should escape detection by a glance of the eye. The cargo of the Talleyrand is put down at 2,150 bales, or 835,600 lbs. and valued at \$1,296,000 00

The cargo of the ship Franklin, 1835	bales, 799,291 lbs. and valued at	1,111,998 00
	Total	\$2,417,998 00
The first cargo, at 15 cents per lb.	will amount to	\$132,850 00
And the second, at the same price, to		119,995 65
	Total	\$252,838 65

Making the trifling over-valuation of only two million one hundred and fifty-five thousand one hundred and fifty-nine dollars and thirty-five cents.

Yours, W.

Honorable Naadhil Johnson, a member of the senate from Delaware county, died at his lodgings in the city of Albany, on the evening of the 4th, inst.

Adaptation of Georgia to the silk culture. The Augusta Sentinel of April 6th says: In the village of Penchfield, Green county, Georgia, in the last week of March 1839, silk worms were feeding on the fresh and green, leaves of the morus multicaulis, planted this present year, and in an open unprotected situation high and dry, weather cool and frosty.

The beef and pork accumulated for the Maine troops, is now selling at auction along the route. The people are enjoying a feast.

Some of the war-hawks in Maine fume terribly at the pacification. They say the state is saddled with near a million of dollars for no earthly purpose.

Export of flour from Alexandria to foreign ports from the first of January, to 8th April, 10,447 barrels.

The corporation of Georgetown has affected a loan, and is now redeeming its notes.

The secretary of the commonwealth of Pennsylvania has given notice that proposals will be received till 6 o'clock, P. M. on Thursday, the 25th of April, for the sum of 570,000 dollars, at 5 per cent. reimbursable after the 1st of July, 1861. One hundred thousand dollars are to be appropriated to the Franklin rail road.

Wisconsin legislature. This body adjourned on Monday the 11th ult. The session, says the Enquirer, had before held in the territory, and important of any ever before held and systematized, and a large amount of important local business transacted.

Wisconsin interest. A law has been passed in the territory, allowing 12 per cent. interest for money, by agreement.

The French minister of marine has sent out \$400,000 from the public treasury, to relieve the sufferers by the earthquake at Martinique.

Awful occurrence. The Providence Journal says, that a man called on the post house in Exeter, Rhode Island, and called by Timothy Peckham on Wednesday evening last, about 12 o'clock, and demanded admittance; he was refused. They told him he could go into the barn and sleep, he threatened to have revenge. In a short time after the house was discovered by the neighbors to be on fire. Six of the inmates, the poor of the town, and two persons on a visit to Mr. Peckham's family, perished in the flames. Mr. and Mrs. Peckham barely escaped with their lives, by leaping from the second story window. The person suspected of having set fire to the house was of intemperate habits, Mr. P. was his guardian.

We are requested to state that the price of transporting goods and merchandise to Pittsburg by the way of the Baltimore and Susquehanna railroad and the Pennsylvania canals, is for
Dry goods and hardware \$2 00 per 100 lbs.
Groceries 1 75 per 100 lbs.

A separate train of burden cars runs daily, exclusively for the accommodation of the Pittsburg trade. Produce arrived yesterday in 11 days from Pittsburg, although accidentally detained two days on the way. [Walt. Pat.]

Effects of vegetables upon animals. The botanical professor, in a lecture delivered at King's college, said that "horses will not touch eruciferous plants, but will eat the root grasses, amidst abundance of which goats have been known to starve, and the latter will eat and grow fat on the water hemlock, which is rank poison to other cattle. In like manner pigs will feed on henbane, while they are destroyed by common pepper and the horse, which avoids the bland turnip, will grow fat on thubarb." [Farmer's Magazine.]

Cabs in Philadelphia. The National Gazette of Wednesday says: Our citizens were gratified this morning with the sight of an elegant cabriolet, a carriage much used in London, but almost unknown in our cities. It has been built for the use of the Merchants' hotel, from a model brought from England by Mr. Sill. It has the advantage over the common hackney coach, that the passengers get in and out without the driver leaving his seat. It will no doubt become a popular vehicle.

White sulphur water. The Lewisburg Enquirer, under the head of "a new article of commerce," says: "We have witnessed at this present week, several wagons loading with water from the White Sulphur Springs for various parts of the United States. About fifty tons, already sold to order, have been and are being forwarded. The proprietors, it is supposed, will be unable the present season to supply the demands. This will be a popular article of commerce, most especially in the sulphur water societies. It is a first rate article to cool off with."

Remains of an officer. The Winchester Va. Republican states the workmen, in excavating a cellar on the site of the old fort, at the north end of that town, on Saturday last, discovered the remains of a man, who was evidently an officer of rank. It appeared from the buttons which were found with the remains, a silver spur and some other articles, that had been interested in his regimentals, that this is the little singular he was had north and east, and west, and has the custom of the present day. There were also with the remains a number of musket balls of lead and iron. The fort was erected by Washington, for the protection of the frontier settlements in 1775, immediately after the disastrous defeat of gen. Braddock, near Pittsburg.

Coal bed on fire. The Wilkesbarre Farmers say: The large coal lands owned by the heirs of the late M. Hellenbach, about two miles in the rear of this borough have been for some time past on fire, in the present time burning with considerable violence. The vein is the largest in the valley, being twenty-five and thirty feet in thickness, and supposed to extend at different elevations and thicknesses throughout the whole extent of the Wyoming coal region. The bed on fire is at so great an elevation above the surrounding country, that the water in any quantity could not be communicated to it. The mouth of the bed and all outlets have been filled up, but fissures continue to open in the range of the fire, caused by the intensity of the heat, and the air thus finds access to the flames and continues its excitement.

The last accounts from Brussels afford a melancholy illustration of the uncertainty of life. M. Baectek, a member of the chamber of deputies, after having concluded his maiden (and last) speech, dropped dead. The consequence of some remarks which he made in reference to the present state of things in Belgium, he was laughed at, which it is said, affected him very much.

Lake Erie. The Cleveland Herald gives the following table of the date of the opening of navigation at Buffalo and Cleveland.

1830,	6th April	1835,	8th May
1831,	6th April	1836,	26th April
1832,	27th April	1837,	22d May
1833,	26th April	1838,	4th April
1834,	6th April	1839,	Not yet
Navigation commenced at Cleveland.			
1830,	3d April	1835,	26th March
1831,	29th March	1836,	14th April
1832,	28th March	1837,	20th March
1833,	2d April	1838,	25th March
1834,	1st Feb.	1839,	21st March

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APPOINTMENT BY THE PRESIDENT. Isaac S. Penneckacker, to be judge of the United States, for the district west of the Alleghany mountains, in the state of Virginia.

MR. WEBSTER. A Boston paper mentions that the son, Daniel Webster is about to visit Europe with his family, and that he will embark from New York about the first of May for Liverpool, returning in the autumn. On this subject the New York Commercial says: "Mr. Webster is desirous of visiting Europe the present season, if he can so arrange his business as to be able to leave it. He does not, however, expect to embark at the time mentioned—certainly not earlier than the 8th."

—We have not yet seen an official statement of the result of the election in Rhode Island.

BANK ROBBERY. The robbery of the bank of the Metropolis of this city by the teller thereof, having caused considerable excitement, we submit the particulars from the *Intelligencer* of yesterday:

MR. DENNIS G. ORME, a teller in the bank of the Metropolis, was detected in inheriting a handsome patrimony, having not been attending at the bank at the usual hour last Tuesday morning, and from his conduct on the previous day in absenting himself for some time from the counter, and appearing during the morning to be slightly inebriated, suspicion was excited in the mind of *Mr. George Thomas*, the cashier, and he, on the next night, and in the morning compared with the cashier's hand, it was quickly ascertained that there was a deficit of not less a sum than fifty thousand dollars. Immediately on this discovery being made, it was communicated by the cashier to general *Van Ness*, the president of the bank, and the directors. The former, though indisposed, went to the house of Mr. Orme (who was said to be sick in bed) and obtained an account in which, after stating to Mr. Orme the deficit in his cash, the president used every argument he could think of to induce Mr. Orme to account for the deficit, and to say what had become of the money. But all in vain, Mr. Orme persisted in denying what had become of it.

After this interview, Mr. Orme accompanied general *Van Ness* to the residence of the president, and was again closely interrogated by the president and some of the directors, which he still persisted in denying all knowledge of the deficit, and of the way in which the money had been disposed of; until the marshal of the District of Columbia being introduced, and process having been served for the amount of the deficit, the defaulting clerk made a statement to the directors, after which general *Van Ness* directed that he had the \$50,000 given to him by Mr. Orme, and the latter having confirmed this statement, he, (Goodrich), admitted that he had the money, and, taking a large bill of bank notes out of his coat pocket, gave them up saying, "there is the money." Having obtained the money, it was counted by the cashier, who found that it amounted to the sum of \$19,300 two hundred dollars less than he had before. After a long conversation between the president of the bank and Mr. Orme and Mr. Goodrich, in order to obtain the \$500 still due, the president agreed, at the request of Mr. Goodrich, that the bank, would dismiss all further proceedings for the recovery of the money, and Mr. Orme and Mr. Goodrich were allowed to depart.

Mr. Orme, on being told by general *Van Ness*, that an affidavit having been made before justice *Thompson*, warrants were issued in the name of the United States against Dennis G. Orme and A. W. Goodrich, charging the former with feloniously taking and carrying away the sum of \$50,000, the property of the bank of the Metropolis, and the latter with receiving that sum of money, he fled to the District of Columbia, but was placed in the hands of H. B. Robertson, who, in a short time, arrested Goodrich; Dennis G. Orme could not be found.

After a long and patient investigation of the charge against A. W. Goodrich, in the presence of the president of the bank and the cashier, who were witnesses in the United States, the district attorney being absent, present, and Mr. J. H. Bradley being counsel for Mr. A. W. Goodrich, the magistrate referred the accused to five bail in the sum of \$2,000 for his appearance at the next criminal court for the county of Washington; which bail having been given about 10 o'clock at night, Mr. Goodrich was discharged, after being under examination about five hours.

It is only just to add, that Mr. Goodrich, in his defence, denied that he had received or obtained the money with any criminal intention; that, finding Orme in a frolic, and crazy, and as he could be proved to be, when

under the influence of liquor, he had merely kept the money until Orme got out of his frolic; and that he was prevented from returning the money to the bank (which he sincerely regretted), through the fear that he might do Orme some injury with his employers, and in the hope that he would speedily get right again. Goodrich also said he had searched for Orme during the day in his usual haunts, but could not find him.

Two or three witnesses were called, who testified that Dennis G. Orme, when intoxicated, was "almost crazy," and excited in a most unusual and extraordinary manner. One of them swore she saw him on Monday night, somewhat intoxicated, with a large roll of bank notes carelessly in his hat, and acting very strangely at the time.

Since writing the preceding notice, (which we have detailed more fully than usual, to gratify intense public curiosity as to correct erroneous representations of the case), we understand from good authority that Mr. Dennis G. Orme intends to surrender to the civil power and give bail for his appearance to answer to the charge against him.

THE MONEY MARKET. The New York Times, referring to the departure of the Great Western, says: "The Great Western will sail for England to-day, freighted with glad tidings for all on the other side of the Atlantic who have capital invested in our securities or on interest, direct or indirect, in the commercial transactions between the two countries. The effect produced on the market by the specific intimation she has brought out, has been most salutary, as the following statement of the prices, before and after her arrival, of some of our stocks best known in England will sufficiently prove."

	Saturday, April 13.	Saturday, April 20.
U. States bank stock,	113 3/4	115
N. American Trust and Delaware & Hudson,	83 1/2	89 1/2
sales for many days, but quoted at American Trust Co.—	90	104 1/2
no sales, but quoted at Morris canal company,	53 3/4	54
Delaware & Hudson,	74 1/2	79
Farmer's Loan & Trust company,	107 1/2	110
Bank of Commerce,	102	104
Bank of the State of N. York,	107	109

Trade in all its branches has received a new impulse. The shipping merchants and commercial men generally who were in a state of suspense while the war question was in abeyance, are throwing their capital, with renewed confidence and activity, into the various channels of transatlantic commerce. Since the opening of the canals, the country merchants have been flocking into our city, and the jobbing houses are doing an active, and we doubt not, a profitable business. In fact the whole mercantile system opens a new and more extensive and we anticipate, both as regards foreign and domestic trade, a prosperous season.

Philadelphia money market. The North American of yesterday says:

If any change in the market is noted, it is a little easier, that is the demand for money is not quite so great as it was a few days since, but the rates are still the same.

CANADA AFFAIRS. The St. Albans (Vermont) Messenger of Thursday last says, that affairs on the frontier are more quiet, no burning having taken place lately, owing to the presence and watchfulness of the militia on guard; some instances have occurred, however, in which the whole of the militia system was not without effect.

The Albany Daily Advertiser publishes a letter from a correspondent at Ogdensburgh, dated the 14th inst. which states that the steamboat United States, was fired upon from the wharf at Prescott, that day, on her first trip this season. Five or six cannon were discharged, she said loaded with ball, three of which were seen to strike the vessel near the boat. As she did not turn about it is not known whether any injury was done. There was a great number of passengers on board, and among them many women and children. This is the same boat that towed the patriots to Prescott, during the attack on that place, and this is supposed to be the cause of the outrage. The part she took in aiding the patriots was done without the consent of the owners, who in consequence discharged the officers then in charge of the boat.

George Saunders one of the persons engaged in the burning of the Caroline, at Schlosser, was recently shot by a sentinel as he was entering the barracks without replying to the challenge. Both parties are said to have been intoxicated.

Gen. McLeod of the patriot army, was arrested at Detroit on the 15th inst. and committed to prison. The next morning he was bailed out by two sureties of 5,000 dollars each.

Of the remaining prisoners in Upper Canada, 18 are to be sent to a penal colony in five to be discharged at the boundary line of Lake Ontario, and fourteen are retained in the jail at London to await the state of affairs on the frontier. Most of those at Quebec are shortly to be liberated.

DEATH OF COL. OGDEN. From the *Newark, N. J. Advertiser* of the 20th inst. It is our painful duty this afternoon to announce the death of col. Aaron Ogden. The venerable patriot died at his residence in Jersey city last evening, at the advanced age of 83, in the bosom of his family, his children and descendants.

Truly another of the fathers is gone. Among the illustrious men whose reputation constitutes the political treasure of our country, the name of Aaron Ogden deserves an honorable place. From the earliest period of manhood he was engaged in public affairs; and soon took rank among those whose opinions were of most importance, and was in the confidence of those whose patriotism and talents were most distinguished. He was born at Elizabethtown, of an ancient and honorable family, and served with distinguished honor during, we believe, the whole war.

At the close of the war, he prepared himself for a new field of usefulness and honor, and early attained a high rank among the ablest and most eloquent lawyers of the country. It was natural in that day, that talents of such an order should attract public attention and respect, and we accordingly soon find col. Ogden in the senate of the United States, taking equal rank among her honored statesmen, in the presence of the war of his country. About the commencement of the year of 1812, he was chosen governor of his native state.

In all circumstances, and in every emergency, he exhibited that industry and sagacity, that promptness of decision and fertility of resource, that cheerful endurance in difficulty, and that "courage of the cabinet" which were so prominently pronounced in his character, and far less common than the valor of the field, which render his life and example one of the most pleasing and useful to be found in the records of the eventful and illustrious era in which he flourished.

Colonel Ogden was president general of the society of Cincinnati, and we are almost ashamed to say, was obliged by the circumstances to hold the office of collector at Jersey city for the sake of its pecuniary rewards. But he has been gathered to his fathers in peace and quietness, in the serene evening of a good old age, leaving a rich and honorable fame as a proud legacy to his children and descendants.

ANOTHER PATRIOT GONE! General Samuel Smith, of Baltimore, one of the most distinguished soldiers of the revolution, died in that city on Monday afternoon last, in the 87th year of his age. He had been riding in his carriage, and on his return to his dwelling, laid upon the sofa with the view of resting himself, and when he awoke he found himself lying in a bed, and in a few minutes after he expired. His apartment a short time afterwards, he was found dead. His career was glorious and useful, and he has died full of years and honors. On Thursday his remains were interred with every demonstration of respect by the civil and military authorities. We will, in our next, give some account of the funeral procession and other honors to his memory. The following interesting sketch of the leading incidents of his life was prepared by a committee of the city council of Baltimore, appointed to manifest their regard for his services and respect for his memory:

SAMUEL SMITH, the grandfather of the deceased, emigrated from Ireland to Pennsylvania in 1728 at the age of 35. General Smith's father, John Smith, left Carlisle, in Pennsylvania, and settled in Baltimore in September, 1769, was a member of the convention that formed the state constitution, and for many years represented Baltimore in the state senate. General Smith himself was born in Carlisle on the 27th July, 1752—his father, being a merchant, was destined for the same profession, and in early life (about 19) was sent to England to be educated in a counting house, but not satisfied with the restraints imposed upon the clerks in the house in which he lived, he freighted the vessel in which he went out, and sailed for a port in Italy—the vessel being cast away on that coast, he travelled over most of the continent and returned to the United States in the same vessel, with the accomplished but unfortunate major Andre, between whom and himself was formed a friendship which ended only with the life of that lamented victim of Arnold's treason.

General Smith, then a very young man, was solicited by the committee of safety of Baltimore, to command a company sent by water to Annapolis to arrest or capture the provincial governor Eden. The governor made his escape—he engaged in the

revolutionary struggle, and at its commencement, entered the service as a captain; he was in the battles of Brandywine, Monmouth, White Plains and Long Island, and his company covered the retreat of the army through the Jerseys—he commanded at Mud Fort, where such gallant and desperate defence was made against the British fleet, blowing up of two of the frigates—in this engagement he was disabled by a spent ball which gave a shock to his frame from which he did not soon recover; after the close of the revolutionary struggle, he entered actively into commercial pursuits and may be said to have been the founder of the commerce of our city, and was the main stay of the commercial interests of the whole country in congress for forty years. He for one year represented the city in the legislature of the state, and afterwards was in one or other house of Congress until the fourth of March, 1833. When Mr. Jefferson came into the presidency, he pressed general Smith to accept the office of secretary of the navy, which he declined, consenting, however, to act in that capacity until some suitable person could be selected to fill it permanently. He served as secretary for six months or more, but would not receive any compensation for his services. He generally, while in congress, filled some high station, being chairman of the committee of ways and means in the house and of that of finance in the senate. When Baltimore was threatened with foreign invasion, he accepted the command of the defending army, and pledged his own private fortune and that of a friend who went before him to his great account. During the whole term of his command here, neither he nor his staff received any pay. His first term of service in congress commenced in 1793, and he continued in the house or senate till the 4th of March, 1833. Congress voted and presented him a sword for his gallant defence of Mud Fort. His last public service was in the capacity of mayor of Baltimore.

BANKS AND BANKING. The Albany Daily Advertiser contains the following statement:

The general banking law. Since the 10th day of July, 1838, there have been filed in the office of the secretary of state 109 certificates of banks under the above law. The amount of capital actually subscribed in these institutions is \$25,769,175, and the amount of prospective capital \$356,980,000. The banks are distributed as follows, viz:

No. of banks.	Capital subscribed.
In city of New York, 30	\$16,028,175
Buffalo, 7	1,000,000
Rochester, 5	880,000
Troy, 3	300,000
Albany, 2	200,000
Utica, 1	100,000
Brooklyn, 1	100,000
Hudson, 1	100,000
Schenectady, 1	100,000

And in the several counties of the state, (exclusive of the cities above named) as follows, viz: In Genesee 8, in Oneida, Saratoga and Tompkins 4 each, in Niagara 3, in Onondaga, Seneca, Wayne, Broome, Steuben, Jefferson and Herkimer 2 each, and in Richmond, Orleans, St. Lawrence, Columbia, Lewis, Orange, Monroe, Montgomery, Greene, Livingston, Ontario, Kings, Yates, Cayuga, Chenango, Chemung, Washington, Albany, Chautauque, Delaware and Erie 1 each.

It will thus be seen that the citizens of 36 counties in every section of the state have availed themselves of the privileges afforded by this law, and have associated their capital and their enterprise in order to promote unitedly the prosperity, which individually they might toil in vain to enhance.

Rhode Island banks. Statement of the situation of the banks in the state of Rhode Island, &c. on Friday, April 5th, 1839, as the same appears from the returns made by them to the bank commissioners:

Liabilities.	
Capital stock,	\$9,965,048 00
Bills in circulation,	1,871,057 25
Balances due other banks,	914,833 22
Nett profits on hand,	448,006 18
Dividends unpaid,	34,416 89
Deposites on interest,	576,496 86
Deposites not on interest,	877,189 76
Total amount of liabilities,	\$14,682,098 16

Resources.	
Loans and discounts,	\$13,140,309 39
Specie in bank,	407,436 03
Bills of other banks,	337,933 44
Balances due from other banks,	383,161 00
Stock in own bank,	103,379 92
Stock, real estate and other property,	109,758 42
Total amount of resources,	\$14,682,048 16

Of the notes and bill discounted, there is payable out of the state the sum of,	\$4,833,240 79
And payable in the state	8,307,068 60
Of the circulation there is held by the banks	232,008 24
In the hands of the public	1,589,049 00
By comparing this abstract with the returns made to the commissioners, March 1, 1839, it appears that since that date,	
The circulation has been increased	\$176,462 25
The specie has been reduced	6,402 24
The deposits, including dividends unpaid, have been reduced	52,080 51
The loans and discount have been increased	134,359 72

From the New Orleans Courier. The following statement of the condition of one of our banks is particularly satisfactory at the present time, when banking institutions in other states are sinking in public estimation. As regards the Citizens bank, it points out the absurdity of sundry rumors against our moneyed institutions which have lately gone forth, from the manufactory of designing persons: *Citizens bank of Louisiana, March 31, 1839.*

Circulation,	\$637,550 00
Individual deposits,	1,353,381 80
	\$1,991,371 80
Specie on hand,	\$768,129 59
Several bank notes and bank balances,	356,137 60
	\$1,124,267 19

Brandon bank. A correspondent has favored us with the annexed statement of the condition of the Mississippi and Alabama rail road company, at Brandon, Mississippi, March 9th, 1839; which, it is stated, was made from the books of the bank, and are represented as being strictly correct:

Assets.	
Capital stock,	\$3,169,500 00
Profit and loss,	349,411 57
Due to banks,	225,481 24
Checks on time, due 1st of July, 1839,	\$125,140 87
Check on time, due 1st Dec. '39,	93,815 15
	218,956 62
Certificates of deposits at sight,	71,218 00
Do do 6 mo.	847,413 33
	918,631 33
State treasury, by instalments from 1 to 20 months,	210,134 00
Bank notes issued on demand,	2,768,455 00
Est notes, 12 m d	210,345 00
Standing bills,	1,065,900 12
Individual depositors,	75,614 68
	\$9,198,498 96
Assets.	
Notes and bills discounted,	\$5,462,311 21
Cotton account,	361,721 00
Due from banks,	474,581 63
Bank stocks,	81,750 00
Stock mortgages,	1,692,000 00
Rail road expenditures:	
Negroes purchased	\$159,000 00
Expenditures on do	115,497 58
	274,497 58
Cash on hand,	850,637 54
	\$9,198,498 96

Illinois State bank. The Springfield, (Ill.) Journal of the 6th instant says: "It is now generally understood that Mr. Woodbury has selected the State Bank for a bank of deposit."

Stock subscription books of the new *Southern bank of Kentucky* are to be opened on the second Monday of May. The institution is to be devoted to the interests of southern Kentucky, commonly known as the "Green river country."

A New York paper states that the deposits in the banks of that city at this time, amount to \$2,000,000 more than is usual at this season of the year.

The bank of New York has declared a dividend of five per cent. for the last six months, payable on the first of May.

By the Vicksburg Whig of April 1st, we learn that the Union bank was to commence discounting on the ensuing Thursday, and was to extend her loans to the amount of \$4,000,000.

In Holland, money has become scarce, and so much as 5 to 6 per cent. interest is paid for loans on stock, &c. The bank of Amsterdam raised the rate of discount six weeks ago, from 2 1-2 per cent. to 3, and has now further advanced it to 3 1-2 per cent.

From Florida. *Gorey's Ferry, April 6, 1839.* General Macomb arrived here on the evening of the 5th. He comes to Florida for a special purpose, and is clothed with special powers. General Taylor remains in command of the army of the south, and general Macomb will not interfere with any arrangements he has made, or may make in future. His visit to this country is of a diplomatic nature.

COM. ELLIOTT. The court of inquiry which assembled at Philadelphia on Monday last to try certain charges against Commodore Elliott, has adjourned to meet on Monday next.

FIFTEEN GALLON LAW. The following is a copy of the much talked of fifteen gallon law of Massachusetts.

An act to regulate the sale of spirituous liquors. Be it enacted by the senate and house of representatives in general court assembled, and by the authority of the same, as follows:

SEC. 1. No licensed innholder, retailer, common victualler, or other person, except as herein provided, shall sell any brandy, rum or other spirituous liquors, or any mixed liquor, part of which is spirituous, in a less quantity than fifteen gallons, and that delivered and carried away at one time, or part of forfeiting not more than twenty dollars, nor less than ten dollars, for each offence, to be recovered in the manner and for the use provided in the twenty-sixth section of the forty-seventh chapter of the revised statutes.

SEC. 2. The county commissioners in the several counties, may license for their respective towns, as many apothecaries or practising physicians as they deem necessary to be retailers of spirituous liquors to be used in the arts, or for medicinal purposes only; and the mayor and aldermen of the several cities may, in like manner, and for like purpose, license apothecaries, as retailers for their respective cities and the court of common pleas for the county of Suffolk, in like manner, and for like purposes, may license apothecaries or practising physicians, as retailers in the town of Chelsea; which license shall be granted in the same manner, and under the same restrictions now provided by law for licensing retailers: provided, that the number of persons so licensed shall not exceed one for every two thousand inhabitants, and in towns containing less than two thousand inhabitants, one person may be licensed: *and provided, further,* that in such cities and towns where there is no apothecary or practising physician, such other person or persons may be appointed aforesaid, as may be deemed proper by said county commissioners; and no person so licensed, shall sell any spirituous liquor to be drunk in or about his premises on pain of the forfeiture provided in the first section of this act.

SEC. 3. All licenses hereafter granted to innholders, retailers and common victuallers, shall be so framed as not to authorise the licensed persons to sell brandy, rum or any other spirituous liquor, and no excise or fee shall be required for such a license.

SEC. 4. The provisions of all laws now in force inconsistent with this act are hereby repealed.

SEC. 5. This act shall take effect on the first day of July next, but shall have no operation upon any licenses granted previous to that time.

[Approved by the governor, April 10, 1838.]

ASPHALTUM PAVEMENTS. From the New Orleans Advertiser of the 5th instant. One of the warm days of the week, at the foot of the admirable asphaltum pavement in Bourbon street, was so affected by a moist day of the weather, as to be rendered all impassable. Horses left the imprints of their hoof after them in the melted substance, and the marks of wheel carriages, are still plainly discernable. We begin to have some serious apprehensions, of its running away in the dog days, and would advise, as timely preventative, the laying of a thicker coat of bitumen over the bricks, or the bulging of it down to a stiffer consistency. In our opinion, and we have noticed all the experimental modes of paving, both in wood and stone—there is no plan that offers so fair a prospect of durability as that of the round stone paving, when lined with the composition spoken of. It is like to the gluing or grouting of the stones together, and in the course of time, the pavement will become firm as adamant. Indeed, we question it within a few years, it would not be as difficult to sunter the bitumen from the stones to which it adhered, as to break the stones themselves, like to that mode of grouting, used in the construction of the round towers in Ireland, (which now defy every effort at battering or breaking), in a short period would become the asphaltum.

HISTORY OF THE LEHIGH COAL TRADE—OPENING OF THE MINES. The Mauch Chunk mines were actually opened prior to 1800, and small quantities of the coal taken to Philadelphia. A company was organized for the business, but regarded as visionary enthusiasts; some were driven from the enterprise, and have since passed from the stage; others persevered, succeeded, and yet live to witness the complete triumph of their efforts, and the consummation of their most enthusiastic predictions. In 1812, nine wagons were loaded at the Schuylkill mines, and led to Philadelphia, a distance of 106 miles. Two of these were sold for the cost of transportation, to persons who agreed to try the coal in their rolling mill, and the remaining seven were given away, though with difficulty to find individuals to take them. In 1814, twenty-four tons were taken down the Lehigh in Delaware to the same city, being first hauled over a rough road nine miles from the Mauch Chunk to the river; it was conveyed in an ark, at the cost of \$14 per ton.

Notwithstanding the difficulty and expense of transporting it, in 1814 and 1815 there began to be a demand for the article. When peace took place, the Lehigh and Richmond coal came in abundantly, and the kindling which had fallen to a low price, in favor of coal shipment. From this time the coal trade was abandoned, until 1820, when the Lehigh navigation was completed, and 365 tons were delivered, in the capital. In 1821, 1,073 tons were brought to market, 15 tons being shipped coastwise, and the rest consumed in Philadelphia. In 1822, 1,400 tons were brought to market, \$1 being shipped coastwise. In 1820 may, therefore, be regarded as an era from which we are to date the coal trade of Pennsylvania.—*Report of the committee of the senate Pennsylvania, in 1834.*

THE NEW VACCINE VIRUS. The last number of the London Medical Gazette, contains a third letter from Mr. Estlin, continuing the account of the re-supply of cow-pox matter from its original source at the present time. It appears that the virus is exclusively used in England, and has been sent to the United States to America. Its activity is described as being diminished by its passage through about thirty human subjects. Mr. Estlin has sent some of it to the national vaccine establishment, in London, to facilitate its being transmitted to those medical practitioners who may wish to use it, as the government grants the privilege to that institution of reviving letters of application, and of forwarding vaccine matter to every part of the kingdom free of charge.

COMMERCE OF NEW ORLEANS. It appears from official statements of the collector of the port of New Orleans, published in the Louisianaian, that the total output of exports of domestic produce from that city in the quarter ending 31st March, was as follows:

Coastwise	\$8,357,788 51
Foreign ports, in American vessels	7,860,850 00
ditto, in foreign vessels	2,007,478 00

Total value \$18,226,116 51
The shipments up the Mississippi river are not included in the above aggregates.

MADISON PAPERS. Messrs. Langtree & O'Sullivan, Washington, have issued a prospectus for publishing the Madison papers, including a complete and accurate report of the debates in the convention of 1787, which framed the constitution of the United States. A manuscript report of these debates, in the handwriting of the author, who was one of the most distinguished members of the convention, is understood to exist among the papers of Mr. Madison; and is certainly the only full report, one even approaching that character, of the proceedings of that body, which is in existence. The publication of this report alone is therefore a matter of high importance—to say nothing of the many other valuable papers in the same collection. The work will be published in two large volumes, royal octavo, uniform with Sparks' fine editions of Washington and Franklin, and is expected to be issued in the month of July. [*Lexandria Gazette.*]

SUIT AGAINST GEN. GRATIOT. We learn from the St. Louis papers, that the trial of the suit against Gen. Gratiot was commenced in the U. S. circuit court, holding its sittings in that city, on the 10th inst.—The suit is for money's retained by gen. G. as a claim for extra services rendered by him to the United States, and the dispute about which caused the dismissal, by the president, from the engineer corps.

Before the commencement of the trial of the suit against Gen. Gratiot, a suit against Gen. Eaton, was tried

and decided. This suit was also for money retained and which was claimed by lieutenant E. as commissions upon money disbursed by him, as a military distributing agent for Indian affairs, under the act of congress of 1824.—A verdict in this case was returned in favor of the United States for \$2,700—the jury believing the claim not to be valid. Although similar in some respects, it is said that Gen. Gratiot's case depends on entirely different grounds.

REMOVAL OF THE DEPOSITES. A volume has been recently put forth by the honorable W. J. Duane, formerly secretary of the treasury, containing a narrative and some correspondence concerning the removal of the deposits, and occurrences connected therewith. Only a limited number of copies have been printed, and these have been circulated chiefly among the friends of the author.

LOUISIANA. We were in error in stating that the nominations of Messrs. Debiginy and Garland to be judges of the supreme court of Louisiana had been confirmed by the senate of that state.—Mr. Debiginy declined the appointment, and the nomination of Mr. Garland was not acted on when the legislature adjourned *sine die* on the 20th ult. It was not known whether Mr. G. would have accepted, but the non-action of the senate will leave him in the next congress, to which he had been re-elected.

[*Baltimore Patriot.*]

NORTH CAROLINA GOLD MINES. Since our last, we have heard of the discovery of very rich ore at the Lemmon's mine, about fifteen miles southeast from this place. It is believed by gentlemen who have seen the ore that one bushel of the best would be worth at least \$5,000, and the poorest about \$100 per bushel. This mine is situated on a ridge running from Fox's hill in a southwesterly direction to the Catawba river, and in every instance where the ridge has been penetrated, fine specimens of its richness have been discovered.

A new mine has lately been opened on the land of Mr. Elam Hunter, about five miles east of Charlotte, the ore of which is considered good, some specimens of which we have seen. This land, which would have been considered high at \$500, has been increased in value several thousand.

The Rodger's mine, about seventeen miles east of this place, discovered several months ago, is also found to be rich in the precious metal, masses having been found embodied in quartz rock, one piece itself being worth \$300.

The Rudsill mine, which has not been worked for some months, has been reopened under the superintendance of Capt. Penman, with a fine prospect of success.

Every indication seems to strengthen former opinions, that the mineral resources of this section of country are almost inexhaustible.

[*Charlotte Journal.*]

EMIGRATING SEMINOLES. From the *Little Rock, Arkansas, Gazette* of April 3. About two hundred and sixty Seminoles arrived here yesterday, from New Orleans, on the steambot Buckley, under the charge of captain Morrison, of the U. S. army, on their way to the country assigned them to be west. They are a portion of the band who have been sent, heretofore, to the hammocks of Florida, being led by the negro *Abraha*, who is with the party. They are all fat and good humored, and look as if they had been living a life of indolent ease, instead of being hunted like wild beasts from fastness to fastness. A good portion of the party is composed of women and children. The Buckley remains here with the Indians on board, waiting for water to convey them to Fort Gibson.

OFFICERS OF OUR NAVY. The following list shows the places of nativity of all the commissioned and warrant officers in the U. S. navy; Virginia, 192; New York, 171; Pennsylvania, 157; Maryland, 124; Massachusetts, 102; New Jersey, 66; South Carolina, 49; District of Columbia, 40; Connecticut, 40; North Carolina, 37; Maine 33; New Hampshire, 30; Rhode Island, 29; Georgia, 24; Kentucky, 25; Delaware, 20, Ohio, 16; Vermont 14; Tennessee, 12; Louisiana, 4; Alabama, 4; Missouri, 4; Illinois, 3; Mississippi, 2; Michigan, 1; Indiana, 1; Florida 1; Ireland, 12; England, 9; West Indies, 5; Germany, 2; Greece, 2; Sweden, 1; Belgium 1; France, 1; Spain, 1; Gibraltar, 1; Italy, 1; Sicily, 1; Canada, 1; at sea, 1.

THE SOUTHERN COMMERCIAL CONVENTION assembled at Charleston on the 15th inst. 208 delegates being present, representing the states of South Carolina, North Carolina, Georgia, Alabama, Tennessee, and the territory of Florida. The hon. *Asbury*

Hull, of Georgia, was unanimously elected president, and chancellor *Harper*, of South Carolina, Mr. *King*, of North Carolina, Mr. *Jarnagin*, of Tennessee, col. *Hamilton*, of Georgia, Mr. *Pollard*, of Alabama and col. *Wm. J. Mills*, of Florida, appointed vice presidents.

A committee of twenty-one was appointed to prepare business for the convention. General *Hayne*, introduced a series of resolutions embracing all the important doctrines of the advocates of the direct trade, and recommending the extension of facilities to merchants, the formation of commercial connections in Europe, the vigorous pursuits of internal improvements, the promotion of commercial education and the establishment of the southern review, all as means contributing more or less to the object of the convention. The resolutions were on his motion referred to the committee of 21.

The hon. *F. H. Elmore*, introduced the following resolution, which was unanimously adopted, viz:

Resolved, That a committee of nine, to consist principally of merchants from the interior of the states and territory represented in this convention, be appointed to ascertain and report, whether goods have not been imported and sold at southern seaports, upon as good terms, and at as fair rates as they can be procured at the north—and whether the country merchants cannot now procure at the southern seaports as full a supply and as good assortments, upon as fair terms and as favorable periods of payment, as they can be procured elsewhere—and whether there exists any, and what advantage from making purchases from the direct importers at the south.

DOUBTFUL DISTRICT IN ILLINOIS. Mr. *Stuart* has addressed the following to his competitor in the recent congressional election,

Springfield, March 13, 1839.

Stephen A. Douglas, esq. Sir: Your communication under date of March 4th, has been received, and I have bestowed a careful reflection upon the propositions submitted by you. The determination at which I have arrived, I have already given you in a verbal communication, which is, that I decline acceding to either of your propositions.

Your propositions seemed to be based upon the supposition that "there seemed to have been much difficulty in determining which of us was duly elected by the people," and "that by some the result is even yet considered doubtful." It would be very apparent that were I to accede to either of your propositions, that I would thereby acknowledge that I too, had doubts, which would be very far from the truth. I have carefully examined all the facts that have been brought before the public, all the alleged mistakes that have been made against you, and as at present advised, I have not one single doubt, but that I have received a majority of the votes of the people. If you have doubts upon that subject, you can contest the election, and I will prove it even to your satisfaction. Under this state of fact I would prove false to myself, to my friends, to the people who elected me, whose favors I gratefully acknowledge, were I to resign the post with which they have honored me, because you had some doubts. If I were to resign and run the race over and beat you again, you might even then have some doubts.

I acknowledge in all its force the doctrine, that the people should rule, and using your own language, "I would disdain to accept of a seat in congress except by the will and votes of a majority of those I should represent." I bow with gratitude to the people, that they have given me the privilege to say that, I believe I now have that majority. If I believed I had not that majority, I would accede to some one of your propositions; but believing as I do, that I have a clear majority, I decline them all. If the trouble, excitement, delay and expense, of a contested election does happen—if, as some of your friends say, "this large and populous district is to be for a time without a representative, on you shall that responsibility rest. I do not consider your various propositions worthy of a more particular reply, as they are all evidently intended for the public, and not for me.

This will close our correspondence upon this subject. JOHN T. STUART.

CHESAPEAKE AND OHIO CANAL. We learn with great pleasure that the water has been admitted into the twenty-seven miles of this canal lately finished, and that boats are now navigating that, as well as the older portions of the line.

This completes one hundred and thirty-seven miles of this great work, leaving but fifty miles to finish, in order to connect the town of Cumberland with tide-water, by the most perfect canal navigation which this country can boast of.

We may now expect a great increase to the trade of the canal, because the portion in use connects with the national road at Hancock, at which point the descending trade will take the boat. Already several boats, freighted with potatoes, fish, salt and other merchandise, from this District, have passed through this one hundred and thirty-seven miles of canal, to points on the river above the 6th dam, which is at the mouth of Great Cacapon river.

Owing to the unusual low stage of the water at this season of the year, the river navigation between Cumberland and the point to which the canal is finished is very dangerous; so much so, that out of seven coal boats which left Cumberland lately, during a small rise in the river, but three reached the canal, the others being lost. This fact shows how important the completion of the canal is to the people of Maryland, as well as to the advantages which the people of this District may reasonably anticipate, upon the accomplishment of that event. [*Nat. Int.*]

EXPLORING EXPEDITION. Letter from the secretary of the navy, communicating information as to the pay and promotion of officers of the exploring expedition.

Navy department, Feb. 14, 1839.

Sir: In compliance with a resolution of the house of representatives of the 11th instant, directing the secretary of the navy "to inform this house what pay and emoluments are allowed to lieutenant Wilkes and the officers under his command in the South sea exploring expedition, and if any assurances have been given by the department that the acting appointments now held by them will be confirmed on their return to the United States, and whether the expedition is of a naval character or not," I have the honor to state:

That the pay and emoluments of lieutenant Wilkes and the officers under his command have not been increased by an authority derived from this department beyond those established by law.

That no assurances have been given by this department that the acting appointments now held by them will be confirmed on their return to the United States—but that on the contrary, their appointments are expressly limited to the duration of this special service, and cease from the moment the officers are detached from the expedition.

And that the expedition is not of a military character, from the express terms of the law by which it is authorised—it is strictly prohibited by instructions from engaging in hostilities, except in self-defence, and restricted to the peaceful purposes of extending the bounds of geographical knowledge, enlarging the sphere of science, and affording additional facilities to commercial enterprise.

Whether a consideration of the circumstances that most of the officers of the expedition were withdrawn from the coast survey, where they received additional pay; that they are engaged in a service of great exposure and probable hardship and privation, calling for the exercise of more than ordinary fortitude and endurance, shall entitle them to the emoluments which they sacrificed to enter upon this enterprise, when it is successfully accomplished, is for the wisdom and equity of congress to decide. I have the honor to be, with the highest respect, sir, your obedient servant,
J. K. PAULDING,
Hon. speaker of the house of representatives.

ATLANTIC STORMS. The phenomena of storms are recently attracting from the scientific world considerable attention. Very important developments of the laws which govern their progress and character have lately been made, especially by Mr. William C. Redfield, of New York. The results of this gentleman's investigations, as published in a late volume of Sillman's well known American Journal of science and arts, have been noticed, with the most flattering commendations, in the principal scientific journals in England, and by various learned societies beyond the Atlantic. This adds another item to the credit of philosophic mind in America.

By comparing numerous data, Mr. Redfield has traced both the form and the progress of several storms which have lately agitated the bosom of the old Atlantic. Their form is that of a great whirlwind of hundreds of miles in circuit. This whirl moves round its centre, in a direction opposite to the sun's apparent motion, and the centre, together with the whole body of the whirl, has a progressive motion onward towards the west and north, in one vast curve. This curve Mr. R. has traced from a region in the eastern Atlantic towards the coast of Africa, and a few degrees north of the equator, thence, at first nearly west, but veering constantly more and more to the north as it approaches the American coast, until it arrives opposite New England, where its course is nearly north; and in its further progress it is still more towards the east.

It is by no means yet certain that these characters belong to all the Atlantic storms. The results, however, already attained, may be of vast importance to the interests of navigation, and thereby to the world generally. [*Boston Advertiser*]

ABOLITION IN THE FRENCH COLONIES. It is anticipated that the abolition of French negro slavery which is connected with the sugar question, will occupy the legislature. The Paris abolitionists have not been idle since last spring. They have constantly corresponded with British societies and expect success from the occurrence in the British West Indies. The French, generally, question the philanthropy of England in the abolition of slavery. They attribute the measure to calculations of interest alone, "the manufacture of beet root sugar in Europe, and other events, having taught her that slaves and sugar islands would ere long become unprofitable in the commercial sense." [*Salem Gazette*]

THE LORILLARD ESTATE. On Saturday the gentlemen who were appointed to make a fair division of the real estate of the late George Lorillard, finished their labors. The property consisted of upward of four hundred houses, stores and blocks of property in the city, and is valued at upwards of three millions of dollars. After the same was completed, the five heirs drew by lot for their parcels. The estate of Jacob Lorillard took one part—Peter Lorillard one—Mrs. Robert Barstow and niece one—Mrs. John G. Coster and brother, one—and the other to a sister, the name we did not hear.

It will be recollected that Mr. Lorillard died a bachelor, leaving his property to his nephews and nieces. Some of the heirs being dissatisfied, they contested the validity of the will, which was declared void by the court of errors. By this decision this immense property will now come into use in much more advantageous manner for the public than if the will had been sustained. [*N. Y. Exp.*]

DINNER TO MR. RIVES. A public dinner was given to Mr. Rives by his fellow citizens of Albemarle county, on the 24th inst. The following is a copy of his letter of acceptance:

Castle Hill, April 5th, 1839.

GENTLEMEN: I have received, with the liveliest sensibility, your communication of the 2d inst.

The testimony it conveys to me of your approbation of my public conduct is most dear to me. It comes from those, of whom a large majority have been close and near observers of my conduct, ever since I have been called, by the confidence of my fellow-citizens, to take any part whatever in public affairs. Coming, too, from men, whose uniform and consistent attachment to the illustrious founders and cherished principles of the republican party, is well known, and who were ardent friends to the election of the present chief magistrate, (in the hope and belief that he would faithfully carry out those principles), it is a cheering indication that the spirit of party subserviency has not, in this ancient and venerable commonwealth, extinguished the sentiments of manly independence and of public virtue, which recognises the good of the country as the sole legitimate end of party co-operation, and the only rightful test by which to try the actions of public men. It is in obedience to this principle, that I have felt myself called on by every obligation of patriotism and fidelity; to oppose, to the best of my ability, those measures of the administration, which, with you, I believe to be pernicious to the interests, and dangerous to the free republican institutions of our country.

Profoundly grateful, gentlemen, for the approbation you have so cordially expressed of my conduct in this and other instances, since I have been in the public service, I accept, with pleasure your kind invitation, and shall be most happy to meet you at the time and place you have indicated. Accept, I pray you, the sentiments of warm regard and fellow-esteem with which I am your friend and fellow-citizen.
W. C. RIVES.

To Messrs. Higginbotham, Craven, Durrell, Kinsolving and others.

GENERAL SCOTT. In connection with the name of general Scott, we copy from a recent publication, by Dr. Channing, this noble tribute to "the pacificator"

To this distinguished man belongs the rare honor of uniting, with military energy and daring, the spirit of a philanthropist. His exploits in the field, which placed him in the first rank of our soldiers, have been obscured by the purer and more lasting glory of a pacificator, and of a friend of mankind. In the whole history of the intercourse of civilized with barbarous or half-civilized communities, we doubt whether a brighter page can be found

than that which records his agency in the removal of the Cherokees. As far as the wrongs done to this race can be atoned for, general Scott has made the expiation. In his recent mission to the disturbed borders of our country, he has succeeded, not so much by policy as by the nobleness and generosity of his character, by moral influences, by the earnest conviction with which he has enforced on all with whom he has had to do, the obligations of patriotism, justice, humanity and religion. It would not be easy to find among us a man who has won a more favor, and I am happy to offer this tribute, because I would do something, no matter how little to hasten the time, when the spirit of Christian humanity shall be accounted an essential attribute, and the brightest ornament in a public man.

CHAIN OF RAIL ROADS FROM BOSTON TO LAKE ERIE. This chain will probably be completed in two or three years, as follows—(The Albany route will be 15 or 16 miles nearer).

	Miles.
Boston to Worcester,	44
Worcester to West Stockbridge,	117
West Stockbridge to Hudson,	30
Hudson to Catskill, (erry)	6
Catskill to Canajoharie,	68
Canajoharie to Utica,	41
Utica to Syracuse,	50
Syracuse to Auburn,	25
Auburn to Rochester,	75
Rochester to Batavia,	30
Batavia to Buffalo,	35

Total distance from Boston to Buffalo, 521
From New York to Buffalo via Catskill is about 444 miles. [*N. Y. Jour. of Com.*]

STEAM MAIL PACKETS. A contract had been made by the British government, with the honorable S. Cunard, for the conveyance of the mails from England to Halifax, and from Halifax to Boston, also from Halifax by Pictou to Quebec, twice-monthly, for the sum of £55,000 sterling per annum. The contract is for seven years. The first boat is to leave Liverpool, May 1, 1840. The boats from Halifax to Boston and from Pictou to Quebec, to run along the navigation continues open between the two latter ports, are to be of 150 horse power. The boat from Liverpool to Halifax 300 horse power. To carry these arrangements into effect, it is stated that seven or eight boats will be required. Mr. Cunard intends that the boats shall be built in Scotland, letter received in Halifax, stating these facts, recommends that there shall be no delay in building the long talked of hotel at Halifax.

ATLANTIC STEAM NAVIGATION. An interesting letter on this subject, from an American citizen in London, is contained in the New York Courier. The writer furnishes the following list of steam vessels now employed in navigating the Atlantic, as also those which are being built for that purpose: Great Western—1,250 tons, 450 horse power, built in Bristol.

British Queen—1,800 tons, 600 horse power, built in London.

Liverpool—1,050 tons, 464 horse power, built Liverpool.

President, (American)—2,400 tons, 600 horse power, built in London.

United States—1,250 tons, 420 horse power, built in Liverpool.

United Kingdom—1,250 tons, 420 horse power, built in Liverpool.

Atlanta—1,250 tons, 350 horse power, (iron built) in Liverpool.

New York—to be built in Bristol, of iron.

Thus, in the course of two years, there will be employed between England and the United States no less than eight British steam ships; and allowing each to perform eight voyages per annum, we shall have a steam conveyance at intervals of every 5 days.

LAW CASE. An important decision to American merchants was made in Boston, by chief justice Shaw, last week. It was on an action brought against a commission merchant to recover the difference between the price at which a lot of goods were sold, and the price limited by the owner—an advance having been made upon the consignee by the commission merchant. It was ruled by the court, says the Boston Times, that "a commission merchant having received goods to sell at a limit price, and made advances on the same, has a right to reimburse himself by selling said goods at a market price, if the consignee refuses upon application, and after reasonable time, to repay the advances."

IMPORTANT DECISION. The supreme court of mysylvania, it is said, have recently decided that pay and emoluments of officers in the revenue (the United States are subject to taxation for count and it may be inferred for corporation purposes. opinion was expressed as to naval and military officers, as they may be employed and spend their money abroad. If settled here, they seem to count in the decision. The answer to the objection is that they are officers of the superior government, and that the principle on which the decision was made is the same as that on which the stock of the United States bank, held by a resident, was declared able, as of a state institution. If the officers of the United States have not heretofore been taxed, this decision is one of importance to the country, especially to the city, where the great body of officers of the general government is located, and whose salaries, even including judges, are now considered rateable; the same court having decided that the office of a president judge of the common pleas subject to taxation. Although his salary cannot constitutionally be reduced, the court said there was more reason to exempt a judge from contribution than the public burthen, than any other person. On referring to the blue book, we find, on a rough estimate, that there are at least one hundred customs officers, with aggregate salaries of from 110,000 to 112,000 dollars. If to these salaries are added salaries of all the officers in the post office and army, with many connected with the war and navy departments, salaries to the amount of at least 3,000,000 dollars become rateable to the county and city tax. [*Phila. U. S. Gaz.*]

MONTEVIDEO AND BUENOS AYRES. By the arrival of the bark Col. Howard, at New York, from Montevideo, letters have been received from that city to the 9th February, which state the continuance of the blockade of Buenos Ayres, without any prospect of its being raised. A portion of the French squadron were in the river Parana, probably for the purpose of preventing government Rosas sending troops to the province of Entre Rios. Gen. Rivera was still leaving Montevideo to take the command of forces raised by the province for the purpose of operating against Rosas in Entre Rios. The declaration of war by Montevideo against Buenos Ayres is about being proclaimed.

FROM SMYRNA. We have received our files of yria papers to January 2d. They contain some details of information from the east, which we had before received. Mehemet Ali, the pacha of Egypt, had published a circular announcing his safe return to Karlowa, and detailing his travels to that city. Under the head of Alexandria, Dec. 22, we find the following: A protestation of the consuls of Egypt against the pacha Abbas, governor of this city, was yesterday the prevailing subject of conversation. The protest relates to an insult offered this governor to M. Thibet, French consul, in using the *pipe* to be offered to general Ventura, whom he had gone to present, without offering him. The pacha has sometimes also the rudeness to have a pipe brought to himself without giving it to the consuls who are visiting him. The protest, which rests principally on these grievances, signed by the English, French, Sardinian, Austrian and American consuls.

Under the date of Constantinople, Jan. 2, we find the following: on last Wednesday, the palace of the sultana Atie, the youngest daughter of the sultan, whose marriage is to be celebrated this spring, was destroyed by fire. This palace is situated on the European shore of the Bosphorus, near the palace of the sultan's sister. The fire is thought by the carelessness of a workman, who discovered the quantity of spirits of turpentine remaining in a vessel, brought a light near it; the fire took immediately, and spread with incredible rapidity, so that a great number of workmen found it impossible to escape; the number who perished is placed as high as twenty. The *Seraskier Pacha* had a great number of distinguished persons collected on the spot, but notwithstanding the promptness and efficiency of the assistance, it was impossible to save the palace, which was wholly consumed in a few hours. The loss is estimated at five million piasters. It is determined not to rebuild the palace on the same ground, and that the sultan's residence shall have for its permanent or temporary residence the palace of Said Pacha, situated at the Arnaut-Kouy, and which was last occupied by the sultana Mihrima. [*Boston Daily Adv.*]

FROM CHINA. We are indebted to a friend for a copy of the Canton Register to October 30th. Their news is anticipated. We glean some items:

China. The army. The Mandshoors, with the Mongolians and Chinese, who accompanied them upon their first invasion of China, constitute a distinct military community, which is divided into "standards." Every standard is sub-divided into three sections, each section or division into companies, and every company consists of one hundred and fifty men.

The Mandshoors quartered at Pekin are one hundred and two thousand; the Mongolians in the same city thirty thousand; the Chinese thirty-nine thousand; the Mandshoors in the provinces one hundred and twenty-six thousand; to these add the "wild hunters" fourteen thousand—total three hundred and thirteen thousand troops.

There is a prince at the head of every standard, who is styled a "Dshasak," a term denoting a ruler; immediately under him are the "Tosolakishi," his adjutant or aide-de-camp, and the "Chosho dshangin," his aid or adjutant; and next we have the "Dshalandshagin," or colonel, and the "Somo-dshangin," or heads of squadrons and companies.

The Chinese troops form two separate classes; the one consisting of the Mandshoors, Mongolians and Manshoors, Chinese, and the other of native born troops. The first named class is selected from the different standards, and thence denominated exclusively "Standard Troops;" the last named class bear green standards whence they are termed the "Troop of the Green Standard;" the former garrison the principal cities and towns of the empire, while the latter do the ordinary duty of ports, as well within as beyond the frontiers of China. The standard troops amount to two hundred and sixty-six thousand, and the troops of the green standard to six hundred and sixty-six thousand three hundred; forming a total force of nine hundred and thirty-nine thousand three hundred men. The government maintains three thousand regular troops in Thibet, besides a number of irregulars.

A beggar in Canton extorts money from the crowd by exhibiting the disgusting sight of his amputated arm embalmed. [*N. Y. Star.*]

OBSERVATIONS ON THE CANALS OF ENGLAND. The following calculation will show the immense wealth created in England by the spirit of association and of enterprise, which is developed with so much difficulty amongst other nations. It presents a comparison between the first cost of shares in each respective canal and of the profit realized on stock, according to the actual returns:

Canal	First cost	Value of stock
Canal of Coventry, sterling	£ 100	£ 750
of Mersey	100	720
of Oxford	100	410
of Leeds and Liverpool	100	470
of Monmouthshire	100	195
of Trent and Mersey, one-quarter of part 50	500	650
d'Oxford	100	550
of Longborough	142	2,200
of Clomorganshire	172	290
of Warwick & Hampton 100	215	
of Stroudwater	150	500
of Heat	107	289
of Shrewsbury	125	250
of Birmingham	17	240
of Stafford & Worcester	140	550

The capital employed in the prosecution of these canals increased, as their utility and the benefits to be derived from them were made known, to the surprising point at which they are at the present day, being a *quintuple profit*. One hundred pounds sterling invested in this stock, yields to its proprietor an interest of more than five times that amount, and a revenue in proportion. [*Not. Int.*]

SWIFTNES OF BIRDS. The smallest bird, says M. Virey, can fly several leagues in an hour; the hawk goes commonly at the rate of a league in four minutes, or above forty miles an hour. A falcon of Henry II. was flown from Fontainebleau, and found, by its ring, at Malta next day. One, sent from Canaries to Andalusia, returned to Tenerife in sixteen hours, a distance of near seven hundred miles, which it must have gone at the average rate of twenty-four miles an hour. Gulls go seven hundred miles out to sea and return daily; and frigate birds have been found at twelve hundred miles from any land. Upon their migration, he states as a known fact, that cranes go and return at the same date, without the least regard to the state of the weather, which shows, no doubt, if true, a most peculiar instinct; but these, and indeed, all facts which we find stated by a writer so much addicted to painting and coloring, may be received with a degree of suspicion for which no one but M. Virey is to be blamed. The accounts, however, of the swiftness of birds, I can well credit, from an experiment which I made when travelling

on a railway. While going at the rate of thirty miles an hour, I let fly a bee; it made its circles as usual, and surrounded us easily. Now, if there was no current of air or draft to bear it along, this indicated a rate of ninety miles an hour; and even allowing for a current, the swiftness must have been great. I should, however, wish to repeat the experiment before being quite sure of so great a swiftness in so small an insect. [*Lord Brougham.*]

PITCAIRN'S ISLAND. This small and remote spot, so well known and interesting, from its having been the retreat of a portion of the mutineers of the British government brig *Bounty*, commanded by lieutenant Bligh, was recently touched at by the bark Kent, on her passage from California to this port. It may be remembered, that some years since, Alexander Smith alias John Adams, one of the crew of the *Bounty*, and the patriarch of the island, contemplating the increasing population, with the limited means of support, deemed it advisable to remove with the inhabitants for Otaheite; but after a short residence, being disgusted with the licentious conduct of the natives, they were reconveyed to their own little paradise in the midst of the South Pacific. It is not a little singular that, with the exception of two or three of their number who died, the whole body should have returned without leaving one of their company behind. When the *Bounty* last left the island of Otaheite she had on board nine of the mutineers, six men and twelve women of Tabonai and Otaheite. Of these there are but two of the women now living. Adams died in 1829. The whole number of the inhabitants, at the time of the Kent's visit, was ninety-nine, one having died a day or two before her arrival. They are represented to be the same simple hearted, happy and religious people described by captain Beechy of the Blossom, and others, and living without any chief or governor. Whalers frequently visit them for supplies of vegetables, of which there is an abundance of various kinds. Pigs and goats are scarce, and seldom killed by the natives, with a view of increasing their stock. It may be interesting to the curious, to know that a piece of the bell of the *Bounty* was brought home by captain Steele. A highly interesting account of the mutiny and a description of Pitcairn's island, may be found in the 31st number of Harper's Family Library

THE "FIRST IRON STEAMBOAT." We have twice or three times, within the past year endeavored to "set history right," in regard to the place at which steamboat was built in America. The steamboat "*Codorus*" was the first iron steamboat built in the United States, as has been repeatedly stated in this and other papers; and that boat was built some twelve or fourteen years since, at York, Pa. by Messrs. Davis, Gartner & Webb and Mr. John Elgar. The boat was intended to ply on the Susquehanna river, and with that especial object in view, was so constructed, as to draw about twelve inches of water, with all her machinery on board. It was built at York, (the hull altogether of iron), mounted upon wheels and thus transported by horse power to the river, and there launched, opposite Marietta. It made one or two voyages under "captain Elgar" to the head waters of the Susquehanna; but small as was its draft of water, it was found to be too great at certain seasons for the bars and shallows of the river, and the enterprise was abandoned. The first iron steamboat, was afterwards brought to this city, where after remaining sometime, it was taken farther south, to ply on some small river. Of its after destinies, we have no information.

All this, we think, has been stated, at least in substance, once or twice before, in this paper. Yet, in the Patriot of Wednesday, a short paragraph, from another paper some how found place, which states that "the first iron steamboat in this country, is now building at Pittsburgh!" How are we to credit, or accredit, the truths of history, if the record of passing events, regarding a matter of which there is no doubt, becomes so early vitiated? [*Balt. Pat.*]

THE LAKES. The extent of the great lakes is stated in the report of the Michigan state geologist, as follows:

	Mean length.	Mean breadth.	Area, sq. mls.
Superior	400	70	32,000
Michigan	200	80	20,000
Huron	210	80	20,000
Green Bay	100	20	2,000
Eric	240	40	0,600
Ontario	150	25	6,300
St. Clair	20	14	260
			80,060

The same tabular statement exhibits also the depth of each and the elevation of each above the water—

	Mean depth.	Elevation.
Superior	400	596
Michigan	1,000	578
Huron	1,000	578
St. Clair	20	570
Erie	84	565
Ontario	500	232

It is computed that the lakes contain more than 14,000 cubic miles of water, a quantity more than half of all the fresh water on the earth.

The extent of country drained by the lakes, from Niagara to the northwestern angle of Superior, including also the area of the lakes themselves, is estimated at 335,315 square miles.

The rise of water at Detroit from June, 1830, to August, 1838, is said to have been 5 feet 3 inches. The water fell from August, 1838, to February, 1839, 3 feet 8 inches, so that it is 1 foot 7 inches above the mark of 1830. [Ohio Transcript.]

AGRICULTURAL STATISTICS. The following statistics of the county of Susquehanna are from an official report made to the legislature of Pennsylvania for 1838:

No. of farms	2,768	Acres of turnips	7,346
Acres of wheat	5,439	" buckwheat	3,546
" rye	1,624	" flax	195
" corn	3,330	" ruta baga	320
" oats	8,404	" peas	230
" meadow	34,792	" beans	63
" potatoes	2,367		

No of maple trees tapped*		Aggregate val.
Whole No. of horses	3,998	\$28,510 00
" oxen	2,919	99,425 00
" cows	8,187	164,305 00
" sheep	51,600	84,101 00
" swine	9,033	12,800 00
" neat cattle of all ages	23,746	454,920 00
Lbs. of butter sold	257,355	15,619 00
" cheese sold	58,559	3,659 00

The average size of farms 105 acres. Of barley 178 acres were raised in the county. Corn averaged 33 bushels per acre. Potatoes 170 bushels per acre. The county has a surplus of oats, corn and potatoes. 193,783 lbs. of maple sugar were made, averaging 3 lbs. to a tree. The best crop of ruta baga on record in the United States was raised in Chocorot township, averaging on 3 acres more than 1,200 bushels per acre. 342 tons of plaster were sown. Dr. Rose, of Silver Lake, has a large number of merino sheep, and sold 18,000 lbs. of wool at 44 cents per pound. Susquehanna county, in Pennsylvania, adjoins the county of Broome, New York; and in its general characteristics of soil, productions, &c. much resembles that.

The following statement of the number of bushels of wheat and corn raised in the state of Maine the last year is from the Maine Farmer. It shows what Maine can do, and that she is able to raise a sufficient quantity of grain on land already under a state of cultivation to fully supply her own citizens.

	WHEAT.		CORN.	
	Bush.	Bounty.	Bush.	Bounty.
York	39,856	\$2,750 82	403,614	\$11,599 29
Cumberland	29,923	4,359 80	271,406	11,808 63
Lincoln	45,301	4,126 91	126,493	3,773 70
Hancock	24,164	2,121 79	1,777	98 68
Washington	42,921	3,303 79	212	10 83
Kennebec	126,933	10,474 41	1,366,765	11,329 56
Oxford	126,366	10,267 58	245,914	10,489 04
Somerset	125,454	13,731 29	89,276	4,223 31
Penobscot	125,464	11,306 56	21,151	1,085 12
Waldo	122,554	9,839 31	54,135	2,810 54
Franklin	104,312	8,060 01	45,717	2,517 15
Piscataquis	83,229	6,093 83	4,538	282 01
Total	Wheat	1,107,849 bushels.		
	Corn	\$87,342 30 bounty.		
		1,630,996 bushels.		
		\$66,628 80 bounty.		
	Total of whole bounty,	\$152,981 76		

The above table does not include all the wheat and corn raised in the state. There were many farmers who did not raise enough to claim a bounty, and consequently did not make returns to the treasurer of the state.

"PERLS OF THE SEA." The schooner Pearl, which left New York, on the 29th ultimo for Newbern, N. C. was run ashore on the 31st, about four miles from Hatteras, for the purpose of saving the lives of those on board. She had previously shipped a sea, which washed a sailor, (William Bird, of New Jersey), overboard, broke the captain's leg, and bruised the mate and one of the men so severely that the former had to be carried below. The same sea stove both boats, carried away the main boom,

stove the lee bulwarks, weather quarter, &c. leaving the vessel a complete wreck.

At this time the condition of all on board was indeed perilous—the vessel on a dangerous lee shore, almost unmanageable, with but one man of the whole crew left capable of duty. Remembering the old adage, that "while there is life there is hope" and trusting in the assisting mercy of an all ruling Providence, the passengers, after consulting the officers and crew, exerted themselves to run the vessel on shore as a last and desperate chance for escape. This was happily accomplished about half past eight o'clock at night, under the encouragement of the captain and directions of the mate, who, bruised and injured as they were, exerted themselves to the utmost of their power. At day break they found they were near Cape Hatteras, and soon afterwards all reached the land in safety. [Bald. American.]

TRADE OF PITTSBURG. The following article from the Pittsburg Gazette indicates what the folks at the western end of the Pennsylvania chain of canals are doing in the way of trade:

"We have never witnessed such a display of business as is this day made at our landing along the Monongohela river. The whole extent of the landing, from the bridge to Ferry street, appears to be covered with packages of merchandise, bales of cotton, bacon in casks, flour, corn, hemp, lead, pig metal and a variety of other articles; while the drays, carts, &c. keep up a continued bustle, passing and repassing between the river and the canal basin. The river however, is falling, and unless we have rain very soon, the boats will be compelled to take lighter loads down the river.

We are pleased to learn, as is stated in the annexed paragraph, from the Advocate, that adequate means of conveyance on the canal are provided.

The short time required to transport goods from Philadelphia to Pittsburg the present season—eight days, or thereabouts—is a subject of general remark. This is in part owing to the excellent condition of the canals and railroads, and in part to the greater perfection in the arrangements of our enterprising and indefatigable transporters. We occasionally look into the warehouses at the basin, and have been surprised to find them comparatively clear, when, judging from the long lines of heavy laden drays which, from morning till night may be seen wending their way to that point, we expected to see them crowded. Great as the trade is, the means of conveyance are adequate to it."

EXPEDITION TO OREGON. The St. Louis Republican, of the 5th instants, says:

"The steamer Antelope, owned by Pierre Chouteau, jr. and commanded by De Chenet, both of this city, left yesterday, with several scientific gentlemen; among whom are Mons. Nicolet, of the academy of sciences of Paris, and lieutenant Fremore, of the topographical engineer department at Washington; also, about 12 clerks, and 120 hands; laden with articles for the supply of the trade. The corps will be conveyed some distance above the mouth of the Yellow Stone river, as far as the water will enable the boat to ascend, probably a distance exceeding 2,000 miles above the mouth of the Missouri. The boat is expected back in about three months. The company left in good spirits, and we trust the fatigues, trials and sufferings attendant on such an expedition will not be endured without a fair recompense. This whole company is in the service of the American for company, which sends a like number to the mountains about once in two years, the time usually required for the excursion."

FREDERICK THE GREAT AND THE UNITED STATES. Frederick was never doubtful as to the issue of the revolutionary war between this country and Great Britain, and openly declared his sentiments in a treaty which he concluded with Russia in 1781, of armed neutrality. Franklin, Adams and Jefferson, valued the friendly disposition of the great monarch so highly, whose influence over his age was great, that they invited him before any other power to a treaty of amity and commerce, which was concluded at the Hague, 20th September, 1785, and which was the last national act to which the king annexed his signature. Part of this treaty reads thus: "If one of the two powers be at war with a third party, the commercial intercourse between the said two powers shall thereby suffer no interruption, and their respective flags shall protect even the property of the enemy; and in case this property be amonitions of war, it shall be simply kept in deposit, without being seized. If ever there should be any difficulty between the two countries themselves, the contest shall be confined to the armies, and commerce shall go on un molested, and no letters of marque shall be issued. The prisoners of war shall be treated in the most humane

manner, and have the same pay, and enjoy the same treatment, as their own soldiers of the countries according to their respective ranks."

[Augusta Chronicle.]

THE GREAT TREE. From the Boston Transcript April 12. We observed, on crossing the common on Wednesday, that the Great Elm was laden with buds, which the imprisoned foliage seemed panting to burst, and set itself free from thralldom. The noble tree appeared in vigorous condition, and as young and as graceful, with all its majesty, as the little striplings around it. We were reminded, by our accidental and early notice of the tree, of an article which appeared about eighteen years ago. We have sought for it, and make from it the following extract.

"The great tree did not, as has often been supposed, spring from the soil, on which it now stands, but was set out there, probably more than one hundred and fifty years ago. Madam Scott, formerly the widow of governor Hancock, now an octogenarian, or near it—a lady whose retentive memory and general information is only surpassed by the polish of her manners and her knowledge of the elegant courtesies of life—has stated to the writer of this article, that Mrs. Hancock, wife of Thomas Hancock, who was uncle to the governor, and a merchant of Boston, used frequently to repeat the current tradition in her family, that her grandfather, a gentleman by the name of Henchman, brought this tree from the North-End, and planted it in the place where it now stands, in the moist lands of the common—a proper place for an elm.

"The good lady who spoke of this act of her grandfather, was born in the early part of the last century, and of course the tree could not have been brought in her infancy. Twenty-five years ago the tree had a large hollow in it, and bore marks of rapid decay; but by the treatment recommended by Forsyth, it was revived, and is now as vigorous a tree about us, without any appearance of the hollow, which was once large enough for a boy to hide in. The tree is a native elm, which are the most hardy sort. Several of the large trees in the mall are what is called the English elms. This species have less extended roots and branches than the American elm, and are more liable to be uprooted by violent winds. In the September gale of 1811 several of the English elms were blown down, while the American elms by their side bore the blast with only a slight laceration."

THE DAGUERROTYPÉ. The following is an extract from a private letter of professor S. F. J. Morse to the editor of the Observer, dated Paris March 9th.

"You have perhaps heard of the Daguerrotypé, a called from the discoverer, M. Daguerre. It is one of the most beautiful discoveries of the age. I don't know if you recollect some experiments of mine in New Haven, many years ago, when I had my painting room next to professor Silliman's, experiment to ascertain if it were possible to fix the image of the Camera Obscura. I was able to produce different degrees of shade on paper, dipped into a solution of nitrate of silver, by means of different degrees of light but finding that light produced dark, and dark light I presumed the production of a true image to be impracticable, and gave up the attempt. M. Daguerre has realised in the most exquisite manner this idea.

"A few days ago I addressed a note to M. D. requesting, as a stranger, the favor to see his results at an evening, in my turn to see my photograph. I was politely invited to see them under these circumstances, for he had determined not to show them again, until the chambers had passed definitely on a proposition for the government to purchase the secret of the discovery, and make it public. The day before yesterday, the 7th, I called on M. Daguerre at his rooms in the diorama, to see these admirable results.

"They are produced on a metallic surface, the principal pieces about 7 inches by 5, and they resemble aquatint engravings, for they are in simple chiaro oscuro and not in colors. But the exquisite minuteness of the delineation cannot be conceived. No painting or engraving ever approached it. For example: In a view up the street, a distant sign would be perceived and the eye could just discern that there were lines of letters upon it, but so minute as not to be read with the naked eye. By the assistance of a powerful lens, which magnified fifty times applied to the delineation, every letter was clearly and distinctly legible, and so also were the minutes breaks and lines in the walls of the buildings, and the pavements of the streets. The effect of the lens upon the picture was in a great degree like that of the telescope in nature.

"Objects moving are not impressed. The Boulevard, so constantly filled with a moving throng of

* In the report it was put No. of acres instead of trees tapped, which was clearly an error.

edestrians and carriages, was perfectly solitary, except an individual who was having his boots polished. His feet were compelled, of course, to be stationary for some time, on being on the box of the boot-black, and the other on the ground, consequently his boots and legs are well defined, but he without body or head, because these were in motion.

"The impressions of interior views are Breamrandant perfected. One of Mr. D.'s plates is an appresio of a spider. The spider was not bigger than the head of a large pin, but the image, magnified by the solar microscope to the size of the palm of the hand, having been impressed on the plate, and examined through a lens, was further magnified, and showed a minuteness of organization hitherto not seen to exist. You perceive how this discovery is, therefore, about to open a new field of research in the depths of microscopic nature. We are soon to see if the minute has discoverable limits. The naturalist is to have a new kingdom to explore, as such beyond the microscope as the microscope is beyond the naked eye.

A RED INDIAN DANCE. In the afternoon, Mr. Johnson informed me that the Indians were preparing to dance for my particular amusement. I was, of course, most thankful and delighted. Almost in the same moment, I heard their yells and shrieks resounding along the shore, mingled with the measured monotonous drum. We had taken our place on an elevated platform behind the house—a kind of little lawn on the hill side—the precipitous rocks, clothed with trees and bushes, rose high like a wall above us; the glorious sunshine of a cloudless summer's day was over our heads—the dazzling blue lake and its islands at our feet. Soft and elysian in its beauty was all around. And when these wild and more than half-naked figures came up, leaping, whooping, running, shrieking, hideously painted, and doing such things as, to our eyes, jangled it was like a masque of fiends breaking into paradise! The rables of Comus might have hoisted themselves comely in comparison, even though no self-deluding poison had bleered their eyes and intellect. It was a grotesque and horrible phantasmagoria. Of their style of clothing, I say nothing—for, as it is wisely said, nothing can come of nothing—only if "all symbols be clothes," according to our great modern philosopher—my Indian friends were thrown aside, all the resources of the Indian toilette, all their store of leathers, and bears' claws, hawks' bills, vermilion, root and verdigris, were brought into requisition as decorations; and no two were alike. One man wore three or four heads of hair, composed of the manes of a pair of animals, wore a pair of deer's horns; another was "coiffed" with the skin and feathers of a crane or some such bird—its long bill projecting from his forehead; another had the shell of a small turtle suspended from his back, and dangling behind; another used the skin of a polecat for the same purpose. One had painted his right leg with red bars, and his left leg with green lines; parti-colored eyes and faces, green noses, and blue chins, or vice versa, were general. I observed that in this grotesque deformity, in the care with which every thing like symmetry or harmony in form or colors was avoided, there was something evidently studied and artificial. The orchestra was composed of two drums and two rattles, and a chorus of voices. The song was without melody—a perpetual repetition of three or four notes, melancholy, harsh and monotonous.

A flag was then stuck in the ground, and around this they began their dance—it dance it could be called—the movements consisting of the alternately rising of one foot, then the other, and swinging the body to and fro. Every now and then they paused, and sent forth that dreadful, prolonged tremulous yell, which re-echoed from the cliffs, and pierced my ears and thrilled long my nerves. The whole exhibition was that of finished barbarism, that it was at least complete in its way, and for a time I looked on with curiosity and interest. But that inane loathing which dwells within me for all that is discordant and deformed, rendered it any thing but pleasant to witness.

(Mrs. Jameson's Rambles.

RUFNER AGAINST CROCKETT. On Thursday night last, Mr. John Ruffner, who lives just at the foot of the fort Mountain, and on the banks of the Beamanohad river, heard his dogs in pursuit of what he supposed to be a deer. He followed them to a point, not far from the river, where he supposed the game, whatever it was, would cross a small ridge on its way back to the mountain. The dogs, however, continued running along the river bank, and at last uttered the loud sounding bark, as if they had treed. This was about 10 o'clock at night. Mr. Ruffner supposed that the deer had taken to the water, and

the dogs were baying it. He immediately cut for the river—but had no gun, nor other weapon offensive or defensive. When he got to the river, he saw by the light of the broad full moon, a large, dark looking animal, standing in the edge of the water, the dog just beyond in the water, and two others on the beach within a few feet of it. Without stopping a moment, down the bank he went, when the animal and the dog immediately struck for the other shore. They happened to be just opposite the mouth of Mill run, and for that point the game seemed to aim. Mr. Ruffner plunged into the river after the dogs, and with some difficulty reached the opposite bank, and came up to them, where, as the animal made repeated efforts to climb the steep bank just under a high cliff of rocks, the dogs would catch hold of it and they would all tumble back into the river. He now, for the first time, was warned of his danger, and perceived what sort of a "critter" he had to do with. The terrible snap of his enormous jaws; and the haughty way he was making with the dogs, showed him that it was a terocious *he wof* the largest of his tribe.

Here then was a case. The dogs—though brave as lions, and the idols of their master's affections, were manifestly getting the worst of it; and must ere long, yield to the terrible gashes, which at every crash of his iron jaws, the wolf was making in their bodies. He, however, with a steady eye, watched the moment when the wolf and dogs tumbled down the bank into the water, caught the wolf by the hind legs, and raised him up at arm's length. This was a moment of imminent peril. For the wolf doubly aroused by his new enemy, and the dogs stimulated by the assistance of their newly ally, a flight took place in the water, that utterly defied all description. As the wolf would turn to snap the dogs, Mr. R. would by raising the hind legs, plunge his head under water; and when a dog would raise himself to seize him, the wolf would lay hold for a moment and prevent it. Thus the terrible fight went on for some minutes, till at last Mr. Ruffner perceived the point of a rock near the water's edge, and within a few feet of him, he then, watching the favorable moment, by one powerful muscular effort, swung the wolf entirely over, and thrashed its head and back against the rock, with such force as to stun, if not to kill it. But to render the work complete he still held on with one hand, whilst with the other he grasped a stone, with which he effectually broke his skull.

Mr. Ruffner then threw the wolf over his shoulder, and returned home with his bloody victim and wounded dogs, but without himself receiving a single scratch, in his unheated of, naked, hand to teeth, snap and smash, wolf fight.

He brought the skin to Luray, the next day, where I saw it spread out on the floor, and heard him with his peculiar and inimitable phrase and gesture, recollect the particulars of that exciting scene. Generous, brave and powerful as a lion—may he long live to fight his own and his country's battles, and to kill be wolf or she bear, whenever and wherever he can find them.

(Woodstock (Va.) Sentinel.

SWARTWOUT DEFALCATIONS.

Report of the committee of investigation, chosen by ballot, by the house of representatives, January 17 and 19, 1899, on the subject of the defalcations of Samuel Swartwout and others, and the correctness of the returns of collectors and receivers of the public money; also, the report of the minority of the committee.

[CONTINUED FROM PAGE 127]

On the 4th instant I received a letter from the secretary of the treasury, under date of 2d inst. of which the following is a copy:

Treasury department, February 2, 1899.

Sir: I have to request that you will deposit the sum of two hundred thousand dollars in the bank of America, at New York, to the special credit of the treasurer of the United States, and transmit the certificate of deposit to this department.

It is done in order to reduce treasury notes. I am, respectfully, your obedient servant,

LEVY WOODBURY, sec. of the treasury.

To Jesse Hoyt, esq. collector.

To which I made the following answer:

Custom house, New York, Feb 5, 1899.

Sir: Your letter of the 2d instant did not reach me until after business hours of yesterday. By this letter you request me to deposit the sum of \$200,000 in the bank of America, to the special credit of the treasurer of the United States." You omit to state to me out of what fund this deposit is to be made. By previous instruction, I was directed to transfer, on the Saturday of each week, to my separate credit of the treasurer, all the moneys in my hands, to be applied to the drafts of that officer. I have continued to do so since the receipt of those

instructions. I accordingly transferred, on Saturday last, \$130,000, which by my weekly returns transmitted yesterday, you will perceive left in my hands the sum of \$8,296 85 to the credit of the United States, to be accounted for in the next returns, part of which had been actually disbursed for the benefit of the United States, and charged in my cash book to suspense account; the regular vouchers for the expenditure not having been rendered.

You may have intended this deposit of \$200,000 to be applied to the moneys received by me under protest and for deposit for unascertained duties prior to 1st of January last. If that be your intention I have to observe:

1. It will appear by the weekly returns transmitted yesterday, that the fund under protest amounted to **\$124,443 95**
2. That the deposits by the same return amounted to the sum of **54,906 40**
3. Making together the sum of **\$179,350 35**
3. My net receipts yesterday were **\$23,013 94**
4. Balance on hand yesterday **8,296 85**

31,310 79
\$210,661 14

The sum of \$31,310 79 is the only sum in my hands to the credit of the United States for the general balance of receipts from customs. But in relation to the two first items, amounting to \$179,350 35, I have to say:

1. Concerning the money received under protest, I will say, on the 19th October last, that I had made an arrangement with the bank of the State of New York, in which bank I kept an account, to receive 7 per cent, interest for that fund. I sent you a copy of my correspondence with that bank, as evidence of the agreement, which you have not, as I believe, dissented from, except by inference from the fact that you forwarded me a copy of an opinion of the attorney general of the United States, in a communication under date of December 22, which attempted to show that I was bound to pay over that fund to the credit of the United States. On the receipt of which opinion I availed myself of the first leisure moment, on the 4th of January, to dissent from it; and gave you to understand that I would not consent, under any circumstances, to be bound by it, for the reason that the supreme court had decided that I was not bound to pay over money under such circumstances. Subsequent to this, I noticed an article in the Washington Globe of January 23, taking the same ground that I took, in an essay in vindication of the department for neglecting to call on Mr. Swartwout to pay over the money which he had received under protest and which article alluded to the decision of the supreme court of the United States to which I also referred.

2. I wrote to the comptroller on the 1st inst. in answer to his instructions under date of the 29th of January, that I peremptorily refused, to pay over the money, for the reasons assigned in my previous communication to the department.

3. Under this state of things, and especially as the United States was deriving from the fund a larger interest than it was paying for the money it borrowed on treasury notes, and in my judgment was securely placed beyond a possibility of doubt, I did not think the department would draw for it, though I had frequently written that it might, provided it was drawn in such a manner as to afford me protection.

4. In regard to the deposits for unascertained duties, although I have, since the 1st of January, passed the money immediately to the credit of the United States, yet I have serious doubts whether I ought to do so; and I have serious doubts, also, whether I will continue to do so after the present quarter, unless congress legislate upon the subject. Recent investigations and developments upon the subject, render it of the importance of assuming no more responsibilities than are thrown upon me by positive enactments of law. The receipts I give for deposits for unascertained duties, make me personally responsible for the difference between the duties actually accruing and the sum deposited; and which sum deposited I immediately pass to the credit of the United States, without any positive guaranty that the United States will refund the difference in discharge of my personal liability.

I go into this discussion now for the purpose of suggesting the expediency of your asking the committee of ways and means to embrace this question as a kindred one to the protest subject, and that a section should be introduced to obviate the difficulty on this as well as the protest question.

I have given you now the substance of the pecuniary condition of my official affairs. I have depo-

sited the \$200,000 as you request. If the treasurer draws for all that stands to his credit, I may be compelled to enter the agreement with the State Bank, without your direct authority, unless you intended to anticipate the receipts of all this week the probable amount of which I have not had the leisure to ascertain from investigation. Our cash duties yesterday were short of \$10,000, which is a falling off. We have been somewhat busy since the committee have been here, as you may well imagine; and it has been with difficulty I have been able to get off my ordinary accounts. The auditor has been before it most of the time for the last ten days.

In your future directions for the deposit of money, I will be glad of a designation of the fund from which the deposit is to be made. I desire only to have matters of this kind distinctly understood. I endeavor to give you, from time to time, such minute details of our business at this port as to keep you well informed on the subject; and I do not fail to object in time to any proposed arrangement which strikes me to be objectionable; and to this end I have made this communication. I have apprised the treasurer of the deposit, and sent him a duplicate receipt. I am, sir, very respectfully, your obedient servant, J. HOYT, collector.

Hon. Levi Woodbury, secretary, &c.

Under this state of things, it is a matter of doubt, in my own mind, whether by implication I have or not paid the protest fund into the treasury.

I omitted to state, in the proper place, another reason for the accumulation of protests; which was, as I supposed, owing to the fact of the department having decided, in June last, that it could not refund money received by Mr. Swartwout, except it was paid to him under protest, and that in all other cases application must be made to congress. This, in my judgment, tended to an accumulation of protests.

In reference to that part of the letter last referred to, which adverts to the deposits for unascertained duties, it will be seen that I raise a doubt as to the right of the government to have the moneys deposited for unascertained to its credit at the time the deposit is made. That doubt is now again referred to, from the fact that a claim was made, a few days since, for a deposit on a certificate therefor alleged to be lost. I refused payment, on the ground that the certificate was negotiable, and it must be surrendered up on payment; when a suit was threatened, which led me to examine the terms of such kind of certificates, and I came to the conclusion that the collector was personally responsible; and in the event of the whole deposit being placed to the credit of the United States, the collector would be compelled to refund from his own means, in case of a recovery, and that, therefore, the money so deposited for unascertained duties depends upon the same question as that involved in the money paid under protest.

It has been repeatedly considered at this port, as I have understood, and always believed, that the deposits for unascertained duties were not public moneys; and the various collectors heretofore occupying the place have not considered them as such. The importers have a right to deposit portions of their invoices as security for duties on the remainder, which does not operate as a change of property in the thing deposited, but remains as a pledge in the hands of the pledgee, who is the person holding the office of collector, and he alone is responsible for the forthcoming of that pledge.

Having heretofore yielded to the suggestions of the department in relation to this fund, from the 1st of January last, without raising a question on this point of legal right, or the necessity of legislative protection, but assenting to what might be deemed a sacrifice to public opinion, as connected with recent developments, I now raise the question before those who can, by their public situations, do much to remove those doubts by the enactment of laws.

Since writing most of the preceding answer, I have received a letter from the secretary of the treasury, under date of February 4, in the words following, which seems to be a reply to my letter to the comptroller of the 1st of February:

Treasury department, February 4, 1859.

Sir: Finding from a report just made to me by the comptroller, that new difficulties have arisen between that officer and yourself, in regard to the disposition of the funds received "for duties paid under protest," I propose, with a view to obviate those difficulties, to have a weekly statement furnished to this department by the bank holding the fund paid for duties under protest; and to have a stipulation from the bank to the United States, that it be held solely to be drawn out to pay refunded duties on your part, and, in all cases when not refunded, the amount on deposit to be carried to the

credit of the treasurer of the United States, and to be drawn out by him.

I have to request that you will submit this proposition to the bank, if acceptable to you; and if acceded to on its part, you will be pleased to forward a stipulation from the bank to the United States to that effect.

You will be required to forward monthly statements of your transactions under this arrangement, until congress legislate, or a further opinion is obtained from the attorney general.

By this arrangement you and the government will both be secure. I am, very respectfully, your obedient servant,

LEVI WOODBURY,

Secretary of the treasury.

Jesse Hoyt, esq. collector of the customs, New York.

Question 17. Are the letters and correspondence already presented in your answers all the communications from the secretary of the treasury to you, or from you to him, or from the banks to you, or from you to them, addressed to and from you as collector or individually, in relation to your duties as collector, and to the funds in your hands under protest or otherwise?

Answer. I sent to the committee on the 30th of January all the official letters up to the 17th of January, from the treasury department to me, in relation to the collection and disbursement of the public moneys, so far as I was able to discover them in my possession, and so far as I now recollect. I have alluded to all that I have since received in my former answers; and, I also believe, have given you copies of all my letters to the department on that subject, bearing date since the 17th of January. I have given you, also, copies of all my correspondence with the banks in relation to matters inquired about. I have received at various times private and unofficial letters from the several officers of the treasury department, which I do not feel myself at liberty to surrender or lay before the committee, without the consent of the writers. I have never been requested, without those letters, or any other information whatever, but as the committee have the power to call for copies of such letters from the writers thereof, I would prefer that the writers should take the responsibility, if any there be, in relation to the revelation of a private correspondence.

It will readily be perceived from the preceding testimony, that nothing definite or satisfactory could be gathered by the committee as to the amount of public money actually on hand in bank to the credit of Mr. Hoyt, either derived under protest, or otherwise, however explicit the testimony may be considered in its designation of the only banks employed by him as depositors, or of the terms upon which they are acting as his depositors. How much of these same deposits have been, from time to time, drawn out and used by Mr. Hoyt for purposes of speculation, expected to yield for him the seven per cent. interest he had arranged for in relation to a part of it; or whether it has been more frequently drawn out, or for other purposes used, than has been demanded by his official duties; or whether the amount of his deposits now on hand, either of protest money, or of other money collected by him for the government, corresponds with the amount which should be on hand; and whether or not, by the transfers in the books of his banks, the government appears to have actually received any of the protest money or not, about which Mr. Hoyt affects to be in doubt, is in no satisfactory degree disclosed by Mr. Hoyt. Only allusion being made to some of his answers from the department, without furnishing copies of more than it answered his own purpose to select, and a refusal to disclose the originals, or the import of others, being also made on the ground of their being "private and unofficial," although relating to the public moneys. It is obvious that the relations of Mr. Hoyt to the public moneys, and the correctness of his returns, could not be ascertained by the estimation of the committee, a most suspicious aspect; and that neither the duty which the committee owed to itself, or to the house and country, would justify them in leaving untried other sources of positive and record information on the subject of this inquiry.

But, beyond and paramount to the considerations just adverted to, which cast shadows over Mr. Hoyt's possession and official returns in relation to the public money, however correct these may be in form, the committee could not but feel new admonitions to persevere in reaching the true state of the accounts, from the disclosure in the correspondence of Mr. Hoyt with the treasury department in his foregoing testimony, wherein he sets up absolute control over large and accumulating sums of the public money, not only against the advice and instructions of the comptroller of the treasury, and of the secretary of the treasury, but also against the

official decision of the attorney general, and in the spirit and the language of contemptuous disregard of them all! If any thing was left to add alarm to the minds of the committee, on discovering such to be the condition of the public moneys at a port where nearly two-thirds of the whole revenue is collected, it is to be found in the tameness with which the accounting officers of the treasury, and the secretary of the treasury, have submitted to so dangerous an assumption of power in a subordinate executive officer. In the judicial authority upon which this collector falls back and hurls defiance, if not contempt, at the instructions and opinions of the whole corps of superior executive officers to whom he is accountable, nothing is to be found to justify the one for asserting, or to excuse the other for submitting to a practice, which the attorney general has justly characterized in his decision as calculated to *infringe the collector in postponing the ascertainment of duties, that he may in the mean time have the use of the money; and to "increase the danger of faithlessness in the collector, by permitting large amounts of money to remain with him, and under his individual control, instead of being in the treasury of the United States."*

The judicial decision cited by the collector conveys no authority to the collector for refusing to take and adopt the construction of law in regard to duties paid under protest, which the accounting officers of the treasury enjoin upon the observance of the collector. The opinion of the attorney general, on the other hand, expressly declares, "it is the duty of the collector to carry into execution the instructions of the treasury department, and to conform his acts to them." Nor does the court indicate that the collector is at liberty to "judge for himself, and act accordingly." These attributes are only accorded, by the decision of the court cited, to the party paying the duties, and not to the collector who receives them; to the individual plaintiff, and not to the defendant officer. And the language of the court, that the collector is by the protest "placed in a situation to claim an indemnity from the government," clearly indicates that this indemnity of the collector is to be sought rightfully after, and not before, the duties paid have been adjudged by the competent tribunal to be a wrongful exaction.

It may be added, that even in the libertinism of Mr. Swartwout's control and use of the public money is to be found no precedent, until his retirement from office, and his actual defalcations must otherwise be exposed, for the course thus pursued by the present collector in relation to moneys under protest. This course originated only with the latter. The testimony that follows is explicit on this point.

Mr. Fleming, auditor of the customs, examined by Mr. Owens.

Question 58. From your position in the custom house at New York, and your knowledge of the manner of transacting its business and keeping the accounts, say whether one of the principal causes of the defalcations was not the practice of the collector retaining large sums of money in his hands to meet suits or protests for duties overpaid. State how long such practice has been in existence; whether it was established by the department at Washington; or whether, under the decisions of the courts of justice, the collector is not considered personally responsible for such claims, and therefore authorised by the same decisions to retain in his hands the money of the United States to meet them?

Answer. Mr. Swartwout, on his retirement from office, retained the sum of about \$201,000; and assigned as a reason to the secretary of the treasury, that it was to protect himself against judgments upon suits at law for duties alleged to have been wrongfully exacted, and paid under protest; but he was not in the practice, during his collectorship, of retaining moneys for such purposes. When duties were paid, the amounts were placed to the credit of the treasury of the United States at once; and in the event of a decision being obtained against the collector upon any suit at law, it was his practice to write to the comptroller of the treasury upon the subject, to obtain his authority for the payment of the judgment. The collector is considered personally responsible for all such claims, and execution issues against his private property.

Impelled, therefore, by the strongest sense of duty, to obtain the fullest information on the subject of Mr. Hoyt's deposit and use of the public money, as the only test of the correctness of the returns he has made to the treasury department since he has been in office, the committee, on the 6th of February, commenced the examination of the two cashiers mentioned by Mr. Hoyt. The following, from the committee's journal, illustrates this proceeding:

Gorham A. Worth was sworn as a witness.

Examined by Mr. Smith.

Question 1. Are you cashier of the City bank of New York, and are you in charge of the books of record and accounts, and the official papers of said bank? Has said bank been a deposit bank of the government of the United States? If not, has it been a deposit bank of the present collector of the port of New York? If yes, when did his first deposit as collector commence? And has he kept an individual deposit in your bank, apart from his account as collector?

Answer. I am cashier of the City bank, and have charge of the books, &c. The City bank has not been a government deposit bank at any time. It has been a deposit bank of the present collector of this port. The account was, in the first place, opened with Mr. Hoyt, as collector—say on the 14th of April last. That account, however, was closed after a short time—some 30 days—and the account then opened with Mr. Hoyt in his individual capacity, and so remains at this time.

Question 2. In Mr. Hoyt's individual account, referred to in your last answer, has there been made any designation by Mr. Hoyt of the sources from which any portion of his funds thus deposited are, or have been, derived? What agreement, if any, has existed, and what agreement still exists, between said bank and Mr. Hoyt, relative to said deposits? Please state, in detail, when it commenced, and whether any that now exists is the substitute of any previous agreement; and also what such previous agreement was and when made.

Answer. Mr. Hoyt's deposits were made, like all other deposits in bank, by simply leaving the money to be placed to his account, without any designation other than the amount, at the time of deposit. The only agreement made with Mr. Hoyt was, that his deposits should be considered as gold and silver, and that his checks should, at all times, if required, be paid in gold and silver. This agreement was made at the time of his first deposit.

Question 3. What has been the aggregate monthly balance of said deposits since the agreement to which you allude?

[The witness was permitted to take this question away with him, in order to obtain the details of the answer required.]

On the 7th of February, Mr. Worth appeared and answered as follows: (Extract from committee's journal.)

Examination of Mr. Worth resumed.

Examined by Mr. Smith.

Question 3. [This question the witness had been permitted to take away with him yesterday. See journal.]

3. What has been the aggregate monthly balance of said deposits since the agreement to which you allude?

Answer. In reply to the above interrogatory, propounded to me yesterday, (6th February,) I answer, that I decline answering it: not deeming myself at liberty, by the rules and regulations of the bank, to expose the details of an individual depositor's account.

Question 8. Have you, since the above interrogatory was propounded to you, had a consultation with Mr. Hoyt on the subject of the said interrogatory? If yes, please state the substance of such consultation.

Answer. I must decline answering the question.

Mr. Withers was also called again on the same day, and examined as follows:

Examination of *Reuben Withers.*

Examined by Mr. Smith.

Question 1. Are you cashier of the bank of the State of New York, in the city of New York; and are you in charge of the books of records and accounts, and the official papers in said bank? Has said bank been a deposit bank of the United States? Has it been, or is it now, a deposit bank of the present collector of New York? If yes, when did his first deposit as collector commence? Has Jesse Hoyt kept an individual account and deposit in your bank, apart from his account as collector?

Answer. I am cashier of the bank of the State of New York, and have charge of the books of records and accounts, and official papers of said bank.

Said bank has not been a deposit bank of the United States.

I beg leave to answer by giving a copy of a letter from the collector, dated June 12, 1838, on which day a deposit was made by Mr. Hoyt in his own name, and the account has been so continued to the present time; which is the only account kept by this bank with Mr. Hoyt.

[The letter of June 12th, exhibited by witness, as also the other letters subsequently alluded to in

his testimony, are the same as heretofore given in conjunction with Mr. Hoyt's testimony.]

Question 2. Mr. Hoyt's account in your bank, though in his individual name, being represented in your answer to the foregoing interrogatory, and in the letter of Mr. Hoyt of the 12th June last, to be an account of public money, you are asked what agreement, if any, was made between you and Mr. Hoyt, either verbal or written, in respect to his account on deposit of money in your bank. Was there any, and what agreement or understanding that the bank should pay interest on deposit, or any part of the deposit, and what part, and what rate of interest?

Answer. From the 12th June, 1838, to the 19th of October, no agreement, either written or verbal, was made with Mr. Hoyt in regard to his account, except that his checks should be paid in the legal currency of the United States when required by the holder. On the 19th of October I received a letter from him, a copy of which I now enclose, with a copy of my answer. Since that time I have been furnished with a weekly statement of the amount held by him under protest, subject to that agreement.

Question 3. What has been the aggregate weekly balance of said deposits in your bank since the commencement of Mr. Hoyt's account in your bank as collector, and since his deposit of public money in his own name with your bank commence?

Answer. I do not feel warranted in answering this question without the authority of the board of directors.

At the foregoing examinations Mr. Hoyt was present, and heard the refusal of each cashier to furnish the committee with the information desired. They took place at the day session of the committee, at the custom house, on the 7th of February. At the evening session of the same day, the examination of Mr. Hoyt was continued as follows:

Examined by Mr. Smith.

Question 23. Please state what have been the aggregate weekly balances of your deposit accounts in the bank of the State of New York and the City bank of New York, respectively, since you commenced making deposits of the public money as collector, or in your individual name, in said banks respectively.

Answer. I cannot state what has been that aggregate balance. My role is to have the bank book balanced on the last day of each month; but I cannot state from memory what the aggregate monthly balance is. It varies very much. I do not make up weekly balances, and it is only when the bank book is balanced that the true balance in bank appears upon the examination of both parties—that is, the drawer and payer of the check. It has frequently happened that the treasurer has drawn on me for more money than appeared by my weekly returns to be to his credit; but such drafts have always been met and paid, and are drawn on anticipated weekly receipts; and it frequently happens that drafts are drawn on me that are not presented for payment in 20, 30 or 40 days; and often drafts are protested in consequence of the regulations of the rail road line between this and Washington, before any notice of the same having been drawn; but such drafts have also always been paid.

Question 24. Will you explain how drafts or warrants on you can affect your bank account of deposits, so as to alter the balance thereof, until after such drafts or warrants have been presented to you, or you are called on to meet the same?

Answer. The drafts on me are paid generally by my checks on banks, and the amount of checks drawn for such drafts materially affects the balance I have in bank; which balance grows out of deposits made and checks drawn. I do not recollect that any "warrants" have been presented to me for payment, and, therefore, I do not refer to any such transactions; therefore they do not affect my balance in bank, nor does any draft on me affect my balance in bank until I have checked for that draft.

Question 25. Do you or not keep, or cause to be kept, by a clerk, a book into which is entered every deposit in bank of the public money which you make, and also every check you draw upon such deposits; and if yes, can you not by such book tell the balance you have on deposit at any desired period?

Answer. I keep no official bank account, nor have I any authority to keep such accounts. I employ the banks as my own agents, and not as agents of the government. I make no distinction in such deposits between my own money, and the money for which I am responsible to others. I keep no separate book of deposits for money of my own, and money for which I am responsible to

others. I deposit money, if I have any, belonging to professional clients, in the same banks, to the same account that I deposit other money; and the banks know no distinction as to the persons who may have a claim upon me for that money, except the bank of the State of New York, as to a portion (as before stated) of that deposited relating to money paid under protest. I could, by an examination of my bank book, tell the amount of deposit and the balances weekly; but for the amount of money I am answerable for to the United States, I can only tell by an examination of the books of the collector's office, which I will submit to the committee, when it will have the opportunity of seeing whether I have a sufficient sum in bank to pay the government all the money I have ever received, and not disbursed according to law, for the use, behoof or benefit of the government.

Question 26. Can you or not, by your own book of deposits in bank, ascertain the balance which you have had in bank at the end of every week, derived from payments under protest? If yes, please state what such weekly balances have been since you came into office.

Answer. No. The amount deposited for no money under protest is made up from my own book, and upon my own responsibility. It does not appear daily, weekly or monthly, by the book of deposits, what portion of such deposits is under protest. The bank I believe, is willing to take a copy of my return to the department as evidence of the truth of the amount of money received and deposited under protest. When it expresses any doubts as to the truth of the statement, they will notify me, and I will endeavor to satisfy them on the subject.

Question 27. Will you state what distinction you make between "your own book of deposits in bank," as you have understood it in my last interrogatory, and "your own book," to which you allude in your last answer?

Answer. The book of deposit is understood to mean the book on which the bank credits the amount deposited; or, in other words, it would be called a "pass-book" between the dealer and the bank; or, to be more specific, it is a book in which the bank makes an acknowledgment that the individual depositing has deposited on a given day a given sum of money. The person depositing does not keep what he calls a "book of deposits," but he does not, as he pleases, make a charge on some book against the bank for the sum deposited. Some keep one kind of book, and some another. Some enter the amount of deposit on the margin of their check-book, others make no entry at all, but carry the amount in their memories. I debit the amount of deposit on the margin of the check-book; but this is held to be but a memorandum for the person drawing the check, and not account deposited. I do not keep any book called my own book of deposits in bank. My account of moneys received under protest is entered as it is received in what is called the protest book. Sometimes more or less entries for the day are made in that book, and the money is deposited in bank. At the end of the week I make up, in the form of an account, the gross amount deposited for the week. A copy of that amount I forward to the treasurer and secretary of the treasury on Monday of each week, and a like copy leave with the bank on the same day. The book of protest is resorted to, and not the "bank book" or "book of deposits in bank" for the correctness of that account.

Question 28. Can you or not, by your "protest book," mentioned in your last answer, ascertain the balance which you have had in bank at the end of every week, derived from payment of such deposits? If yes, please state what such weekly balances have been since you came into office.

Answer. I can, and have already filed that account, in answer to a question put by Mr. Wise, one of the committee.

The indisposition of Mr. Hoyt to furnish the committee with full information on the subject of his deposits of public money in bank, so as to enable it to understand what sums had been drawn out, when, and for what purposes, as well as what sums had been deposited, induced one more effort on the following morning to derive the information from his deposit banks; accordingly, on the next morning, at the opening of the session, Mr. Withers was sent for, appeared, and, in the presence of Mr. Hoyt, was examined as follows:

The examination of Mr. Withers was resumed.

Examined by Mr. Smith.

Question 4. Have you had any consultation or other intercourse with Mr. Hoyt, the collector, since you were summoned as a witness before this committee, on the subject of answering interrogatories relating to Mr. Hoyt's deposits in your bank? If yes, state the substance of such conversation.

Answer. I have not.

Question 5. Has the board of directors of your bank been consulted by yourself, or any other person within your knowledge, to either make or prevent a disclosure of the state of Mr. Hoyt's deposits in said bank, as sought for in the third interrogatory above?

Answer. The board of directors have not been consulted, to my knowledge, on the subject of Mr. Hoyt's account. In my answer to the third interrogatory I was governed by the by-laws of the bank.

When the last answer of Mr. Withers was given, Mr. Smith, by leave of the committee, propounded the following interrogatory to Mr. Hoyt; to which the latter gave the answer thereto subjoined:

The examination of Mr. Hoyt was resumed.

Examined by Mr. Smith.

Question 29. Are you or not willing for the cashiers of the bank of the State of New York and of the City bank to furnish this committee with a statement of the weekly or monthly balances of your deposits in said banks since your term of office as collector commenced? If nay, please state your reasons in full.

Answer. From an occurrence that took place in the committee room last evening, I made up my mind that it was necessary to make a communication in writing to the committee. I stated to the committee, before I commenced this answer, what I desired, and that the letter would be before the committee in about two minutes; and, since commencing the writing of this answer, said communication was brought to the committee, and handed by me to the chairman thereof; and, until an answer is made to that communication in some form or manner to indicate to me the sense of the committee upon the same, I decline answering the interrogatory.

The following extract from the journal of the committee exhibits the continuation of the committee's proceedings in relation to Mr. Hoyt:

Mr. Smith offered the following resolution:

In consideration that Reuben Withers, esq. has testified to this committee that he is cashier of the bank of the State of New York, and has charge of the books of records and accounts, and official papers of said bank, and has also communicated in his testimony to this committee the copy of a letter from Jesse Hoyt, esq. collector of the port of New York, to the said Withers, in his said capacity as cashier, under date of June 12, 1833, informing said cashier that said collector had deputed said bank his "agent to aid him in safely keeping of the public moneys which come into his hands by virtue of the office he holds;"

And in consideration that said Withers has declined, when called upon for the purpose, to furnish this committee with information of the aggregate weekly balance of said Hoyt's deposits in said bank "without the authority of the board of directors" of said bank, and subsequently on the ground that in such refusal he "was governed by the by-laws of the bank;"

And in consideration that said Hoyt has been subsequently asked, by an interrogatory propounded to him in committee, to give his own consent for said cashier to furnish this committee with the information thus sought by this committee respecting the public money deposited by said collector in said bank for safe keeping, or to give any reason satisfactory to this committee for withholding such consent:

Be it resolved, That the chairman of this committee be directed to issue a subpoena duces tecum, summoning said Reuben Withers to appear forthwith before this committee, and to bring with him either the original book of the deposit account of Jesse Hoyt, kept by said Withers as cashier of the bank of the State of New York, or, in lieu of such book, a true copy of said Hoyt's account of deposit, as the same appears on the books of said bank, since the 1st day of March last past.

Be it further resolved, That, from like and similar considerations as are stated above, a similar subpoena duces tecum be issued by the chairman of this committee to Gorham A. Worth, esq. cashier of the City bank in the city of New York.

Mr. Foster moved to amend the resolution, by striking out all before the words "be it resolved;" and insert, instead thereof: "whereas Mr. Hoyt has declined to answer the above interrogatory, except as above stated, therefore:"

Mr. Foster called for the yeas and nays, and the amendment was rejected.

YEAS—Messrs. Foster, Owens, Wagener—3.

NAYS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

The question was then put on Mr. Smith's resolution, the yeas and nays having been called by Mr. Owens, and the resolution was adopted:

YEAS—Messrs. Curtis, Dawson, Foster, Harlan, Hopkins, Owens, Smith, Wagener, Wise—9.

NAYS—None.
Mr. Owens moved that the written communication of Jesse Hoyt, collector, to this committee, be now read.

Mr. Curtis moved the following amendment to Mr. Owen's proposition:

Resolved, That Mr. Hoyt be informed by the chairman that his answer to the last interrogatory propounded by Mr. Smith is not definitive to the question, and that the committee cannot allow him to dictate the order of his proceedings, or the terms upon which he will respond to its inquiries; and that if said answer of Mr. Hoyt be retracted, and a pertinent answer given, the committee will receive and act upon his written communication, and not be before.

Mr. Owens called for the yeas and nays; and the amendment was adopted:

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

NAYS—Messrs. Foster, Owens, Wagener—3.
The question on the proposition as amended was then put, and decided in the affirmative; the yeas and nays having been called by Mr. Owens.

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

NAYS—Messrs. Foster, Owens, Wagener—3

Mr. Wise offered the following resolution:
Resolved, That this committee will not receive any communications from Mr. Hoyt until he answers the interrogatories which have been propounded to him.

Mr. Owens called for the yeas and nays, and the resolution was adopted:

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

NAYS—Messrs. Foster, Owens, Wagener—3.

Reuben Withers appeared before the committee under a subpoena duces tecum, issued this morning, and his examination was resumed by Mr. Smith.

Examination of Mr. Withers resumed.

Examined by Mr. Smith.

Question 6. Have you been served with a subpoena from this committee, directing you to bring the books of the bank of the State of New York containing the account of the deposits made in said bank by Jesse Hoyt since March last, or, in lieu thereof, to bring a true copy of such account? If yes, do you produce said books or copy? and if not, please state your reason for omitting so to do.

Answer. I have been served with a notice to produce the books of the bank of the State of New York relating to Mr. Hoyt's account, or a copy thereof; which I decline producing, for reason given in my previous answers.

Mr. Foster called up for consideration the resolution offered by Mr. Hopkins last night, for adjournment to meet in Washington city; and moved to amend it, by striking out all after the word "resolved," and inserting the following:

Whereas, in the course of the investigations of this committee, witnesses have been introduced and sworn, whose testimony has tended to charge the present collector of the port of New York with official misconduct; and whereas the said collector has applied to this committee for permission to be heard in relation thereto, and to go into a full investigation thereof, by witnesses to be produced by him, and requesting that such full investigation may be had here, (in the city of New York), where he alleges that the witnesses which he wishes to introduce be residing and whereas it is due to the fair and full administration of justice that the said collector should have a full opportunity to rebut the charges thus made against him; and whereas several witnesses are now under examination before this committee, the testimony of whom is not yet closed; and whereas, from the fact that several witnesses have been under examination at the same time, the testimony of several of whom is not now before the committee, either in manuscript or in print, (a portion of the manuscript being in the hands of the printer), the committee have not at this time the means of ascertaining the effect to be given to that testimony, or the nature thereof; and individual members of the committee are consequently unable (until a better opportunity shall be afforded to examine said testimony) to determine how much further the examination of those witnesses should proceed, or what other witnesses ought to be examined in this case in order to a full understanding thereof; and whereas we are satisfied that a full investigation of the facts connected with the defalcations charged can be better examined into here than elsewhere; therefore,

Resolved, That this committee will not fix upon a time for closing the testimony in New York until the testimony is at an end; and that the fixing the

time for adjourning to Washington, by resolution passed before the testimony is ended, will be calculated to deprive the said collector of the right, which every man when charged has, of showing that those charges are unfounded, and of protecting his character from aspersion; will prevent the individuals of the committee from examining and cross-examining such witnesses as they may believe ought to be examined; will set a precedent entirely new and arbitrary in the administration of justice, dangerous to the rights and privileges of persons who may be charged with misconduct; will be deciding a question, the propriety of which the committee cannot possibly know; and will be well calculated to destroy in the public mind all confidence in the results to which this committee may arrive.

Resolved, That, hereafter, the time during which the committee will be in session shall be from ten o'clock, A. M. till half-past four, P. M.; and from seven o'clock, P. M. till half-past ten, P. M.

Mr. Curtis moved to lay the resolution and amendment on the table.

Mr. Foster called for the yeas and nays, and the motion was decided in the affirmative.

YEAS—Messrs. Curtis, Dawson, Harlan, Smith, Wise—5.

NAYS—Messrs. Foster, Hopkins, Owens, Wagener—4.

Mr. Worth, the other cashier, did not obey the subpoena issued pursuant to the resolution of the committee. And the power of the committee over the witnesses and their papers, connected with Mr. Hoyt's accounts of the public money, being thus exhausted in the pursuit of information deemed essential and indispensable to the formation of a correct judgment in relation to his returns, and the certainty that the late period in the session of congress would preclude any successful appeal from the committee to the house for further aid, the following resolution was offered by Mr. Wise, at the close of the morning session of the committee during which the foregoing proceedings were had, viz:

Resolved, That this committee having accomplished its principal object, to inspect the books and papers in the custom house, in coming to the city of New York, and, desiring to inspect the books and papers in the treasury department at the city of Washington during the short period of time now left to the further prosecution of its inquiries, will adjourn this day at ten o'clock, P. M., to meet at twelve o'clock, M. on Tuesday the 12th instant, at the room of the committee on commerce in the capitol; and that the witnesses heretofore summoned to appear at that place, until further ordered.

Mr. Foster moved to amend the resolution, by striking out all after the word "resolved," and inserting the following:

Whereas, in the course of the investigations of this committee, witnesses have been introduced and sworn, whose testimony has tended to charge the present collector of the port of New York with official misconduct; and whereas the said collector has applied to this committee for permission to be heard in relation thereto, and to go into a full investigation thereof, by witnesses to be produced by him; and requesting that such full investigation may be had here, (in the city of New York), where he alleges that the witnesses which he wishes to introduce reside; and whereas it is due to the full and fair administration of justice that the said collector should have a full opportunity to rebut the charges thus made against him; and whereas several witnesses are now under examination before this committee, the testimony of whom is not yet closed; and whereas, from the fact that several witnesses have been under examination at the same time, the testimony of several of whom is not now before the committee, either in manuscript or in print, (a portion of the manuscript being in the hands of the printer), the committee have not at this time the means of ascertaining the effect to be given to that testimony, or the nature thereof; and individual members of the committee are consequently unable (until a better opportunity shall be afforded to examine said testimony) to determine how much further the examination of those witnesses should proceed, or what other witnesses ought to be examined in this case, in order to a full understanding thereof; and whereas we are satisfied that a full investigation of the facts connected with the defalcations charged can be better examined into here than elsewhere; therefore,

Resolved, That this committee will not fix upon a time for closing the testimony in New York, until the testimony is at an end; and that the fixing the time for adjourning to Washington, by a resolution passed before the testimony is ended, will be calculated to deprive the said collector of the

right (which every man when charged has) of allowing that those charges are unfounded, and of protecting his character from aspersion; will prevent the individuals of the committee from examining and cross-examining such witnesses as they may believe ought to be examined; will set a precedent entirely new and arbitrary in the administration of justice, dangerous to the rights and privileges of persons who may be charged with misconduct; will be deciding a question, the propriety of which the committee cannot possibly know, and will be well calculated to destroy in the public mind all confidence in the results to which this committee may arrive.

Resolved, That hereafter, the time during which the committee will be in session, shall be from ten o'clock, A. M. till half past four o'clock, P. M.; and from seven o'clock, P. M. till half past ten, P. M.

Mr. Foster called for the yeas and nays on the amendment, and it was decided in the negative:

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

Mr. Wagener moved an adjournment, and called for the yeas and nays. Motion lost:

YEAS—Messrs. Foster, Hopkins, Wagener—3.
NAYS—Messrs. Curtis, Dawson, Harlan, Smith, Wise—5.

The question was then taken on Mr. Wise's resolution, and decided in the affirmative; the yeas and nays having been called for by Mr. Foster:

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

NAYS—Messrs. Foster, Wagener—2.
The committee then, at half past four o'clock, P. M. took a recess till seven o'clock, P. M. to meet then at the Astor House.

During the evening session of the committee, and not forty minutes previous to the expiration of the hour appointed by the resolution of the morning for the adjournment of the committee to meet at the capitol in Washington, the chairman received and submitted two letters from Mr. Hoyt.

On motion of Mr. Owens,
Resolved, That the last communication from Mr. Hoyt, collector, be read.

Whereupon, the following letters were read:
Friday evening, 7 o'clock, Feb. 8, 1839.

Sir: I have the honor to enclose you a communication retracting my former answer to the question of Mr. Smith, and make a new answer to the same. Respectfully,
J. HOYT, collector.

Hon. James Harlan, chairman.

Friday evening, Feb. 8, 1839, 7 o'clock, P. M.
Sir: If I correctly understand what is demanded of me by the committee of which you are chairman, it is substantially this: that, as a condition precedent to the receiving and acting on a communication addressed by me this morning to the committee, and placed by me personally in your hands, as its chairman, at 11 o'clock this morning, I must retract the answer made by me to a question put by Mr. Smith, about two minutes before that communication was delivered to you, (although not until after it was written), which question was in the following words, as appears from a copy thereof since sent to me by the committee:

"Are you or not willing for the cashiers of the bank of the State of New York and of the City bank to furnish this committee with a statement of the weekly or monthly balances of your deposits in the said banks, since your term of office as collector commenced? If nay, please state your reasons in full." And to which question I made the following answer: "From an occurrence that took place in the committee room last evening, I made up my mind that it was necessary to make a communication in writing to the committee. I stated to the committee, before I commenced this answer, what I desired, and that that letter would be before the committee in about two minutes; and since commencing the writing of this answer, the said communication was brought to the committee, and handed by me to the chairman thereof; and until an answer is made to that communication in some form or manner, to indicate to me the sense of the committee upon the same, I decline answering the interrogatory."

"As I think it of vital importance to myself, (and not only to me, but to truth and justice), that the communication referred to should be received and acted on by the committee; and as I am reduced by the course which has been taken by the committee to the alternative either of withdrawing what I conceived to be a proper answer, under the extraordinary circumstances in which I was placed, to the question put to me, or of submitting to the rejection of my communication without its being acted on, read, or even received; I feel myself compelled, by a paramount regard to the personal and public

interest involved in this case, to submit to the direction of the committee, and I do therefore hereby withdraw the answer above stated to have been given to the question of Mr. Smith. But, before I proceed to answer that question, I think it proper to remind the committee of the circumstances under which it was given, and to state the motives which prompted it, to the end that the object and propriety of the course adopted by me may be clearly seen. When I parted from the committee at half past 11 o'clock last night, I informed the committee that I would make a communication in writing, this morning, touching Mr. Lyon's testimony, and the posture in which it placed me before the committee; which communication, as I understood, the committee agreed to receive. In conformity with this understanding, I prepared the proposed communication at as early an hour as practicable, and as above stated, delivered it to you, personally, at about 11 o'clock this morning.

Being exceedingly desirous that this communication should be received, and promptly acted on by the committee, for reasons which will readily appear by perusal thereof; and being unwilling to enter upon any new subject of inquiry until I should be distinctly informed by the committee, as requested in that communication, what were the charges preferred against me, and by what evidence they were supported; I felt it to be my right to withhold a reply to the new question proposed by Mr. Smith, especially as the mode of trying a public officer by compelling him to furnish evidence against himself, to which he had patiently submitted several days, and, at least, to deserve this modification, I was also induced to take the course I did, by the fact that I apprehended, from an informal conversation had with the committee just as I was about to leave the committee room last evening, in regard to the time I should require to disprove the statements of Mr. Lyon, that the committee might possibly adjourn before I could have the opportunity of introducing the necessary testimony; and this was the occurrence alluded to in my answer to the interrogatory propounded by Mr. Smith. Proceeding now to answer that question, I reply, that I am perfectly willing that the cashiers of the bank of the State of New York, and the City bank, should render you any and all of my accounts inquired about in the interrogatory, in any form or manner required by the committee. I have at all times been willing that such accounts should be rendered, and I have not requested or advised either of the said cashiers to withhold them, nor have I any wish to conceal or suppress the same; but, as I was desirous, as I formerly stated in my letter to the committee, under date of the 29th of January last, to have a full investigation of my accounts, and that the committee might state to the house of representatives, and through them to the people, whether or not I am a public defaulter. Very respectfully, your obedient servant,

J. HOYT, collector.

Hon. James Harlan, chairman, &c.

Mr. Owens offered the following resolution:
Resolved, That Jesse Hoyt, the collector, be furnished with a copy of the printed journal of this committee, so far as the same has relation to charges, direct or indirect, against him as collector.

Mr. Curtis moved to amend the resolution by striking out all after the word "resolved," and inserting the following words:

"That Jesse Hoyt being called on an opportunity, on Wednesday morning last, to read the testimony of David S. Lyon, at the time it was received, so far as the same related to the official conduct of Mr. Hoyt, it is inexpedient to make out and send copies of any testimony taken before the committee to him.

Mr. Dawson moved to lay the resolution and amendment on the table till Tuesday next.

Mr. Owens called for the yeas and nays, and the motion was carried:

YEAS—Messrs. Curtis, Dawson, Harlan, Smith—4.

NAYS—Messrs. Foster, Owens, Wagener—3.

Mr. Foster offered a resolution, which the chairman decided to be out of order.

Mr. Post appealed from the decision of the chair, and called for the yeas and nays.

The question, shall the decision of the chair stand? was then put and decided in the affirmative:

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

NAYS—Messrs. Foster, Owens, Wagener—3.

Mr. Foster then offered a second resolution.

The chair decided the resolution to be out of order.

Mr. Foster appealed from the decision of the chair, and called for the yeas and nays.

The question, shall the decision of the chair stand? was put and decided in the affirmative:

YEAS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

NAYS—Messrs. Foster, Owens, Wagener—3.

Mr. Hopkins offered the following resolution:
Resolved, That the chairman return to Mr. J. Hoyt his communication of this morning, which was received about 11 o'clock.

Mr. Foster moved to amend the resolution, by striking out all after the word "resolved," and inserting the following words:

"That the chairman now present to the committee and that the committee receive the communication made to the committee at about 11 o'clock, A. M. this day, and that the said communication be now read."

Mr. Owens called for the yeas and nays, and the amendment was rejected:

YEAS—Messrs. Foster, Owens, Wagener—3
NAYS—Messrs. Curtis, Dawson, Harlan, Hopkins, Smith, Wise—6.

The question was then put on the original resolution, and carried in the affirmative:

YEAS—Messrs. Curtis, Harlan, Hopkins, Smith, Wise—5.

NAYS—Messrs. Dawson, Foster, Owens, Wagener—4.

The committee, having thus furnished the house with a faithful and connected detail from the record of the proceedings of the committee, in relation to the collectors of New York, need only add, that the repeated and continued evasions and interrogatories, for information respecting his official conduct with the public money, and of his accounts of that money, and the constant falsification by him of the professions made to the committee in his letter of the 29th of January, of his anxiety to give every facility to the investigation of his accounts and unwillingness to rest for a moment under any imputation implied by a previous resolution of the committee, and of his readiness to submit to the committee all his official correspondence with the treasury, and his books and papers relating to the receipt and disbursement of the public money, and to the particulars and state of his accounts since entering upon the collectorship, and also that it would give him pleasure to communicate, either orally or in writing, any other information on the subject which the committee might desire; the evasion and falsification of these plain professions and assurances which he had made, clearly but in accordance with the duty imposed upon him by his station; and especially Mr. Hoyt's neglect to appear in person to enter a *retrahit* of his previous refusal to answer to the interrogatory propounded to him by Mr. Smith, and to submit himself to further examination, forbade the committee to indulge any confidence in the hope of a successful prosecution of their inquiries respecting his official proceedings within the short time remaining for their investigation. The committee could not but feel that already too much time had been spent in endeavors to surmount the obstacles and equivocations which had been thrown in their way by the collector, where openness, directness, and plain dealing only were to have been anticipated. To rescind their previous resolution for their return to Washington, under any assurance of the collector of a different line of conduct towards the committee from that which he had been pursuing with the probability thereby of defeating the purposes of an early return of the committee to Washington, appeared to the committee not to be warranted by a sound exercise of discretion. Equally incompatible with the time and duties assigned them by the house appeared every proposition for the committee, under any pretext of wounded sensibility on the part of the collector, to be drawn aside to investigate or to adjudicate either actual or fictitious charges of misconduct that might be brought by the collector against any individual who had preceded him in the custom house, but who was not any longer an officer of government, or amenable to the committee or the house. At the stage indicated the committee were therefore compelled to abandon all hope of reporting in full upon the correctness of the returns that have been made by this officer.

Reviewing the evidence obtained, the committee report to the house the following facts as established:

1st. That the returns of the collector of the customs at the port of New York have not been correct, as they have not at all times embraced, as paid into the public treasury, the moneys received by him for unascertained duties, and at no time for duties paid under protest.

2d. That said collector, in his returns, has violated the instructions of the treasury department; has put at defiance the duties assigned him by the secretary of the treasury; has repudiated the offi-

cial decision of the responsible law officer of the executive department; and is guilty of illegal retention and use of the public money, in the amount thus held by him under protest and for unascertained duties.

3d. That the committee have been prevented from ascertaining what is the extent of the illegal retention and use of the public moneys by the present collector of the port of New York, either in funds collected under protest, or for unascertained duties, or in other funds collected by him, because of his refusal to exhibit his own book of cash deposits in a bank, or to permit the banks used by him as depositories to exhibit their accounts of his deposits.

4th. That the public moneys received by said collector are mingled with his own moneys on deposit, and are not kept by him, nor by his banks of deposit, distinct and separate from the individual moneys of the collector and of his "professional clients;" and his returns cannot, therefore, be founded upon them as a separate and independent fund belonging to government, though in his keeping.

5th. That, as appears by the letter of Gorham A. Worth, the cashier of the City bank, the present collector has deposited the public moneys in his hands, with a bank which could not, under the law prohibiting the selection of any bank as a depository which has issued notes under the denomination of five dollars, be selected by the secretary of the treasury himself as a depository of moneys carried to the credit of the treasurer of the United States.

6th. That the mode adopted and practised by the said collector, of keeping and making returns of the public money collected by him for unascertained duties and under protest, in the language of the present attorney general of the United States, "could never have been the intention of congress;" and being "tolerated," it has made it, in the language of the same high officer, "the interest of the collector to postpone the ascertainment of duties, as, in the mean time, he would have the uncontrolled use of the money;" it has also, in fulfillment of the reasoning of the attorney general, increased the danger of faithlessness of the collector, by permitting large amounts of money to remain with him, and under his individual control, instead of being in the treasury of the United States.

7th. That, in the language of the attorney general, "the tenor and spirit of all our revenue laws seem to inculcate the idea that the intention of congress has at all times been, that money collected for revenue should be promptly placed in the treasury, and not be permitted to remain in the hands of the collector."

8th. That the returns of the naval officer at New York have not been correct, as it is found, in the testimony of the present deputy naval officer, "that the naval office, under its existing system, is not enabled either to determine what amount of bonds has been taken by the collector for duties in any quarter, or who are the parties to said bonds, or the dates of said bonds, or when they are payable, or when such bonds are paid, or whether the collector does or does not account truly for such bonds."

PART IV.

DEFALCATION AMONG RECEIVERS OF PUBLIC MONEYS.

The committee, in fulfillment of that portion of the duty assigned them by which they were directed to inquire into "any defalcations among receivers," &c. "which may now exist," report to the house that the limited period which they had for a thorough investigation of the subjects with which they were charged, and the time necessarily consumed in the examination of the cases of the late collector and district attorney of New York, have prevented a minute investigation of the extent, nature and causes of the defalcations of receivers of public moneys arising from the sales of the public lands. The committee have, however, prepared, from reports made by the secretary of the treasury at the last and present sessions of congress, a tabular statement exhibiting the names of such defaulters, the amount due from each, when due, and the penalties of their official bonds, respectively; also, the correspondence had between the treasury department and fifteen of the individuals whose names appear in said statement. The committee having called for and been furnished by the department with the answers of the receivers to the letters of the secretary of the treasury, as contained in house document No. 297, these fifteen cases are reported specially as examples merely of the manner in which the president of the United States and the secretary of the treasury have executed the laws in respect to the public money, and other property of the United States, in the hands of this class of public officers, and in respect to their own official duty.

The law provides for the appointment by the executive, with the concurrence of the senate, of a receiver of public moneys at each of the places, respectively, where the public and private sales of the lands are to be made, who shall give bond, with approved security, for the faithful discharge of his trust; who shall transmit within thirty days in case of public sale, and quarterly in case of private sale, an account of all the public moneys by him received to the secretary of the treasury, and to the register of the land office, as the case may be. He is allowed a salary of five hundred dollars per annum, and a commission of one per centum on the moneys received; but his salary for one year shall not exceed \$3,000. The secretary of the treasury may allow to the several receivers of the public moneys at the several land offices a reasonable compensation for transporting to, and depositing such moneys in any bank or any other place of deposit that may, from time to time, be designated by the secretary of the treasury for that purpose. He is also authorized to prescribe such further regulations, in the manner of keeping books and accounts by the several officers in the land offices, as to him may appear necessary and proper. It is made his duty at least once in every year, to cause the books of the officers of the land offices to be examined, and

the balance of public moneys in the hands of the several receivers to be ascertained.

The foregoing synopsis of the law relative to land receivers, and the correspondence with a portion of those who have proved defaulters and faithless to their trusts, are submitted without further comment than that the facts and circumstances here exhibited show such a dereliction of duty, on the part of the executive department, as calls loudly for searching examination into this branch of the public service, and for a thorough reform.

The practice which the foregoing correspondence exhibits, of retaining men in office after gross and repeated violations of law, in keeping and using the public moneys for private speculation, and the character of the correspondence itself, but too clearly point to the inference that such officers were tolerated in place because they possessed extensive political influence, and were useful and active partisans.

Whether such mal-administration constitutes official corruption in those superior officers of the executive departments who know of and permitted in their subordinates the conduct which has been referred to, is a question which the committee submit to the house and the country to decide.

1.—Statement exhibiting the balances due by receivers of public moneys arising from the sales of public lands, who were out of office the 12th October, 1837, as extracted from the report of the secretary of the treasury, (document 111), dated 15th Jan. 1838, and as corrected, as regards the true amount due, by the report of the same officer dated 26th January, 1839, (document 122, H. R.)

Receivers.	Land district.	Amount due.	When due.	Penalty of official bond.
1 Peter Wilson	Stenbanville	\$9,348 87	23 Jan. 1821	\$15,000
2 Samuel Stokely	Do.	146 87	7 Feb. 1837	15,000
3 Samuel Finkley	Chillicothe	24,779 34	13 Nov. 1818	10,000
4 Bernard Van Horne	Zanesville	35 50	24 Aug. 1826	20,000
5 Nathaniel Ewing	Vincennes	5,967 32	9 Oct. 1819	10,000
6 J. C. S. Harrison	Do.	9,253 68	2 June, 1829	40,000
7 Charles M. Taylor	Jeffersonville	1,627 97	14 June, 1824	30,000
8 A. P. Hay	Do.	5,046 72	18 April, 1829	30,000
9 Israel T. Canby	Crawfordsville	39,013 31	31 Dec. 1834	30,000
10 Lazarus Noble	Indianapolis	4 93	4 April, 1836	10,000
11 Abner McCarty	Do.	1,338 92	18 July, 1836	60,000
12 Benjamin Stephenson	Edwardsville	6,460 41	10 Oct. 1822	15,000
13 Samuel D. Lockwood	Do.	572 36	21 April, 1826	15,000
15 B. F. Edwards	Do.	3,315 76	20 May, 1837	15,000
16 Wm. Lee D. Ewing	Vandalia	16,754 29	9 April, 1830	20,000
18 George P. Strother	St. Louis	27,051 64	24 Dec. 1824	40,000
19 Samuel Hammond	Do.	21,574 44	15 Jan. 1826	30,000
20 Bernard Pratte	Do.	168 86	28 Jan. 1826	30,000
21 Tunstall Quarles	Jackson	1,060 95	30 June, 1824	10,000
22 John Hays	Do.	1,856 16	31 Dec. 1834	20,000
23 William D. McKay	Lexington	9,877 23	30 Nov. 1825	30,000
24 Willis M. Green	Palmyra	2,312 12	31 Dec. 1825	30,000
25 Benjamin S. Chambers	Little Rock	2,146 27	4 Aug. 1826	10,000
26 William Garrard	Opelousas	27,250 57	18 April, 1831	10,000
27 Luke Leccasier	Do.	6,893 95	7 May, 1823	10,000
28 David L. Todd	Do.	1,121 98	11 April, 1832	10,000
29 Benjamin R. Rogers	Do.	6,624 83	25 May, 1837	20,000
30 Nathaniel Cox	New Orleans	4,163 56	31 March, 1829	15,000
31 James J. McLanahan	Do.	593 99	10 Sept. 1830	10,000
32 Maurice Cannon	Do.	1,259 28	30 June, 1826	20,000
33 Alexander G. Penn	St. Helena	165 84	7 July, 1835	15,000
34 A. W. McDaniel	Washington, Miss.	6,000 00	6 Oct. 1830	20,000
35 James Duncan	Do.	55 72	30 June, 1830	20,000
36 Thomas Lewis	Do.	347 26	31 Dec. 1824	20,000
37 William Barnett	Augusta	107 55	9 Sept. 1820	10,000
38 George B. Dameron	Do.	285 27	31 Dec. 1834	15,000
39 Hanson Alsbury	Do.	151 30	31 Dec. 1834	15,000
40 Samuel Smith	St. Stephen's	23,590 92	25 May, 1817	10,000
41 George Conway	Do.	5,613 00	16 Sept. 1827	40,000
42 John H. Owen	Do.	30,611 97	1 Nov. 1836	40,000
43 James C. Dickson	Choctaw	548 61	30 Sept. 1826	30,000
44 George E. Cramer	Do.	6,061 40	31 March, 1832	30,000
45 George B. Dameron	Do.	38,714 81	1 April, 1834	30,000
46 Do.	Choctaw school fund	344 83	1 April, 1834	
46 Samuel W. Dickson	Choctaw	11,231 90	16 Sept. 1837	60,000
47 Do.	Choctaw school fund	898 53	16 Sept. 1837	
48 Wiley P. Harris	Columbus	109,173 08	16 Nov. 1836	30,000
49 John Brahan	Huntsville	18,712 49	22 May, 1820	
50 Leray Pope, trustee of John Brahan	Do.	38,133 22	20 July, 1831	
51 John Taylor	Cahaba	11,115 20	12 July, 1821	40,000
52 William Taylor	Do.	23,116 18	30 June, 1836	40,000
53 H. G. Perry	Do.	6,074 81	16 Feb. 1827	40,000
54 Uriah G. Mitchell	Do.	54,626 55	28 Feb. 1837	40,000
55 John Herbert	Sparta	2,44 30	26 Sept. 1727	40,000
56 A. T. Perry	Do.	28,155 57	28 May, 1828	28,000
57 R. K. Call	Tallahassee	9,385 30	31 Dec. 1836	40,000
60 James W. Stephenson	Galena, Illinois	43,294 04	5 May, 1837	30,000
61 Littleberry Hawkins	Helena	100,000 00	9 Nov. 1835	20,000
62 S. W. Beall	Green Bay	10,620 19	30 June, 1837	10,000
63 Joseph Friend	Washita, Louisiana	2,551 91	15 May, 1835	20,000
64 William H. Allen	St. Augustine	1,997 50	27 Oct. 1836	20,000
65 Gordon D. Boyd	Columbus	50,937 29	31 Aug. 1837	200,000
66 R. H. Sterling	Choctumaha	10,733 70	28 Feb. 1837	30,000

Receivers.	Land District.	Apparent balances.	Credits claimed.	Contested balances.	Date of balances.	Remarks.
Paris Childress	Greensbury, Louisiana	\$2,144.99	\$8312.01	\$12,419.76	1838	Bond given in this case for \$20,000; suit pending.
John H. Owen	St. Stephen's, Alabama	39,611.99	1,381.43	30,611.99	1838	Bond given in this case for \$20,000; suit pending.
William Linn	Vandalia, Illinois	65,962.05	2,928.50	59,962.04	1838	Bond given in this case for \$20,000; suit pending.
Samuel T. Scott	Jackson, Mississippi	12,630.40	11,320.30	1,310.10	1838	Bond given in this case for \$20,000; suit pending.
James F. Pollock	Crawfordsville, Indiana	14,881.93	59.34	14,822.59	1838	Bond given in this case for \$20,000; suit pending.
John T. Darrat	Opelousas, Louisiana	7,429.80	299.27	12,781.81	1838	Bond given in this case for \$20,000; suit pending.
Morgan Neville	Chickamauga, Georgia	18,781.47	2,989.72	26,691.67	1839	Bond given in this case for \$20,000; suit pending.
M. J. Allen	Tallahassee, Florida	3,610.50	426.73	3,610.50	1839	Bond given in this case for \$20,000; suit pending.
Robert T. Brown	Springfield, Missouri					

Additional statement relative to the receivers of public money, procured in pursuance of the resolution of the house of representatives, dated the 1st day of October, 1837, the names of the defalcators, when and where they took place, and what amount, not heretofore reported.

Whole amount due from land receivers who are on the list of defalcators of which there accrued prior to March, 1839 Since that time

\$248,139 13
\$25,678 28
1,073,937 41

ed the United States claim against him to the sum of \$14,891.98, per treasury report No. 3,913. An authenticated transcript of the last settlement transmitted to the marshal of Indiana November 27, 1838, that he might proceed for the balance still due; but his report since then has not been received.

John L. Daniel, late receiver at Opelousas, Louisiana.—Suit ordered August 3, 1838, for \$7,250.63. District attorney's report of proceedings thereon not yet received.

Morgan Neville, late receiver at Cincinnati, Ohio. Suit ordered December 21, 1838, for \$13,781.19, but no report thereon yet received from the district attorney.

M. J. Allen, late receiver at Tallahassee, Florida. Suit ordered January 5, 1839, for \$26,691.57; balance reduced January 16, 1839, to \$25,063.72, but no report thereon yet received from the district attorney.

Office of the solicitor of the treasury, Jan. 26, 1839.

CORRESPONDENCE BETWEEN THE SECRETARY OF THE TREASURY AND CERTAIN RECEIVERS OF PUBLIC MONEY.

2.—Correspondence with R. H. Sterling, receiver of Choctawma.

Receiver's office, Choctawma (Miss.) November 26, 1838.

SIR: I have the honor to acknowledge the receipt of your letter dated on the 8th ultimo, authorising me to receive, in payment for public lands, the bills of the specie paying banks of Louisiana, Mississippi, Tennessee and Alabama.

The public sales were well attended, and the press of private entries after the sales closed was immense. At this time I cannot say to you the amount of the sales, but I think they are not much short of \$300,000.

The labors of the office, from the moment the sales commenced, have been very severe—so much so, that the register and myself have scarcely slept for many nights in succession; and, under these considerations, I trust that you will allow us clerk hire for at least a clerk apiece during the sales, and after that period for one clerk, which would enable us to get along.

I will leave here in a short time for the purpose of making a deposit at Natchez, and return here before the 1st of January, so as to make out my quarterly account up to that time. I am, very respectfully, your obedient servant,

R. H. STERLING, receiver.
Hon. R. B. Taney, sec. of the treasury, Washington.

Treasury department, Jan. 16, 1834.

SIR: I have received your letter of the 26th November last, and have looked with some anxiety for further advice as to the disposition of the money in your possession, arising from the recent public sales in your district. Returns from the bank of deposit to the 24th ultimo contain no evidence of any credit to the treasurer by you; and as, from your letter, there was reason to expect the public money would not be retained beyond that period, I am the more concerned at the omission. Under these circumstances, it becomes my duty to require that you will proceed to deposit the whole amount of public money in your hands forthwith, in case it has not been already deposited. I will only further add, that the obligations to deposit the public money promptly, and to render your returns and accounts punctually, are imperative, and must, in future, be regarded as paramount to all other duties. I am, &c.

R. B. TANEY, sec. of the treasury.
R. H. Sterling, Choctawma, receiver of the public money.

Treasury department, Feb. 7, 1834.

SIR: It has been represented to this department that some of the receivers of public money in Mississippi have been engaged in trading on the bank notes they receive in payment of public lands, by exchanging them for bank notes of inferior value. I hope that there may be some mistake in this business, as it is my duty to state to you that such conduct would be regarded by this department as a gross violation of official duty, and be treated accordingly. But, as such a statement has been made from the most respectable authority, I must ask whether you have engaged in any such use of the public money received by you, and request a prompt answer to this inquiry. I am, &c.

R. B. TANEY, sec. of the treasury.
To the receivers of public money at Augusta, Mount Salus, Washington, Choctawma and Columbus.

Receiver's office, N. W. district, Choctawma. (Miss.) April 16, 1834.

SIR: I have not, until this day, received your letter of the 7th February ultimo, in reference to receivers of the several land offices in this state trading in bank notes; and I embrace the earliest opportunity of communicating to you an answer to your inquiry, as far as concerns myself.

I occasionally, to accommodate persons who call upon me for that purpose, have given them in exchange bank paper for notes of other banks, but I have not, except in one solitary instance, given, or received in exchange, bank paper of any description, but such as I have received instructions from the treasury department to receive for public lands.

I proceed now to state the circumstances attending the case referred to above. During the land sales, the honorable John Bell, at this time a representative in congress from Tennessee, inquired of me if I felt authorized to receive, in payment of lands, the paper of Yeatman, Woods & Co. and that of the Union bank of Tennessee. I informed him I did not feel so authorized; but as I felt perfectly satisfied of the soundness of the banking house of Yeatman, Woods & Co. and the Union bank also, as well as a disposition to oblige him, I would take time to reflect upon the subject, and advise with my friends touching the matter. The result of my consultations with the mutual friends of Mr. Bell and myself, induced me to receive the paper offered by that gentleman at a small discount, with an assurance from him that he held himself responsible to me for any loss that might accrue on the paper received from him, should the bank of deposit refuse to receive the same on account of the government.

Subsequently, I offered that paper to the Planters' bank, which was readily placed to the credit of the treasurer of the United States at par.

I beg leave further to state, that, up to this date, all the money I have offered to the Planter bank for deposit has been received and placed to the credit of the treasurer of the United States. I should be pleased if a communication be addressed to the cashier of the Planters' bank by the secretary of the treasury upon the subject, as I feel confident an immediate and satisfactory answer would be given to any inquiries made of him.

I have the pleasure to state to you, that, out of about \$350,000 deposited, I have not received one dollar of counterfeit money—a heavy responsibility, that I very much apprehended might ruin me, as there was considerable spurious money offered during the public sales, particularly on the United States bank and its branches; and that, too, at a time when I was very much hurried in the discharge of my official duties.

In my instructions from the treasury department, I find nothing disapproving my conduct as above stated; however, should it not meet the views of the secretary of the treasury, I hope to receive timely notice of it. Respectfully, I am, sir, your most obedient servant,

R. H. STERLING, receiver.
Hon. R. B. Taney, sec. treasury, Washington city.

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Subsequently, I offered that paper to the Planters' bank, which was readily placed to the credit of the treasurer of the United States at par.

I beg leave further to state, that, up to this date, all the money I have offered to the Planter bank for deposit has been received and placed to the credit of the treasurer of the United States. I should be pleased if a communication be addressed to the cashier of the Planters' bank by the secretary of the treasury upon the subject, as I feel confident an immediate and satisfactory answer would be given to any inquiries made of him.

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In my instructions from the treasury department, I find nothing disapproving my conduct as above stated; however, should it not meet the views of the secretary of the treasury, I hope to receive timely notice of it. Respectfully, I am, sir, your most obedient servant,

R. H. STERLING, receiver.
Hon. R. B. Taney, sec. treasury, Washington city.

P. S. For your satisfaction, I beg leave to refer you to the honorable Messrs. John Bell and David W. Dickinson, members of the house of representatives, who will, doubtless, corroborate the foregoing statement should you judge it necessary to call on them.

Treasury department, March 25, 1834.

SIR: The department having received no monthly returns, exhibiting the transactions of your office from its establishment, it is proper to call your immediate attention to this duty, and to say to you that a strict compliance with this duty will be insisted on; and that, to enforce its due performance, the department will not hesitate to report the omission, for the action of the executive. I am, &c.

R. B. TANEY, sec. of the treasury.
R. H. Sterling, esp. Receiver of public money, Choctawma.

Receiver's office, N. W. district, Choctawma, May 10, 1834.

SIR: I herewith enclose you my monthly account, showing a balance of ten thousand and fourteen dollars and fifty cents, (\$10,014.50.)

Some time since, I transmitted to you this account, which showed the balance to be \$10,014.39, which is short by eleven cents of the actual balance. The account here enclosed you will please receive, and return the other one to me. I am, very respectfully, your obedient servant.

R. H. STERLING, receiver.
Hon. R. B. Taney, sec. treasury, Washington city.

Treasury department, May 19, 1834.

SIR: Lest the letter of which the enclosed is a duplicate may have miscarried, I have thought it proper to transmit a copy, and again to call your attention to its requirements. I am, &c.

R. B. TANEY, sec. of the treasury.
Receivers of public money, Augusta, Mount Salus, Columbus, Choctawma.

Receiver's office, N. W. district,
Chocchuma, (Mississ., pt.) June 13, 1831.

Sir: I have this day received yours of the 19th ultimo, covering a copy of your letter to me of 23th March, in answer to which, I have the honor to inform you that some time previous to the receipt of the letter, (received April 30th), I had transmitted all my monthly accounts up to that time to the treasury department, and also duplicates of the same to the general land office; and in the event of their having been lost, I now enclose copies of them to you. I am, very respectfully, your obedient servant,

R. H. STERLING, receiver.

Hon. R. B. Taney, sec. treasury, Washington city.
P. S. The vouchers and accounts explanatory of the charges in the accounts, have been forwarded to the general land office with my quarterly accounts.

Treasury department, January 21, 1835.

Sir: Your letter of the 10th of February last, transmitting an account for certain advances and services, was duly received, and referred to the commissioner of the general land office; a like disposition has been made of the copies of that letter and accounts referred through the hands of the honorable F. E. Pluimier. I would observe, in reference to the subject, that all such claims should be charged in the quarterly accounts rendered by you to the accounting officer for settlement, to whom it properly belongs to admit or reject them, as the law or usage of the department may authorize. I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

R. H. Sterling, esq.

Receiver of public money, Chocchuma, Miss.

CIRCULAR.

Treasury department, February 28, 1835.

Sir: It has been intimated to the department that a practice prevails at some of the land offices, of permitting entries and issuing certificates of purchase, without the payment of the purchase money at the time of the entry. Such a practice being unauthorized, and highly reprehensible, I have deemed it proper to make known to you, that if it has been tolerated by you, it must immediately cease; and any repetition of it hereafter, coming to the knowledge of the department, will receive prompt and exemplary notice.

I cannot omit the occasion to impress upon you the necessity of a strict attention to, and punctual compliance with, the duties required of you in regard to the prompt deposit of the public moneys, and transmission of your accounts and returns; and to say to you that the performance of those duties must be regarded as paramount to all other in your official station. I am, &c.

LEVI WOODBURY, sec. of the treasury.

To receivers of public money at Cuba, Huntsville, Montgomery, St. Stephen's, Augusta, Chocchuma, New Orleans, Ouachita, Demopolis, Mardisville, Sparta, Tuscaloosa, Columbus, Washington, Opelousas, and St. Helena.

Treasury department, March 17, 1835.

Sir: Having received no monthly duplicate return of the transactions of your office since that for the month of October last, it becomes my unpleasant duty to call your immediate attention to the omission. Allow me to express a hope that there may be no further occasion to remind you of the importance of punctuality in the transmission of these returns. I am, &c.

LEVI WOODBURY, sec. of the treasury.

To the receivers of public money: W. P. Harris, Columbus, Mississippi; R. H. Sterling, Chocchuma, Mississippi; B. K. Rodgers, Opelousas, Louisiana; and Demopolis, Alabama.

[November for October to the two last named.]

P. S. To the receiver at Opelousas: Having received no evidence of your compliance with the requirements of my letter of the 1st November last, I take occasion to apprise you that, unless you exhibit satisfactory evidence of your having deposited the whole of the public money in your hands at the time of such deposit, on or before the 1st of April next, I shall be under the disagreeable necessity, in the discharge of my duty, to report your neglect for the action of the executive.

Receiver's office, N. W. district,
Chocchuma, (Miss.) April 22, 1835.

Sir: On this day I return to you a note, where I had been for the purpose of making a deposit, and found in my office your letter of the 17th ultimo, notifying me that none of my monthly accounts had been received since that of November last. It is true that some time had elapsed after the accounts for December and January were due, before they were despatched, because I left here in the latter part of December for Natchez, to make a de-

posit; I did not get back until late in January, and then it took me some time to prepare them for transmission, and I hope they have all safely arrived ere this; and, if they have not, I am prepared to prove that they were sent in due form, and can furnish copies of them at a moment's warning.

There is no receiver in this state that has the difficulties which I have to encounter, in performing the duty of making deposits. At Columbus, there is a branch of the Planters' bank, in which the receiver makes his deposits; I have to travel a distance of two hundred and thirty miles, partly through a newly settled country, where the accommodations are wretched, and worse roads than you have any idea of: there are but few creeks bridged, and frequently swimming, particularly at this season of the year. Since my appointment to this office, I have done but little else than to use my best exertions to discharge the duties required of me, and will continue to do so. I am, very respectfully, your obedient servant,

R. H. STERLING, receiver.

Hon. Levi Woodbury, sec. treasury, Washington city.

P. S. There have frequently, during the past winter and spring, several weeks at a time passed off without the arrival or departure of a mail from this place; and, under such circumstances, it could not be expected that my accounts, admitting that they were mailed the moment they were due, could arrive in season. At this time, the tributaries of the Yazoo are very high; consequently we have had no mail from the north for near two weeks. My return and account current for the month of March are now waiting for the departure of the first northern mail. It is with this country as with all new settled regions—the people must first build their houses and clear their lands, and then open the roads; I think that twelve months to come will put the roads in a situation so as to ensure the regular transportation of the mail. Very respectfully,

R. H. S.

NOTE. Duplicates of my monthly accounts were transmitted to the general land office at the same time that the originals were despatched to the treasury department; and I have received no advice of their not having reached there.

Treasury department, February 4, 1836.

Sir: Your returns for the months of October, November and December, have not been received. I regret that there should be any occasion to notice the neglect or accident, as the case may be, in this important duty; and avail myself of the occasion to inform you, that unless your future returns are received at the department within the month next succeeding that for which the return is rendered, it will place me under the disagreeable necessity of reporting the fact to the executive, in order to comply with the general rule in this class of cases. I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

To receivers at Palmyra, Missouri, October, November and December; Eastonville, Illinois, November and December; Quincy, Illinois, November and December; Shawmout, Illinois, October, November and December; Cahaba, Alabama, November and December; St. Stephen's, Alabama, November and December; Columbus, Mississippi, November and December; Mount Salms, Mississippi, November and December; Helena, Arkansas, December; Washington, Arkansas, December; Zanesville, Ohio, November and December; Diana, December; Chicago, Illinois, December; Galena, Illinois, December; Vandalia, Illinois, December; Tuscaloosa, Alabama, December; Augusta, Mississippi, December; Chocchuma, Mississippi, December; New Orleans, Ouzita and St. Helena, Louisiana, December; Green Bay, Michigan, December; Batesville, Arkansas, December.

Receiver's office, N. W. district,
Chocchuma, (Miss.) March 7, 1836.

Sir: I have the honor to acknowledge the receipt of your letter under date of the 4th ultimo, on the subject of my "returns" for the month of December last. In answer to which, I assure you that my returns for that month; my monthly account for the same; my account current for the fourth quarter of 1835; my returns and monthly account for January last, were all sent off; but, I admit, not so soon as I wished, owing to my absence in making deposits, which occupied about fifteen days of my time, viz: from the 23d of December to the 7th of January. I think it very probable that my returns are frequently delayed on the route between here and Washington; and, if so, it would be injustice to hold me accountable; and in future I intend to take the postmaster's certificates of the time that my returns, &c. are deposited in the post office. I am, very respectfully, your obedient servant,

R. H. STERLING, receiver.

Hon. Levi Woodbury, sec. treasury, Washington city.

Treasury department, July 6, 1836.

Sir: I have to request your explanation of the complaint made in the enclosed copy of a letter addressed to the department by John Caperton, in which he alleges that you refused to receive, in payment of public lands, a \$20 note on the bank of Virginia, unless he first paid you \$2 discount on the same. I am, &c. LEVI WOODBURY.

Sec. of the treasury.

Receiver of public money, Chocchuma, Miss.

Receiver's office, N. W. district,
Chocchuma, (Miss.) July 20, 1836.

Sir: Your letter of the 6th instant, on the subject of John Caperton's complaint, has been received. He applied on the 13th of June last to enter an eighty acre tract of land, and offered, in part payment for it, a twenty dollar note on the bank of Virginia, which is not receivable, as will appear by a copy of a letter herewith enclosed from the cashier of the deposit bank for this state.

I informed Mr. Caperton that such money was not receivable for the public land, and not current in the country. He insisted on my taking it. I told him that I could not do so at par, inasmuch as I could not offer it at the deposit bank in the face of instructions; but advised him to go out amongst the merchants and other persons in the place, and get it changed on the best terms he could. He did so, but could not succeed, and returned to my office, saying that it would subject him to much inconvenience if I did not take it. I then told him that I would not take a small note on my own account on a distant bank, for less than 10 per cent. discount; he readily agreed to allow it, and expressed his thanks for the favor, which I thought was the last of the subject; and I consider it very mean and niggardly in him, after the favor which I extended, to present me at the treasury department as a pettish shaver. I am, very respectfully, your obedient servant,

R. H. STERLING, receiver.

Hon. Levi Woodbury, secretary of the treasury.

[R. H. Sterling stands indebted to the government in the sum of ten thousand seven hundred and thirty-three dollars and seventy cents, (\$10,733 70). See preceding statement of balances.]

3.—Correspondence with J. T. Pollock, receiver of Crawfordville.

Land office, Crawfordville, (Indiana),

December 21, 1833.

Sir: The circular of your predecessor (Mr. McLane) of the 12th April last, has been received some time since. I have to state that, agreeably to the instructions contained in it, there is but a small share of duty resting upon me, not having been an officer of the government until a short time before the conflagration occurred; but all the letters and communications of my predecessors, addressed to the secretary of the treasury, as well as those written by him, being in my possession, I have deemed it necessary, in order that his request may be fulfilled, to copy them, as well as those written by myself and those addressed to me by the secretary of the treasury. I have procured an additional clerk for that purpose. The work is in operation, and will be completed in a short time.

To comply with the last clause of his instructions, I have herewith enclosed the date and object of some circulars written by the secretary of the treasury, that the wishes of the department on these subjects may be ascertained. Very respectfully, sir, your obedient servant,

JAMES T. POLLOCK, receiver.

Hon. R. B. Taney, secretary of the treasury.

Treasury department, March 14, 1837.

Sir: Complaint has been made to the department that your family do not reside at the place where your office is located. It will be necessary that you should reside at the place where the land office is kept, in order to give due attention to its business, and ensure public satisfaction. I am, &c.

LEVI WOODBURY, sec. of the treasury.

James T. Pollock, esq. receiver of public money, Crawfordville, Indiana.

Land office, Crawfordville, April 13, 1837.

Sir: In answer to your communication of the 14th of March, I have to say, that for more than two years while my family resided at this place, the physician was our daily and nightly visitor; that my oldest daughter, fifteen years of age, died; that our infant died for us likewise; that our only surviving daughter had four several and severe attacks of fever; that my wife was, during the above named period, so sorely diseased and afflicted that I was advised by medical men here to take her

where her health could be restored; that all our other children, being three in number, were torn to pieces by fevers and agues; that I never intended otherwise than to return my family to this place as soon as my wife's health and the state of the roads will allow me to do so; that I reside here myself, as I am not absent only when I have leave, or making my deposit; and that I am now, and always have been, disposed to give particular attention to business entrusted to me. The complainant, of whom you speak, knows these facts, or he knows nothing at all of my business. In conclusion, sir, I am conscious I have done nothing but what would have been done by any man who has any regard to the lives and comforts of those heaven hath placed under his particular guardianship. Yours, with respect,
JAMES T. POLLOCK, receiver.
Hon. Levi Woodbury, secretary of the treasury.

Treasury department, November 11, 1837.
Sir: Your monthly return for the month of August last has not been received; and you are requested to transmit a duplicate thereof without delay. I am, &c.
LEVI WOODBURY,
Secretary of the treasury.

[The above circular was addressed to the receivers at Quincy, Illinois; Fayette, Jackson and Lexington, Mississippi; Green Bay and Monroe Michigan, July and August; Mineral Point, Michigan; Crawfordsville, Indiana, September; Galena, Illinois, September; Fayetteville, Arkansas, September; Tallahassee, Florida, September.]

Treasury department, January 9, 1838.
Sir: The complaint of your non-residence at the site of the land office having been renewed, it becomes my duty again to call your attention to this matter, and to ask such explanations as you may be able to give for your supposed continued violation of the regulation requiring you to reside at Crawfordsville. I am, &c.

LEVI WOODBURY, sec. of the treasury.
Receiver of public money, Crawfordsville, Indiana.

Treasury department, February 22, 1838.
Sir: It appearing from your last return that the public money has accumulated in your hands to the sum of \$54,033, although you have been directed to deposit the same on the 6th November last, and on the 26th ultimo; and as no explanation of your neglect has been received, I have to require the sales to be suspended until the money in your hands shall be deposited as directed. According to your last return, the balance in your hands was \$54,089. Deducting from this sum \$15,084 for outstanding warrants drawn upon you by the treasurer, and there would remain the sum of \$39,005 subject to deposit. Referring also to the charge of non-residence at the land office, communicated in my letter of the 9th January last, to which no answer has been received, I will only add, that, if no satisfactory answer to the subjects of this letter be soon received, I must lay all the facts before the president for his final decision. I am, &c.

LEVI WOODBURY, sec. of the treasury.
Receiver of public money, Crawfordsville, Indiana.
P. S. I trust that the deposit of the balance will be made at Louisville, (if not done already under my previous directions), without a day's delay.

Treasury department, April 14, 1838.
Sir: Having received no evidence of your having deposited the public moneys which have come to your hands, and the balance appearing to be due exceeding \$30,000, I have thought it proper, before resorting to any measure of harshness, again to call your immediate attention to the subject, and to express a hope that you will be enabled to furnish satisfactory evidence, by return of mail, that you have deposited all the moneys with which you are chargeable, as heretofore directed. I am, very respectfully, your obedient servant,

LEVI WOODBURY,
Secretary of the treasury.
J. T. Pollock, esq. Crawfordsville, Indiana.

Dearborn county, May 3, 1838.
Sir: A gentleman residing in Cranfordsville, and in whose care are the moneys (or at least part of them), the other part being left in the bank at Indianapolis) for the drafts on me, (Ogden's), has this day informed me of your communication in relation to my business, dated the 14th of the past month. In answering this, I must tell of matters which I did not intend to name, and of matters which a part of my earnings must go to account for. And what are they? The practitioner, Mr. Tyler, has, time out of mind, been practising on the people a course of business, to suit his own convenience, at my expense; and this has been the way it was done. When, at

I suppose, it was convenient for the register to want money, and an applicant presented himself in his office, ten to one but there was some difficulty between the person wanting land, and the plats and numbers, &c. which would be an inducement for him to leave his money, with the assurance that his duplicate would be forwarded to him by mail in a short time, and, in the mean time, no other person should have his land. In this way the Lord only knows how much money has been deposited with Mr. Tyler; and it was none of my business if the entire wealth of the world had been left with him, so as I should not have felt any thing of his ingenuity. But so it was; the time would come when the fellow who had deposited the money would get uneasy about his duplicate, and bear down on the old fellow for the same; the next thing there was to come to me, to have the amount charged to Tyler; and I have, for the sake of peace, granted him accommodation, (relying greatly on his word that he would pay the same when wanted), to a considerable amount, and fully intended to keep the matter within myself; and should have done so, had not yours of the 14th been received. These are sent in to be proven by how many evidences, shall I say? It is not necessary to enumerate them; they can be made very many, as I have all the numbers recorded in a memorandum book. And again, in my absence, a month or two ago, from Crawfordsville, there was one thousand dollars let go out of the office, for accommodation sake, by a man in my charge, that should not have gone had I been there; this, with Mr. Tyler's money, I then had to gather from my own resources, which I did gather several weeks ago, and took to Louisville, with other moneys, expecting to get silver for it, and have the whole affairs settled, and, behold, when I got there, there was not a dollar in market, for high or low premium; but I had assurances that it would be kept for me on my return, which will be to-morrow. In the mean while I deposited moneys in the Savings institution, intending to take but one receipt on the final amount being placed there. If you doubt my having moneys in that institution, will you please to write the treasurer as to the facts? As to the Ogden money, I have requested the bank at Terre Haute to go to Crawfordsville and Indianapolis and get it, until I am tired out, and shall give them another pressing notice this day to go and get their money. I cannot force them to go and get their money; and I have written to them and urged them to it until I am tired out. In short, sir, if they do not go and get their money, I shall take it to the Savings institution at Louisville, and terminate the matter, and have no more noise about it. These are the reasons why the amount I have received has not been accounted for before this. And, in conclusion, the remark you made "before resorting to any measure of harshness," has given me an assurance that you have studied the maxim that a gentle hand will lead an elephant with a hair. These very few thousand dollars that I have above alluded to, I am bound for, although friend Tyler's account to me, unless he pays it, will be laid before you as secretary of the treasury of the United States; and if you will only reflect a moment that the men whose names are on my official bonds are worth in cash not less than one hundred and fifty thousand dollars, you will say, at once, it never will be necessary to resort to any harsh measures whatever. One word more about the Ogden drafts. I was certain, when I left Crawfordsville, that the bank at Terre Haute, which held those drafts, would call and have them settled; and it was on the 21st ultimo that I told that they (the bank) had been near a failure; and I must again repeat, that all the moneys I owe the government will be paid instantly by me, without any difficulty whatever. My residence is in Dearborn county; the most convenient post office to me is Murray's mills, where you will please direct your communications to me, if you should have any; while I shall remain your obedient servant,
JAMES T. POLLOCK.
Hon. Levi Woodbury, secretary of the treasury.

[OFFICIAL.]
Receiver's office, Crawfordsville, (Indiana), May 4, 1838.
Sir: Your favor of the 14th ultimo came to hand the 21st ultimo. Colonel Pollock left here the 3d day of March to deposit public moneys at Louisville, and has not yet returned. Since his departure, I have taken in draft No. 2,746 on war warrant, in favor of captain Ogden, for \$5,000; and draft No. 1,932, on treasury warrant, in favor of J. F. Farley, for \$31. I would forward them to the department, but I do not feel myself properly authorized to do so.

There is on hand, in silver, about \$7,500, which I hold ready for any draft drawn by the treasury

department, or the refunding to individuals, agreeably to directions from the commissioner of the general land office. Colonel Pollock I expect back shortly. Marks Craue, esq. has not yet arrived. The \$10,000 draft has not yet been presented for payment. I am, respectfully, sir, your obedient servant,
TAYLOR W. WEBSTER.
Hon. Levi Woodbury, sec. treasury, Washington city.

Treasury department, May 10, 1838.
Sir: I regret to inform you, in reply to your letter of the 3d instant, that after the liberal delay which has occurred, it will be necessary to make a deposit forthwith of the balance due by you at the Savings institution at Louisville, in order to prevent the district attorney from instituting legal proceedings on your bond.
I am, very respectfully, your obedient servant,
LEVI WOODBURY, sec. of the treasury.
James T. Pollock, esq. Dearborn county, Indiana.
[Balance due from J. T. Pollock, late receiver, fourteen thousand eight hundred and ninety-one dollars and ninety-eight cents, (\$14,891 95.)]

4.—Correspondence with William Linn, receiver at Galena.

Treasury department, June 25, 1834.
Sir: I regret to be under the necessity of calling your attention to that provision of the regulations for the deposit of the public money which requires that each deposit should embrace the whole amount in the possession of receivers. According to your returns, there was in your hands on the 31st of March last, the sum of \$10,613 49; on the 30th of April, the sum of \$12,453 32; on the 31st of May, the sum of \$13,505 10; yet it appears that its transfer to the bank of deposit was deferred until the 31st of May, and that the sum then deposited amounted to no more than \$8,000. Under these circumstances, it becomes my duty to direct that the whole amount of public moneys in your hands at the time of the receipt of this letter be forthwith deposited, and to apprise you that strict and punctual attention to the regulation in relation to the deposit of the public money is indispensable.
I am, &c.
R. B. TANNEY,
Secretary of the treasury.
Wm. Linn, esq. receiver of public money, Vandalia.

Receiver's office, Vandalia, September 30, 1834.
Sir: Agreeably to your circular, directing the payment to be made to the creditors of the government, I have come on to pay to explain A. C. Ogden, superintendent of the Cumberland road, in Indiana and Illinois, which saves the transportation of the government funds from this place to Louisville, as well as transporting them from Louisville to this place. This is of importance to the superintendent as well as myself, and a saving to the government.

Captain A. C. Ogden will apprise you of this arrangement, and request a draft on me. He is now at Terre Haute. I have the honor to remain, with great respect, your obedient servant,

WM. LINN, receiver.
Hon. Levi Woodbury, secretary of the treasury.

Treasury department, October 23, 1834.
Sir: I would remark, in reply to your letter of the 30th ultimo, that you are not authorized to retain the public money in your hands, to meet anticipated demands arising under the circular of August last, contrary to the regulations which the department has prescribed for the periodical deposit thereof.

Observing, from your monthly return of the 20th ultimo, that, notwithstanding the positive injunction contained in the letter from the department dated the 23d of June last, (of which a copy is herewith enclosed), the public moneys have been permitted to accumulate in your hands, in violation of the law and the instruction of the department, since the 31st of May last, and that it amounted on the 30th ultimo to the sum of \$10,976 39, I am constrained by your continued neglect to call your immediate attention to the subject, and again to require that the whole of the public moneys in your possession be deposited forthwith. Unless you exhibit to the department satisfactory evidence of your having done so prior to the 1st day of December next, accompanied by a statement showing your receipts and disbursements, and the balance with which you are chargeable at the time of such deposit, it will be my painful duty to submit the case for the action of the executive, and to recommend the appointment of another person as your successor. I am, &c.

LEVI WOODBURY, sec. of the treasury.
Mr. Wm. Linn, receiver of public money Vandalia, Ill.
[TO BE CONTINUED.]

CHRONICLE.

The Great Western sailed from New York on Monday last with a large number of passengers. Among them were M. Pothou, minister of France to the United States; Mr. Cowell, agent of the bank of England; Mr. Jackson, late representative in congress from Georgia; Dr. Polz, hospital surgeon U. S. N. for the Mediterranean; and major Van Buren, late secretary to the president.

Inland route to Boston. The legislature of Massachusetts have passed an act to incorporate the Hartford and Springfield rail road corporation. This completes the rail road line from New Haven to Boston, so far as citizens are concerned. The link between Hartford and Springfield, 25 miles, is the only portion of the road not yet in operation or in process of construction. In about a year from this date, we calculate to go to Boston, via New Haven, Hartford, Springfield and Worcester, in thirteen hours. When the rail road goes to New Haven it will be built, we will make Boston in twelve hours from New York. *rain or shine, snow storm or gale.*

The above is from the New York Journal of Commerce; and it we add six hours more for Philadelphia, we shall have 18 hours between Philadelphia and Boston. Oliver Evans was deuced crazy, when he prophesied that the distance would be run in twenty-four hours.

Steam route from Maine to Florida. The steamer Florida runs once a week from Savannah to Picolata, and returns touching at the intervening places of Brunswick, St. Marys, Jacksonville and Black creek, and completes the route of steam navigation from Maine to Florida.

Georgia Central rail road. We learn from the Savannah Georgian that this road is now in daily use to the extent of seventy miles, and that by 1st of November ensuing a continuous line of one hundred and one miles will be completed for the season.

Good business. It is stated in the U. S. Gazette, that the receipts of the Philadelphia, Wilmington and Baltimore rail road, for the month of March, amounts to \$49,350.

Rail road improvements. A gentleman went with us yesterday to examine an improvement on the rail road car wheel, for the purposes of insuring safety at short curves in the road, and at "turn outs." The improvement consists in having the flange of the wheel in the centre of the flange, or perpendicular to the curve, and is made by attaching these on the curves on the city rail road, the outside rail is not changed. On coming to the curve, the flange on the inner wheel runs between the double bar rail, while that on the outside drops inside of the outer rail. Each wheel, it will be understood, has a double bearing, and consequently does not run on the flange in the curves, unless the curve should be exceedingly short. This saves the flange, which is endangered by a heavy load, when it sustains the whole weight.

The improvement of which we speak, and which we have scarcely described, is made by Mr. Peet, and the model is exhibited at the second flat store on the west side of Second street, below the place where an model is made by Mr. Peet, *turn out*, of great simplicity and ingenuity, which is worthy the attention of persons concerned in railroads, to which regard we commend the improvements on the wheels and curves, and the inventions of the turn out. (Phil. U. S. Gaz.)

Naval. The U. S. ship North Carolina, commodore Ballard, was to sail from Valparaiso for the United States about the 1st February.

The U. S. brig Boxer was at Callao at the end of January.

The Norfolk correspondent of the exchange, in his letter of Monday, states that repeated firing of guns was heard by persons on board two pilot boats on Saturday afternoon and night, no doubt from the North Carolina 74, com. Ballard, daily expected from the Pacific. A line-of-battle-ship was seen off the Chesapeake a few days since.

Frigate Constitution. "Old Ironsides" was towed up to the city of New York on Saturday, by two steamboats. It is stated that this old and favorite ship requires some fifty petty officers and seamen to complete her crew, when she will sail for the Pacific.

There were no United States government vessels at Rio de Janeiro on the 24th. They had sailed on the 10th to Montevideo for the protection of American commerce in that quarter.

From the Pensacola Gazette, April 5. The U. S. ship Natchez, com'd Benjamin Page, arrived here yesterday in 10 days from Jamaica, after a fourteen weeks' cruise—officers and crew all well. During her voyage she touched at Havana, St. Bartholomew, St. Thomas, Guayana, Ponce, Port au Prince, St. Jago de Cuba and Port Royal. Reports nothing new of importance. The American flag as usual much respected.

We learn that her majesty's ship of the line Hercules left Jamaica on the 24th ult. for Halifax, with 500 soldiers and 400 marines, com'd March. They had no wind.

The Macdonion, com. Shubrick, and Levant, com'r Paulding, sailed on Monday last for the Gulf. For three days during the present week not a U. S. ship has been in our bay, a very rare, if not unprecedented occurrence. It is understood that the ships now in the Gulf are to rally at some port, and return in squadrons about the 1st of March.

The Boston, com'r Babitt, sailed on Saturday last for New York, via Key West, Havana and Matanzas.

The senate of Michigan have passed a resolution to remove the seat of the state government from Detroit to Marshall's Ferry, in Calhoun county.

The first fruits. Baltimore, April 15. We happened to be present yesterday afternoon at the warehouses of Messrs. O'Connor & Co. near the depot of the Baltimore and Susquehanna rail road company, when the train of burden cars arrived. Five of them had come all the way from Pittsburg, and were filled with goods which had been packed in them in that city, and had never been touched until they arrived at the depot here. This was the first arrival of any freight in the portable car bodies of Messrs. O'Connor & Co. and the condition in which the goods arrived, and the expedition with which the train may be made, are strong recommendations.

The car wheels are lifted, at the proper stations, from the car bodies to the wagons, and thence into the canal boats, without any delay, and with the most perfect safety to the goods. Nearly 17,000 pounds of bacon, and 7,000 pounds of hemp, we observed as part of this freight. [Chronicle.]

Atlantic steam ships. A letter from Glasgow, to a merchant in Boston, under date of March 20, says: "We feel highly gratified to inform you that the keels of three steamers of 1,100 tons and 420 horse power, are now about being laid. No expense will be spared to make these boats equal in every respect to the best of the kind. One is ordered for the line Liverpool and Halifax twice a month, with a continuation from the latter port to Boston."

Common schools in Pennsylvania. By the school law of 1836, the state of Pennsylvania, (exclusive of the city and county of Philadelphia), was divided into 1,032 school districts. Of this number, as appears by a late report, no less than 649 districts have assessed a school tax, and received their quota of the state appropriation, within the past year. In these 649 districts, in which the law has gone into operation and is now producing its salutary effect upon the *men* of the next age, there are 5,269 schools; 4,753 male teachers, 1,464 female teachers, and 233,719 scholars. Nobly is the old Keystone state vindicating herself, after all, on the great question of common school education—a question which she had so long and so decidedly refused to be or to be the very highest importance to the prosperity of a free country and to the stability of its institutions.

Robbery of the express mail. The Nashville Union says, that on the evening of the 8th inst. Ralph Austin, a rider on the express line in Alabama, was apprehended and committed to the jail in Montgomery, for robbing the mail under his charge, of a letter containing eight hundred dollars principally in cut bills, forty of which he had spent, he having a pension of \$100. The balance has been recovered. Austin states that he took the money out of a letter, about the 1st of April, which was postmarked "Nashville," and addressed to N. Orleans. He recollects neither the writer nor the person to whom it was directed. He further states that he opened the letter letters containing enclosures, both of which he destroyed.

Trade of the west. The Pittsburg Gazette of Friday says: "On the arrival of the steamer from Paris, from Bardistown, Illinois, having on board, among other articles, seventy-five tons of bacon, to be sent seaward by the canal. Also, the Detroit, from the Missouri river, with twenty-two hundred bags of corn."

Extraordinary resuscitation. In Barzou, last week, a child five years of age, was re-suscitated, after lying three quarters of an hour at the bottom of a well with ten feet of water in it.

Canada. We have seen the public accounts, from which it appears that the provincial civil expenditure for the last year, over and above the ordinary annual expenditure is \$20,000, or \$80,000; that the annual interest on the provincial debt is 4,630,000, \$233,000; that there is a deficiency in the resources of the province, to meet the expenditures of the present year, of 420,170, or \$260,650, for which the provincial parliament is called upon to provide in some way or other. Such are the first fruits, on the score of finances alone, of the present system of government commenced in good earnest in 1836. [Toronto Gazette, March 27.]

Pennsylvania canal freights. The forwarding merchants of Philadelphia have had a meeting, and agreed permanently to fix the price of freights from that city to Pittsburg, by the Pennsylvania canals and rail roads, as follows:

\$2.00 per hundred pounds, for dry goods.
1.75 " " " hardware and grocers' ware.

Rail road accidents. On Saturday last, at Brooklyn, a load of fourteen years attempted to get upon a rail road car which was in rapid motion, but missed his hold and fell under the wheels, which severed his head from his body.

On Monday morning the rope at the inclined plane on the Columbia rail road broke just after the passenger load had passed. Four burden cars, loaded with flour, were attached at the time, and rushed down near the top of the plane with tremendous velocity. The cars were of course destroyed, as well as others which arrested their progress and were standing at the foot of the plane. The West Chester stage, full of passengers, was on the bridge at the time, and had not the rapid career of the cars met with an impediment, the probability of life would probably have been very great, but luckily no personal injuries were sustained.

On Sunday, at Philadelphia, a boy fell under a rail road car, the wheel of which cut off his leg.

Destructive fire. A fire broke out in Albany, N. Y. on Saturday evening last at about 3 o'clock, in a stable connected with the Pearl street house, in a stable of a block, bounded by Lydius, Pearl, Hamilton, and Rose streets. About fourteen houses were burnt on Lydius street; ten or twelve, including the Pearl street house, on Pearl street, and several old buildings on Rose street. The Methodist church, in Herkimer street, took fire from the stacks and was entirely destroyed, with a large wagon establishment on the corner of Franklin and Herkimer streets. The loss is estimated from \$80,000 to \$100,000.

Great fire at Ogdensburg, N. Y. On Tuesday night the 16th, about 11 o'clock, a fire broke out in a barn behind Haskins' old tavern in Ford street, which in its progress destroyed the bank, the post office, and a large portion of the business part of the place.

All the buildings between the sides Ford street, between Isabella and State streets, one side of State street to Green street, one side of Green street to Isabella street and one side of Isabella to Ford street, including post office, Ogdensburg bank, seven dry good stores, fourteen grocery stores, one tavern.

The whole loss is estimated at about \$100,000.

Asphalt. Workmen were busy on Monday in laying an asphaltum pavement over the brick-side walk in front of the State street, Philadelphia. It is the Seyssel asphalt, used in Paris and London, of which an account was given by Mr. Walter, the architect, in his late letter on European improvements in paving.

The Baltimore American states that purchases of asphaltum to a considerable extent have been made for purposes connected with the works of the general government. The agent of the London Asphaltum company in Baltimore is Francis H. Smith, esq. at whose office specimens of the asphaltum are to be seen.

The Alexandria Gazette of Wednesday says: "The weather has lately been very fine for the Potomac fisheries, and great quantities of shad and herring have, we understand, been caught, especially on the Maryland shore. Shad have been selling at the fish-wharf, in this town, (the great fish depot), at from \$8-50 to \$10 per hundred, and the herring at from 25 to 53 cts per thousand, and the demand has not yet been supplied."

It is stated that Messrs. Prince, of Fushing, L. I. have within a short period, disseminated 400,000 *marus tinctorialis* trees throughout the country, and realized a profit of \$200,000.

Michigan. The Niles Intelligence gives a cheering account of business in that quarter. It says:

Steamboats are arriving and departing from our wharves daily. Every vessel that can be made to float, is now in requisition to get off the surplus produce of the country, that has been accumulating at this point during the past winter. An intelligent gentleman who is very extensively engaged in business, assures us that not less than three hundred thousand dollars worth of produce will leave this port for the eastern market in the course of the present season. One man made sale of wheat and flour amounting to twenty-five thousand dollars, on the 16th inst.

The senate of Michigan have wisely rejected the monstrous agrarian proposition of the other house, proclaiming that real estate, valued at such extravagant prices as the arbitrary will of land speculators shall put upon it, shall be a legal tender for the payment of debts.

Election for congress in Illinois. By an act, passed by the last legislature of Illinois, the election of members of congress, deferred until 1841. This was done in the hope that before that time the new appropriation would have been made, when Illinois will doubtless have at least five, probably seven, members.

Russian forests. The northern provinces of the Russian empire are almost entirely uncultivated, and covered with interminable forests. In one government alone, containing 50,000,000 of acres, 47,000,000 of which consists exclusively of forests.

The great sale of public lands in the Milwaukee land district has just terminated. It is the largest public land sale ever held in the United States. The quantity of land sold was four hundred and twenty-five thousand five hundred acres; and amounted to five hundred and sixty-seven thousand three hundred and thirty-nine dollars. Nearly nineteen-twentieths of the whole quantity sold was purchased by actual settlers and all at the minimum price of the government.

Honorable Luther Lawrence, on visiting the site of one of the new factories at Lowell, on Wednesday the 17th inst., tripped and fell into the United States. He was so much injured as to survive the accident only half an hour. Mr. L. was at the time of his decease mayor of Lowell, and president of the Rail Road bank, and universally esteemed as a good citizen.

Departure of the U. S. dragons. The Carlisle (Pa.) Herald of the 16th inst. states that a detachment of about 100 of the handsome looking men, left that place, on the preceding day, and had taken the cars for New York, and thence for Fort Gibson. They had been recruited and drilled at the Carlisle barracks by capt. Sumner, and "were accompanied to the cars by a splendid band of music, as well as by many of their companions who remain behind." The whole (says the Herald), presented a very interesting and animated appearance.

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COURT OF INQUIRY. The United States Gazette states that the court of inquiry in the case of commodore Elliot was organized on Monday last, and sits every day at the Philadelphia navy yard. It consists of commodores Stewart Biddle, and Patterson. John M. Read is judge advocate, and Josiah Randall acts as counsel for commodore Elliott.

GEN. GRATIOT. We learn from the St. Louis Republican, that the jury in the United States court, in the case of the United States vs. gen. Gratiot, retired on Friday morning, the 12th ult. under the charge of the court. When the court adjourned on Saturday the jury were still in session, being unable to agree. The court having adjourned over until Monday morning, at 10 o'clock, they were still detained, and had not agreed upon their verdict.

TREASURY NOTES. *Treasury department, May 1, 1839.* The whole amount of treasury notes authorized by the act of October 12, 1837, has been issued, viz: \$10,000,000 00
Of that issue there has been redeemed the sum of 8,900,929 55
Leaving outstanding of the first issue the sum of \$1,099,070 45
In lieu of those redeemed there has been issued under the act of 21st May, 1838 \$5,709,310 01
Of that issue there has been redeemed 1,926,210 76
Leaving outstanding of the second issue the sum of \$3,783,499 25
The amount issued under the provisions of the act of 2d March, 1839, is 2,080,985 14

Making an aggregate outstanding of \$6,963,554 84
And of the old issues an aggregate of \$4,882,569 79
LEVI WOODBURY, sec. of the treasury.

FROM FLORIDA. A letter, to the editor of the Savannah Georgian, dated Gary's Ferry, E. F. April 20, notices the arrival of general Macomb at that place, and says he is empowered to treat with the Indians, allowing them to remain in the territory within prescribed limits. The letter adds:—"As soon as they become aware of this, it is thought that the war will be at an end. They are rather tired of it.—They have been prevented from making their crops of corn, and their ammunition is nearly exhausted."

Gen. Macomb was expected to leave the Ferry shortly for Fort King, more in the interior of the Indian country. Five companies of the 2d dragoons were to leave ere long for the north; head quarters, Baltimore.—All of the 4th artillery, save one company, capt. Harvey Brown's, have left for the north.

APPOINTMENTS BY THE PRESIDENT. William F. Haile, collector of the customs for the district of Champlain, in the state of New York, vice D. B. McNeil, resigned.

Benjamin Rush Petriken, register of the land office at Du Buque, in the territory of Iowa, vice J. Worthington, resigned.

Edwin McNamee, receiver of public moneys at Helena, in the state of Arkansas, vice Davis Thompson, resigned.

Dennis Priour, to be collector at New Orleans after the 30th June next, in the place of J. W. Brecklow, resigned, to take effect on that day.

Francis S. Beattie, collector of the customs at St. Marks, Florida, vice Ambrose Crane, removed.

George R. Girault, register of the land office at Choctumha, Mississippi, vice William Van Norman, resigned.

John J. Plume, assistant collector of the customs for the district of New York, to reside at Jersey City, vice Aaron Ogden, deceased.

James R. Thompson, surveyor and inspector of the revenue for the port of Town Creek, Maryland, from the first of May next, vice W. B. Scott, resigned.

Henry Howison, to be justice of the peace for the county of Washington, in the District of Columbia.

MILITARY ACADEMY. The following gentlemen have been invited to attend the ensuing examination of the cadets of the United States military academy, to commence on the second Monday in next month:

Gen. John Pickering,	Massachusetts,
Hon. John McKeon,	New York,
Gov. W. L. Marcy,	do.
Hon. Byram Green,	do.
Hon. R. C. Grier,	Pennsylvania,
Rev. Wm. R. De Witt,	do.
Hon. Thomas M. Pettit,	do.
Col. Wm. Draton,	do.
Dr. Charles Magill,	Maryland,
Johnson Reynolds, esq.	Virginia,
Abrn. W. Venable, esq.	North Carolina,
Rev. J. Bachman,	South Carolina,
Wm. H. Ellet, esq.	do.
Dr. C. Milton Reese,	Georgia,
Col. F. Jordan,	do.
Rev. J. J. Bullock,	Kentucky,
Abrn. Littleton, esq.	Tennessee,
B. M. Atherton, esq.	Ohio,
Hon. Wm. Hendricks,	Indiana,
Gen. Thomas A. Smith,	Missouri,
Gen. J. R. Fenwick,	United States army.

MR. DE WITT, late Charge d'Affaires at Guatemala, who committed suicide on board a steam boat on the North River, was said to have been dismissed by the president, and that this, with the pecuniary embarrassments with which he was threatened, induced him to perpetrate the fatal act. The following is the Globe's account of Mr. De Witt's reception and treatment by the president.

"We were casually present when Mr. De Witt called to see the president. He was received with more than politeness—with an expression of solicitude for his strangely altered look. Mr. De Witt responded to the president's inquiries by stating, the exposure in the vessel had greatly affected him. In regard to the mission to Guatemala, the president informed Mr. De Witt, that it had been determined to dispense with it, as not now required by the interests of the government. He told him, however, that he might return and close the affairs of the mission himself. After expressing his anxiety for the success of the president in the public cause now in contest, and his desire to contribute to it, he took his leave in the most friendly manner. The pathos of the federal press, so far as it is made to turn on the president's unkindness, is sheer misrepresentation. Mr. De Witt was not superseded; the mission was discontinued.

LETTER FROM MR. HAYNE. *From the Charleston Courier of the 27th ult.* MESSRS. EDITORS:—Having withdrawn myself entirely from public life, and standing aloof from the party contests of the day, it is with great reluctance that I find myself constrained to notice the allusions, in your paper of yesterday, to my vote and remarks in the senate of the United States, on the nomination of Mr. Van Buren as minister to England.

Your correspondent quotes a part of my speech on that occasion, in which I stated, "that if I were a juror in the box, sworn to give a true verdict on the issue made up between Martin Van Buren and his country, I should feel myself constrained to give that verdict against him."

On this your remark "that it was party opposition that prompted this proceeding against Mr. Van Buren, and to that cause may we ascribe the ferocity of the warfare waged against him. To say the least, it was an unwise and impolitic warfare, and we know that it was against the judgment of one of its distinguished supporters, to whom our correspondent alludes. He predicted the result with unerring sagacity—he foresaw that it would be an element of Mr. V. B.'s success—and yet the exigencies of party arrayed him in debate against his deliberate judgment."

Without further explanation, it might seem that I had, on this occasion, expressed opinions that I did not entertain, and pursued a course which was contrary to my own conviction of what was right.

Now, the truth is, that the nomination of Mr. Van Buren, as minister to England, was seized upon as a suitable occasion for making up an issue between the two parties as to his merits as a member of general Jackson's administration. His whole conduct, and especially his instructions to Mr. Mr. Lane, in relation to the West India trade, came up for discussion, and for condemnation or approval, and the vote was regarded as a test question between the parties. In my "deliberate judgment" it was unwise and impolitic in the opposition to make up such an issue on the question then before the senate. I believed, as it has turned out, that the rejection of the nomination by the senate, would make Mr. Van Buren president. My political friends thought otherwise—the issue was made up between the parties, and Mr. Van Buren was put upon his trial. Compelled to take ground on one side or the other of the issue thus presented, I acted in conformity with my own conviction; "in giving my verdict against him." The grounds on which I then acted, are fully explained in the speech delivered by me on that occasion. My explanation is due to myself, and to the truth of the case, in the controversy now going on between the friends of Mr. Clay and Mr. Van Buren, I take no part—I am otherwise, and, I trust, better employed. I am, very respectfully, your most obedient servant,

ROBERT Y. HAYNE.

A CURIOUS AFFAIR. We learn from Mobile, that the schooner Andrew Jackson, capt. Meldrum, has arrived there. This vessel was one of those which were chartered by general Pedraza and his party, to carry troops and munitions of war to the neighborhood of Vera Cruz, in order to carry on warlike operations there. She arrived at her place of destination, landed the troops, and then set sail with her cargo of arms, provisions, &c. and touched at Mobile, where she now lies sequestered, until she can be disposed of according to law.

The Mexican consul here was duly informed of these facts by the collector at Mobile, and he is about to report them to the truth of the case in the affair, and other persons will go to Mobile, in order, if possible, to make the schooner return to the place to which she was bound.

It is reported that the captain was fearful of falling in with a Mexican cruiser in that latitude, and made for an American port in consequence.

The conduct of the captain is quite inexcusable, as he has compromised the fate of an expedition, by causing the loss of a principle part of its provisions, ammunition and arms, and he was moreover paid in full by general Pedraza the amount of his freight. The mere suspicion of a Mexican cruiser being on the coast was not sufficient to authorise him to create a real danger and to break his engagement. [New Orleans, April 16.]

ILLINOIS STATE BANK. The published statement of the account of the state of Illinois with the state bank of Illinois for the quarter ending on the 31st of March, is as follows:

	State, Dr.
To balance on settlement this date,	\$28,748 73
To amount of warrants paid for quarter ending this day,	136,278 42
To amount of int. on warrants paid up to this day,	874 93
	165,902 08
Balance due on settlement,	107,284 92
	State, Cr.
By amount deposited in bank for quarter ending this day,	\$58,617 16
By balance,	107,284 92
	165,902 08

CONVICTION OF THE BRAGANZA PIRATES. In the United States circuit court, sitting at New York, Cornelius Wilhelm and Joseph Van Bruggen were on Wednesday tried and convicted of piracy and murder on board the brig Braganza, bound from Philadelphia to Naples. Hans Knudseff, implicated in same crime, on motion of counsel was granted a separate trial.

The evidence against the accused was concluded at 9 o'clock in the evening. The principal facts elicited are as follows:

The brig Braganza, captain Armet T. Turley, sailed from Philadelphia in July, 1838, which port she had put into in distress, being originally from Porto Rico, bound to Genoa, with a cargo of sugar. On the 5th of August, the second mate, Robert Moir, was awakened by cries of murder, while sleeping in his state room. Moir rushed on deck, and there beheld the first mate, Vanderslice, lying on the deck, bleeding, with two wounds on his head. He observed immediately after the captain engaged in a struggle with some of the crew. Capt. Turley was armed with a cutlass, with which he wounded one of the mutineers, Van Bruggen. The captain was overpowered and cast into the sea. He regained the brig, and begged his life for the sake of his wife, but was remorselessly again thrown overboard. He, however, once more made the brig and gained the main chains, but was thrust off and drowned.

There were on board at this time, independent of the crew, Mr. Diehl, the owner of the vessel and his wife, and the wife of captain Turley. These were below when the horrible transaction with Mr. Vanderslice took place, as were also the captain and second-mate. There were four seamen on deck at this time. The three prisoners now on trial and another John Adams (since dead). A boy named James Davis hearing the scuffle with Mr. Vanderslice came on deck. He clearly gave his evidence, and particularly to the facts, that the captain was attacked immediately on gaining the deck, as was the second mate, Mr. Moir. The cook was in the fore-castle, and took no part in the mutiny and murder, having been fastened therein by the mutineers. The companion way was also fastened down to prevent assistance being afforded to the captain.

The boy James Davis was told to remain quiet, and he should not be hurt. Mr. Diehl begged to come on deck, but was answered, "we have killed three, and will kill you if you are not quiet." The murderers took possession of the vessel; Wilhelm acted as captain. Mr. Moor, Mr. Diehl, his wife, and Mrs. Turley, together with the cook, who sprang in the boat after them, were set adrift in the log boat. They wished to take the first mate, Mr. Vanderslice, with them, but were refused. They were fortunately picked up by a vessel that hove in sight and carried into Greenock. The first mate left with the mutineers, died of his wounds, and his body was thrown overboard.

The district attorney concluded his case against the prisoners at 11 o'clock last night. After an excellent charge the jury retired.

In five minutes after leaving the court, the jury returned, with a verdict of *guilty* against both prisoners. [Ball. American.]

OUTRAGE UPON AN AMERICAN SCHOONER. From the *Buffalo Commercial Advertiser*. We have heard this morning of an outrage committed a few days since upon the schooner Stephen Girard, of Oswego, J. C. Hagan, master, while passing through the Welland canal, of which, as highly colored statements will undoubtedly go abroad, we hasten to give a correct version. While a schooner was passing one of the locks a parcel of drunken militia went aboard, cut the haliards, hauled down the American flag, indulging at the same time in abusive vituperative language, and endeavored to prevent the lock tender from passing the schooner through. In the alley the yawl boat was seized or destroyed.

The vessel was then permitted to proceed. As soon as the affair became known to the collector, the perpetrators of the outrage were arrested, and, as we have been informed, have been sent to Toronto, to await their trial. A boat with the haliards was sent after the schooner, but was unable to overtake her, the master refusing to stop, probably from an apprehension of farther violence. The outrage has been promptly disavowed by the Canadian authorities, and vigorous measures will be taken to prevent a repetition. We understand that full reparation will be made for all the damage done the vessel.

The perpetration of this outrage and those on the St. Lawrence, is probably owing to the fact that the militia who have been in service for some months are about to be discharged, and many of them find it much more pleasant to draw their pay and rations with nothing to do, than to go to work and earn their bread. If by firing upon an unarmed American vessel, or insulting the American flag, they can succeed in keeping the frontier in such a state of excitement as to create an apparent necessity for retaining them in service, it is all they want.

NORRIS' LOCOMOTIVE MANUFACTORY. The amount and value of the manufactures of this city and neighborhood are but little known even to our own citizens. We have taken means to procure the same, and shall present them in detail to our readers.

We have before us to-day a statement from Mr. William Norris, of the amount of work done, at his extensive establishment at Bush Hill—as follows:

Seventy-eight locomotives and tenders, &c. have been completed since the establishment of these works, of which

1	has been sent to Canada.
1	" " Cuba.
2	" " England.
2	" " Germany.
7	" " Austria.

21 to different parts of the United States.

There are over 300 hands employed, and sixty locomotives and tenders, &c. are finished per annum, together with a large amount of other machinery.

The foreign orders now on hand, which will all be shipped before the 1st August next, are as follows, viz:

For Prussia,	2
" Austria,	3
" Hungary,	2
" England,	9

It will be seen by this statement that the enterprising proprietor of this establishment is enabled to compete successfully, with the boasted workshops of Great Britain in this their national staple.

[North American.]

THE LATE FRAUD IN PHILADELPHIA. The North American Advocate says: "The developments in relation to the late fraudulent issues of certificates of stock and loan of the Norristown rail road, evince as they progress, a degree of depravity of moral feeling on the part of the delinquent, which have been rarely paralleled in the annals of villainy in our community. The hardihood and coolness which characterised some of them are astounding. An instance has come to our knowledge, in which, after the president knew that the suspicious of the directors had been aroused and he had been peremptorily forbidden by the board to do any official act until some investigation had been made, he carried false certificates of 400 shares of stock into the street, and obtained a loss of 4,000 dollars upon them. This occurred on the day prior to the disclosure. We have heard censure passed on the board, that such things should have gone on without their knowledge, and attributing carelessness to them. This censure we think unmerited. The books showed everything straight and correct; and it was only by the attentive vigilance of some of the directors, that any discovery was effected at all.

UGLY AFFAIR. The Philadelphia North American says:

"Considerable excitement has been manifested to-day, by the announcement that illegal certificates of stock and loan of the Norristown rail road company, have been issued to a large amount. The exact amount is unknown, but we understand it cannot be for less than \$55,000. The president of the company is implicated in the matter, and has resigned. There are various rumors on the subject."

LOTTERIES. By an act of assembly, of 1834, lotteries, and the sale of lottery tickets, are prohibited in Virginia, after the first day of January, 1840.

ZERAH COLBURN. The Vermont papers notice the death of Zerah Colburn, at the age of thirty-five. The public mind was at one time much engaged with the anticipation, that Mr. Colburn, from his remarkable facility in calculations, would rival and eclipse the fame of all former mathematicians of celebrity. The process by which he arrived at his extraordinary results was peculiar to himself. He was sent to Europe that his talent might be cultivated and developed to the utmost. But the anticipations of his friends were never realized, although he excited great attention there. As he advanced in life, his extraordinary powers "faded into the light of common day," and he was in no wise distinguished for other than his literary attainments. He became a minister of the Methodist Episcopal church, and was of late a professor in an eastern institution.

ADDRESS OF BUSTAMANTE, previous to marching against the Federalists. Fellow citizens: In separating myself temporarily from the supreme magistracy, in order to command the army in person, I comply with the duty imposed upon me by public exigency, and in obedience to the vote of the na-

tional congress, which has thought proper to grant me its permission.

I have felt grieved that it was not in my power, before this, to act on the resolution entertained by me ever since the commencement of the foreign war, to march to the field and partake of the toils of my valiant companions in arms. A conjunction of circumstances, which are well known, made me believe, contrary to my wishes, that my presence was necessary in front of the executive. Although peace with France is adjusted, grave motives exist for my taking the command of the troops of the nation, and occupying myself with important matters, in which are involved the well being and prosperity of the nation.

I do not seize the sword to prosecute a war of extermination, or to provoke resentments, which may prolong the evils of civil discord. The discussions, which we lament, should be terminated speedily, and my presence in the army will tend to establish peace, make the authority of the government respected, and restore the supremacy of the laws. If, contrary to my expectation, turbulent spirits persist in fanning the fire of discord, I will repress them with the severity of the laws; and those Mexicans shall only encounter, in my military operations, the most unequivocal proofs of my noble resentment, conciliatory justice, and the most earnest desires for the general felicity.

The sad prospective presented by our differences with France, is completely changed by the honorable transaction which is to establish our relations with that nation. The antipathies engendered by war, ought to be succeeded by a frank friendship that to power, which, if it sought to offend us, has made evident that it knows the spirit of conciliation and the justice and equity of the nineteenth century. Heaven grant that the peace may be as solid and durable as the interest and well being of both parties require.

I cannot conceal that the choice made of me for the supreme magistracy, although it has engraven on my soul a lively and eternal gratitude, was contrary to my inclinations, and made me feel all the disgust and bitterness inseparable from the exercise of the supreme executive power. In circumstances of unparalleled difficulties and opposing factions, and without those means which could insure abundance and peace, you could not but notice that the conduct I have observed as first magistrate was only for the purpose that the civil war would not assume that sanguinary character which would cause the ruin of the nation and its discredit abroad. Let us fix our attention on the events which have been successively presented, and give thanks to Providence that we are yet preserved for happier days and general reconciliation.

The citizen who has been called to take charge of the presidential chair during my absence, shall not lack means to attend to the wants of the administration, and to improve, progressively, the lot of the people. The noble services which he rendered to the nation at Vera Cruz, and the painful task to which he has consecrated himself, entitles him to our complete and cordial co-operation. I shall be the first to give an example of the respect due to the authority which he exercises, toiling in perfect unanimity with him, in order to expedite a termination to those evils which have placed the national interests in such jeopardy. The good feeling of our people, their mild and generous character, and the painful experience of the past, ought to dictate a new course—having union and tolerance in our councils, as the surest guarantee of future prosperity.

Animated by this confidence, I expect from every one of you those sacrifices which the nation has a right to exact, when it is bowed down by civil discord, and cries energetically for the extinction of factions, calumnies and mudsling in all acts, and with a general unanimity hasten those means for aggrandizing the republic, and acquiring the respect and benevolence of civilized people.

I march where duty calls me; and be assured, Mexicans, that at the head of the army, with the olive or the sword in my hand, my object shall be to serve you nobly, and to make my deeds correspond to what I announced to you—to bring about internal peace by those means which prudence shall exact, or the energies of the laws demand.

ANASTASIO BUSTAMANTE.

MR. PAPINEAU. The London and Paris papers, received by the Great Western, announce the arrival of Mr. Papineau, in the latter city. The Paris correspondent of the New York American gives the following notice of his reception and employment.

"Papineau has been favorably received in Paris by all the political parties. It is not true that he

experienced, at Havre, any obstacle to his coming thither. After the feasting of Louis Napoleon in England, and the Court party in France may be expected for investing even a Papineau with some consequence. As the emancipation of the Canadas is deemed certain, sooner or later, the general French policy would seem to dictate that the reformer who can be considered as the representative of the French Canadian population, should be respectfully and kindly distinguished. He is understood to be already engaged in writing for the press, a critical reply to Lord Durham's report on Canadian affairs. Such information and views as he must be able to present, if skillfully exhibited, in a volume of moderate size, would probably circulate and make an impression, not merely in France, but over a large part of the European continent."

ANTICIPITY OF NEWSPAPERS. Mr. Fitzstrathern, on occasion of a toast in complement to "the press," at a dinner lately given by the West London Gardeners' association, said:

That the press was the fourth estate in parliament, and nothing could be accomplished without it.—Newspaper literature in particular had much power, and governed the world through the opinions of mankind. The editors thereof were commonly men of talent, with strong nerves, a quick discernment, a liberal mind, and a decision of character seldom to be shaken. Their duties and responsibility were incalculably great, and they had materially assisted in disseminating useful knowledge in an expeditious, cheap form. Like members of the army and navy, politicians and lawyers, some of them ought to be made peers as a reward for their extraordinary abilities. Writing news of the day, and afterwards circulating it for intelligence to a community, was more ancient than was generally supposed. It commenced by MS. in Egypt, was practiced in Greece and Rome; and, if an old author was to be relied on, Julius Cæsar, who visited London nearly 1,900 years ago, wrote periodical news of his successes abroad, and the characters and customs of the people he subdued, for the information of the warlike conquerors of the world at home, which was copied by numerous scribes, the only printers of that time, for circulation; some of which news-sticks or papers, though long since torn up and destroyed, referred to our own savage illiterate ancestors, and were written in Alban and Gaul. In these days, such eminent men as Sir Samuel Romilly, Sir John Campbell, Sergeant Spankle, and others, had been reporters of the press.

FOREIGN NEWS.

The packet ship *Silvie de Grasse*, capt. Weiderholt, arrived at New York on Monday from Havre, via Plymouth, England. Captain W. sailed from Havre on the 19th of March and from Plymouth on the 25th. The editors of the Commercial Advertiser are indebted to captain Weiderholt for the London Chronicle of March 21th and Plymouth papers of 25th.

H. M. ship Winchester, of 52 guns, is ordered to be commissioned at Chatham for the flag of vice admiral Sir Thomas Harvey. Captain John Parker is to be his captain.

The lords of the admiralty have ordered five new engines for war steam ships, one of which, to be named the *Cyclops*, is to be of 1,500 tons burthen and carry 26 guns—the largest armament yet placed on board a steam frigate, in any navy.

The following paragraph is the conclusion of an article on the late boundary troubles, in the London Weekly Chronicle of March 24. It affords an indication of the masses of the "war bill," as it has been called, would not be regarded as a very portentous event in England.

The congress, however, was expected not to separate, (the session being upon the point of ending) without providing for the opposite alternative, by placing large resources at the disposal of the president, to be used in the event of any attempt on the part of Great Britain, to take military possession of the territory in dispute. We see no reason to fear this, as Sir John Harvey, in the midst of great provocations, on the part of gov. Fairfield, has evinced a temper, and a moderation, which will ensure his ready acquiescence in the arrangement sanctioned by Mr. Forsyth and Mr. Fox.

Captain Harvey and the officers of the Malabar have subscribed for a silver tea and coffee service, to be presented to Mr. Joseph Wightman, of Three Rivers, Nova Scotia, in acknowledgement of the important service rendered by him to the Malabar, when she struck on the rock of Cape Bear, Prince Edward Island, on the 19th of October. Mr. Wightman went off to the ship in a small open boat, and piloted her to a place of safety.

LATER FROM ENGLAND.

The New York papers of Tuesday contain full extracts from the English papers received by the George Washington, from which we select the following items, furnished for the most part, by the Commercial Advertiser:

Parliamentary proceedings.

March 22. In the house of lords the marquis of Normandy desired to be excused from serving on the committee raised the night before on the state of Ireland, inasmuch as the vote by which it was ordered was to some extent a vote of censure on his government in Ireland. Lord Normandy then proceeded to comment on some expressions used the night before by lord Brougham, convicting his lordship of inconsistency, by comparison of those expressions with other expressions uttered by him in November, 1837, and concluding with a remark that, painful as it was to sever friendships of twenty years' standing, he must now forego the friendship of lord Brougham, because that noble lord had not acted towards him with sincerity.

Lord Brougham reciprocated lord Normandy's regret, but vindicated his conduct with characteristic ingenuity.

Lord John Russell gave notice that in the course of the first week after the recess he should ask the opinion of the house of commons upon the government of Ireland, (in consequence of the vote in the other house on the preceding night), and that if the opinion of the house should be against the ministers, they would resign.

Mr. O'Connell inquired of lord Palmerston if any steps had been taken to end the war between Peru and Chili. Lord Palmerston answered that an offer of mediation had been made and accepted by the Peru-Bolivian confederation, but rejected by Chili. Negotiations, however, were still in progress.

Lord Howick moved the army estimates. He entered into full explanations, and stated that the increase, as compared with 1838, would be about 5,600 rank and file, and, as compared with 1837, about 9,400. He said:

It would be necessary hereafter to propose a supplementary estimate in order to provide for the expenses incurred in keeping up a very considerable irregular force in Canada (hear, hear), of militia and volunteers, which it had been found necessary to raise in that country. What the estimate of that augmentation of force was he could not say, as it had not yet been received. Beyond these additions, he was not at that moment aware that any further increase of the army was likely to be required; but of course he need not tell the right honorable gentleman that in making that statement he did so with reference only to the present time, and to present circumstances, as it was impossible for any government or any secretary at war to say that it might not be necessary in the course, perhaps, of a short time to make a further augmentation. (Hear, hear.) He could only say that he was not aware of the existence of any circumstance creating such a necessity, and that, should such necessity hereafter arise, it would be to him a matter of great surprise and of deep concern.

The amount of the estimates for which lord Howick moved was £3,476,609, for the year ending April 1, 1840.

Sir Henry Hardinge objected that the estimates were altogether too small, and went into a long exposition of the political condition of the world, to show the necessity of keeping up a large force every where.

In the course of his reply, lord Howick said:

But here a very serious question arose out of the remarks of the right honorable gentleman. Were we to assume that we were so near a quarrel with the United States of North America as to think it necessary at once to put our establishments in their vicinity upon a war footing? (Hear, hear.) If that was the opinion of the right honorable officer, he could only say that opinion was very different from that which the (viscount Howick) entertained; (hear, hear); and he believed that if one thing, more than another, could tend directly to that result, it would be to show the Americans that we felt a jealousy of them, and that we took these steps of increasing our establishments without adequate cause. (Hear, hear.) He believed that war would prove the greatest calamity to both countries that could possibly befall them, (hear, hear), and therefore that we were bound to avoid, by every means in our power, every thing which could, by possibility, lead to hostilities. With respect to the state of Maine, the right honorable gentleman must remember that if the existing dispute goes on, it must be with the general government of the United States, (hear, hear), because the federal government must be responsible for the constituent states. (Hear.) If a war became necessary, we must therefore make corresponding efforts; and whenever that emergency

might arrive, he believed this country would not be wanting to itself in the preparations of vigorous measures; but he thought it would be to adopt a highly impolitic and dangerous course, if we were now to act as if that emergency had already occurred. (Hear, hear).

Mr. C. Buller joined Sir H. Hardinge in censuring the government for not keeping up a sufficient force. Alluding to the boundary dispute, he said that Sir John Harvey had less than 500 regulars at his command, and added:

To oppose to that force the state of Maine had been regularly increasing its military force. He (Mr. Buller) had been told by an experienced military officer that the militia of Maine was totally unlike the other American militia; that they were well kept up; for the Maine people felt very strongly a wish to fight for this territory, and that really they would not be contemptible adversaries of regular troops to fight man to man. Was the noble lord aware that there were more than 42,000 of this militia so trained? He had talked of the militia of New Brunswick. They were, he (Mr. Buller) believed, a very gallant body, but they did not amount to more than 15,000, and they had only this number to oppose to 42,000 men. The noble lord had said that Sir John Colborne would send troops over there; he would have to do so by balloon, or when he had got a railway there, for he, Mr. Buller, did not know any other way of conveying them. (A laugh.) But what was to become of Upper and Lower Canada, if these troops were sent? Did they suppose that the instant these troops were sent off, or that they could get away, the sympathisers would not rise?

He (Mr. Buller) was not afraid of the United States, gallant as they were; he believed the gallantry of England need not to be feared in a just cause. But there was no one with the feelings of humanity who could contemplate the horrors of such a war—not only a war between men of similar social relations, but a war between industry and commerce. He really believed it would entail on both countries consequences fearful to humanity; it would seriously endanger and injure the social organization of both countries. But with these feelings of horror of war, ought their army arrangements to have been in such a state at this time, that at that moment they might be from the Liverpool despatch on Sunday, the account of some collision, contrary to the will of both governments? He would venture to say that never was there a time when the people of the United States were more friendly to us; never was there a time in which the great mass of the people felt more the advantages of peace and security, or a greater horror at the idea of war. But nations were not guided by their passions; and the passions of a few intemperate men might bring on a collision, the consequences of which no man could tell. No people in the world were more sensitive of national honor than the Americans; and if a few lives should be lost amongst the lumberers on the borders of their territory no one could tell what the consequences would be.

The governor of New Brunswick to whom had been entrusted 500 regulars, set up a claim never admitted by the American government. He had set up a claim, it seemed, to settle the whole question; that until it was settled by negotiation, Great Britain should have jurisdiction over the whole territory. It appeared that the orders of this lieutenant governor were to enforce this claim with his 350 to 500 men, and it appeared that the governor of Maine said he would not submit to it; that he would send militia there. The governor of New Brunswick said he was ordered to repel force by force. The governor of Maine said he did not fear that; that the troops of Maine would do their duty. By the arrangements of Mr. Fox this threatening aspect of affairs had been in some degree averted, and he had withdrawn the pretences of the governor of New Brunswick. But what a humiliating position was that which in the last hour restricted a claim set up over the disputed territory. (Hear.) One thing would stop these proceedings, and that was, he believed, that the only road up to this disputed territory by the Aroostook river was impassable, and the roads on the New Brunswick side were still worse, and this would prevent the forces passing by each other unless Sir John Colborne could pass by balloons with his troops.

The present emergency has arisen on account of a dispute having been left open on 1815. The noble lord might say that was not his fault; that he did not make the treaty of 1783; that he had nothing to do with the treaty of 1815; but the noble lord ought to have been aware that there had been circumstances attending this boundary question, which had made the Americans much to be regretted on having ever made it. It was important that this should be known. In the first place, the province of Maine had received a great increase of population. America had pressed on the old means of subsistence, and

the population had moved off into the next vacant country, and had moved towards this disputed territory. It was a very singular feature in the United States, that all of a sudden the supply of pine timber had failed all over the United States; from the way in which they had wasted the timber they had wasted the whole. The whole of this disputed territory, which had been represented as of no value at all, was filled with the finest and most abundant quantity of this fine timber which had risen immensely in value. Many had gone there to obtain it, they saw that the land was very fine, and they wanted to go and settle there, and hence arose the increased desire of Maine to possession of this country.

In such a state of things as this, it was perfectly obvious that collision must happen. Numbers of men could not live together without law, and they had recourse to the next authorities; and when one party had got a decision of a British magistrate, the other party called them over to the next American station, about 240 miles, and got an opposite decision, so that constant squabbles were kept up by this mode of governing the district. It must be obvious to any man of common sense that that state of things could not last long between the subjects of two high-spirited nations; they must come to blows at last, and the government must take up the quarrel. But was this the only disputed territory? The whole frontier, for 1,500 miles was exposed to the part on which we joined America on the east, and in that part which we territory of Maine and Massachusetts was in dispute; a territory equal to this country. He had forgot one reason which made the people of Maine so bent on having this country. It was this territory which furnished the whole revenues of the United States, or almost the whole. The greatest revenue was derived from the sale of lands. The state of Massachusetts thought it was their property which we were keeping from them, and, right or wrong, they were very intent on keeping possession of what they thought was their property.

Upper Canada came into dispute with New Hampshire next; a great portion of land there was disputed between us. That was left as an open question. That was very good policy on the part of America. The Americans, however, had no idea of this nonsense of open questions, (hear); and what had the New Hampshire militia done? They had taken on every British subject who had got property there, and kicked them out of the territory, and Englishmen were to be seen wandering about utterly dispossessed of their lands. The states of Vermont and New York had a quarrel with us about the parallel of latitude. He did not know whether that quarrel was settled or not. The only thing he could state was a matter of fact, that the quarrel, as it was, had left every title of land along that strip of country under dispute. The next dispute was about the islands on Lake Superior; but he trusted that dispute would not arise till four or five years hence, when the province of Wisconsin was inhabited. Then another very important question arose between us and the United States, which would be very easily settled now, but might not hereafter—that was the dispute about the Oregon territory. This was a matter in which the Americans had very great interest, and in which they complained very much of our encroaching upon them.

Now, he would ask, was it prudent to allow these disputes to exist so long? He said that it was the duty of that house to take every measure to compel her majesty's ministers to settle these disputes, which had remained so long unsettled, and the inconvenience of which they had so long experienced, that those horrors of war the noble lord had described, might be avoided. These disputes ought to be settled, because, by leaving them open, it was in every way bringing on quarrels. He wished, before he sat down, to say one thing, which he said with great pain, because he knew the kind of awkwardness it was for a man, in any case when his own country was in contention with foreigners in such a way that war was likely to be the consequence, to state these things. It was very dangerous and very imprudent for the citizen of one country to state his opinion of the other country; nor did he mean to do so entirely. He believed very few gentlemen of that house had really attended to the question of the boundary between Maine and New Brunswick and Canada—such was the way in which they managed their foreign business. Circumstances had induced him to attend to it, and he would state that he had never met one Englishman, who had read the account, who did not agree with him (Mr. C. Buller) in saying, that whatever might be the claim of the Americans, the claim set up by the British government was the most superstitious and absurd that ever was heard of in British diplomacy.

He wished to be particularly guarded in not letting it be supposed that he thought the American claim a just one; he did not think it a just one,

(hear) but he must say, taking the claim advanced by us in our negotiation, he could not conceive a rightful cause so much prejudiced by unjust negotiations as our cause had been. What he wanted to call the attention of the house to was, that this was a very general feeling throughout the United States. The people of that country had very naturally attended to the question; they had a very strong notion about it; he (Mr. Buller) did not say whether they were right or wrong; all he said was, they felt very strongly on the subject. The feeling was very high in the United States, and it was a matter that would not admit of postponement any longer. If we intended to adhere to our pretensions advanced, we ought to be prepared for war and give up the idea of peace. But if we were to shrink from the horrors of war, it was our duty to see instantly, and without delay, that negotiations were established on a stable and fair basis, which might secure, not only our rights but the rights of the United States. That security alone was the only secure foundation of a permanent peace between the two nations. (Hear).

Lord Palmerston controverted the positions of Mr. Buller—vindicated the pretensions of Great Britain to the disputed territory—but declared in the strongest terms that there was no probability of a war with the United States.

After a protracted debate the vote was agreed to. *March 25. Monday*—In the house of lords viscount Melbourne gave notice of a motion to adjourn until the 11th of April.

March 26. In the house of lords a number of petitions were presented, against the appointment of Lord Ebrington to the government of Ireland.

Lord Brougham renewed his motion for returns respecting the Canadian prisoners—which were ordered. His lordship said:

He did not wish to press the subject on their lordships, or to raise any discussion, farther than earnestly to call the attention of government to the situation of those prisoners. In consequence of what had passed last night, an individual had called on him and stated how deplorably those prisoners were situated. Some of them were men who had been a respectable situation in society, and were well educated; others of them had been all the way in the mercantile sphere of life; but they were all of them, though slight offenders, thrust into convict ships, amongst thieves, swindlers and bad characters of every description. He did hope that this matter would be seriously considered, and that a proper distinction and classification would be made. The noble and learned lord said he should take that opportunity to express a fervent and earnest hope that every exertion would be made by her majesty's government to settle our differences with the United States in an amicable manner, and to avert that most deplorable and greatest of evils, war.

He was the last man in that house to counsel any course to the government, and he was sure if he did that their lordships would not listen to it, that was calculated in any way to lower the honor or character of this country; for he felt how infinitely important it was that we should maintain the great name, and that warlike character all over the world, which, thanks to our great naval and military heroes, we had achieved in every quarter of the globe. Through them we had been placed in the proud, commanding and unquestioned station which we had long enjoyed; and holding which, it made it proper, prudent and safe for us, without any possibility of reproach, without having our honor in the smallest degree soiled, or tarnished, or reflected on, to lower as much as possible our demands, in order that we might secure, he repeated, without blemish to our honor, the inestimable blessing of peace. It was, in his opinion, the ground and foundation on which her majesty's government ought to take their stand. He had the consolation of believing, of being convinced that we were undeniably, clearly and manifestly in the wrong; and when a man or a nation was in the wrong, to acknowledge error did not make the case of either worse.

The marquis of Normanby said the cases referred to by the noble and learned lord should be inquired into. He believed, however, that every thing had been regularly done. No doubt could exist as to the legality of the trials and sentences of these people. The returns required should be laid before the house.

In the house of commons there was no quorum. Both houses adjourned on the 27th—the house of lords to April 11th, and the house of commons to the 28th.

Lord John Russell gave notice, previous to the adjournment, that the measure for the future government of Canada would be brought forward on the 22d April.

It was reported in London that a fight had taken place between the 49th and 82d regiments, station-

ed at Gibraltar, in which lieutenant Campbell of the 46th was killed.

[The London Globe says there is not a word of truth in this rumor. "Blaze of the United States had been a small crew of soldiers, but nothing calling for more than the application of ordinary discipline.]

The recent pension of £2,000 per annum has been conferred on Lord Glenelg.

The *broillieris* at the palace, between lady Flora Hastings and the queen, has given rise to numerous publications, one of which is signed by lady Flora's uncle. Lady Flora is 33 years old.

FRANCE. At the date of our last advices from Paris, March 25, the ministerial crisis still continued. The king issued an ordinance, on the 24th, postponing the meeting of the chambers from the 26th of March to the 4th of April.

On the 23d marshal Soult having failed in his effort to construct a cabinet without M. Thiers, waited on the king to throw up his mission. The Duc de Broglie was then sent for by the king, but again declined entering into any cabinet. It was reported that after this the king got for M. Thiers, and that the result of their interview was an agreement.

The trial of Marsand and Raymond, of the ship *Alexandre*, on the charge of murdering the captain and several others, and feloniously taking the vessel to the United States, had commenced at Brest, and had been going on two days when the last accounts reached Paris. Marsand had made a full confession, alleging, however, that he took no part in the murder, and that Raymond was the instigator and projector of the crime.

IMPORTANT FROM VERA CRUZ.

From the *New Orleans Bulletin*, April 22. The arrival at Vera Cruz of the United States brig *Consort*, has brought advices from Vera Cruz as late as the 10th inst. the day of her sailing. By letters received by her, we learn that a fire broke out in the custom house at Vera Cruz on the 6th instant, by which merchandize valued at a million of dollars was destroyed. Among the property consumed, was one thousand packages of goods belonging chiefly to German and English merchants. Admiral Baudin sent a detachment of sailors to the succor of the inhabitants, and it was chiefly by the aid thus furnished that the flames were at last extinguished.

The castle of San Juan de Ulloa was delivered up by the French to the Mexican authorities on the 9th inst. An express reached Vera Cruz on the 8th inst. bringing intelligence that general Mexico, with 1000 men, was marching on the city on his way from Tuspan, and had reached within the distance of fifteen miles. Great consternation prevailed among the inhabitants, who supposed that the garrison would join the invaders, and their city thus fall into the possession of an enemy. In the following letter, addressed to the collector of this port very interesting particulars are stated.

Consulate of the U. S. of America,

Vera Cruz, 8th April, 1839.

Sir: I have the honor to communicate the gratifying intelligence, that the castle of "San Juan de Ulloa" at this place, and which for some months has been in possession of the French, was yesterday restored to the Mexicans.

The troops of vice admiral Baudin, commanding the naval force of the French for the Gulf of Mexico, evacuated this fortress at an early hour yesterday morning, when the government troops under command of general Herrero, resumed possession, under a display of the national flag, and the discharge of artillery, and in which the public and private armed vessels of all nations in port, (save the French) united in salutes of gratification.

The French commander has withdrawn his frigate the *Neptune*, to a short distance without the harbor, and the remainder of the French force are at anchor. The rest of his naval force is, for the most part, still at Sacrificios. It is understood that he intends quitting the coast in the course of a few days, and also that her Britannic majesty's force is likewise soon to depart for the north.

An express, it is said, arrived here this morning from the capital by which it is stated that general Mexico, at the head of a force of 1000 men, more or less, left Tuspan on the 2d instant, with the intention of making a descent upon this town, and is now hourly expected to show himself.

Should the report prove true, and he have courage enough to attack the town, we have no hesitation in saying, that he will meet with a warm reception. The troops so far as I have seen, appear in good condition, and commanded by gallant and experienced officers, and who, I have the best reason to believe, will make good their defence, and faithfully discharge their duty to themselves and country.

Among the many calamities that seem of late to have befallen this city, I have to notice this time, the conflagration of the custom house, a fine and spacious building, with all its contents. It took fire by some unknown cause in the course of last night, and at daylight was found to be almost wholly in flames, and had continued to burn throughout the greater part of this day.

The loss to the mercantile community, the foreign merchants principally, is heavy, and cannot be estimated at less than half a million of dollars, and the building itself is valued at nearly the same. The French, English and Germans, having merchandise there, are said to be the heaviest losers. I am not aware that any citizen of the United States has suffered seriously by the disaster.

The U. S. brig Consort, William H. Gardner, lieutenant, by which I forward this, carries away about two hundred and fifty thousand dollars, (\$250,000) for account of our friends at your city, and at New York, and with which I hope he may arrive in safety. I have the honor to be, sir, with great respect, your obedient servant,

M. BURROUGH.

James W. Bredlove, esq.,
collector of the customs, New Orleans.

STILL LATER FROM VERA CRUZ.

The captain of the barque Tinamora, who left Vera Cruz on the 13th instant, reports that the French fleet (including admiral Baudin's ship), excepting five vessels, were to sail from Vera Cruz on the same day, touching at Tampico and Havana. The English squadron still remained watching the movements of general Mexia's troops who were reported about fifteen leagues north of that port—the British commodore's ship Madagascar having taken on board the specie and valuables of British subjects and foreigners of any nation who desired that their property should be thus protected, in case the federal party should land and attack the city.

The loss by the destruction of the custom house, had been ascertained to be \$1,500,000, which would principally fall upon French and German merchants.

A conducta from the interior had arrived on the 12th with \$3,000,000—its destination unknown.

VIRGINIA BANKS.

An act concerning the banks of the commonwealth of Virginia, passed April 14, 1839.

By it the banks are relieved from the penalties and forfeitures incurred by their failure to pay specie, and their charters are restored.

It provides that if the bank of Virginia, the Farmers' bank, and the Valley bank accept the provisions of the act increasing the banking capital of 1837, as modified by it, the bank shall discount to any amount exceeding twice their capital.

The benefits of this act and the act of 1837, above named, are denied to the bank of Virginia and the Farmers' bank, if they fail to accept the provisions of those acts within sixty days after the passage of this act, and the same benefits are denied to the Valley bank, unless it accept those provisions within four months from the passage of this act.

The bank accepted as above, is not required to change the number of, or mode of appointing its directors.

The bank of Virginia is authorised to increase its capital to \$600,000. The Farmers' bank to increase its capital \$750,000, (being an increase in each, in addition to that authorised by the act of 1837). The branches to be established and the increase to be distributed according to the act of 1837, and the remainder to be retained in Richmond.

The bank of Virginia is required to increase the capital of its branch at Buchanan \$100,000 out of the \$600,000.

The 15th section of the act of 1837 is repealed. The treasurer is required after the first of June, 1842, (if the banks accept) to deposit one-third of the public moneys in the bank of Virginia, and one-third in the Farmers' bank, and one-third in the branch of the Exchange bank in Richmond; and if only one accepts, then one-half in the bank so accepting and the other half in the Exchange bank, and if neither accepts, then the whole in the Exchange bank.

When the Virginia bank, the Farmers' bank and the Valley bank, or either of them, accept according to the condition of this act, the treasurer is required to subscribe in the name of the commonwealth for the stock in each or either of them authorised so to be subscribed by the act of 25th March, 1837; and to pay for such subscriptions out of the money heretofore loaned the said banks by the state.

The bank of the Valley is authorised to increase its capital \$150,000; is required to establish the branches heretofore authorised, and to increase the

capital of its branch at Warrenton (authorised by the act of 1837, with a capital of 135,000) \$15,000.

If the bank of Virginia shall accept, or in case it refuse, if the Farmers' shall accept, the terms of the act above named and establish the branch at Portsmouth with a capital of \$175,000 by the 1st of July next, the bank so establishing such branch shall not be required to furnish the other sum of \$175,000 until the first of July 1840.

The Exchange bank is authorised to increase its capital \$200,000, on condition that the same be made by individual subscription; and that the bank establish a branch at Falmouth, in Stafford county, with that capital, by the 1st day of July, 1840, or as soon as \$100,000 shall have been subscribed and paid for.

The banks accepting are required to class all applications for discounts into three classes thus: 1st, notes of \$1,000 and under; 2d, notes of \$1,000 and not exceeding \$10,000; 3d, notes of \$10,000 and not exceeding \$20,000. A list of such applications, the names of the parties thereto, and amounts with the decisions thereon, is required to be kept. The bank of Kanawha is also subject to these provisions, and further, is relieved from the requirements of the classification on the provisions in its act of incorporation.

Limit of indebtedness. No individual or firm is allowed to be indebted to any one bank, as drawer or acceptor, a greater amount than \$50,000.

Ten and five dollars prohibition. All laws which prohibit the issue and circulation of notes under \$5, are declared in force, and applicable to notes under \$10, but the circulation of notes under \$10 by all others except the banks which issued them is authorised.

If the Farmers' bank and the Virginia bank refuse to accept the acts before mentioned, and the Merchants' and Planters' bank of Lynchburg shall go into operation, the law declares that it shall be subject to this act and that of 1837.

REQUISITIONS UPON GOVERNORS.

From the Albany Argus.

A good deal of misapprehension seems to prevail on the subject of the power of the executive to make requisitions upon governors of other states. As it is a matter of considerable importance, we have obtained a copy of a correspondence between governor Seward and the secretary of state, in which this question is briefly discussed. It commends itself to general attention.

Albany, March 8, 1839.

H. R. Curtis, district attorney of Orleans co.:

DEAR SIR: The complaints against Nathan Aldrich and John Aldrich, are not deemed of such a nature as to justify me in granting a requisition upon the governor of Illinois. The reasons will be found in the annexed correspondence between the secretary of state and myself. I am, very respectfully, your obedient servant,

[Signed] WILLIAM H. SEWARD.

Albany, March 5, 1839.

The secretary of state.

DEAR SIR: In consequence of the illness of the attorney general, I am under the necessity of asking your advice upon the within application for a requisition upon the governor of Illinois for the delivery of John Aldrich and Nathan Aldrich, who are indicted for certain frauds. While the power to demand fugitives from justice, embraces every grade of crime, you are aware that it is to be exercised with a sound discretion. It has not, as far as I am informed, been exercised in any case of mere fraud. I do not feel at liberty to extend or cheapen it. Pray give me your opinion upon the present case. Yours, very respectfully,

[Signed] WILLIAM H. SEWARD.

(Copy.)

Secretary's office, March 6, 1839.

His excellency Gov. Seward.

SIR: Pursuant to the request in your letter of the 5th instant, I have examined the papers in support of the application for a requisition upon the governor of Illinois, for the delivery of John Aldrich and Nathan Aldrich. I have very great doubts whether the indictments charge any offence, as they appear to me defective in some essential averments; and in reference to the nature of the offence for which it was intended to indict the Aldrichs, it seems to me that it is not of such a character as to justify the imposition of your excellency in the manner described in the constitutional provision under which requisitions may be made by the governor of one state upon the governor of another, was a substitute for the principle recognised by the law of nations, by which one sovereign is bound to deliver to another, fugitives who have committed certain offences. These offences are of the deepest grade of criminality, and

robbers, murderers and incendiaries are those enumerated, as proper to be surrendered. Following the analogy thus suggested, the provision in our constitution it would seem should be construed to embrace similar cases only, except perhaps those offences which arise from an abuse of the same constitutional provision—that provision must be guarded with the utmost care or it will become intolerable.

I do not think the circumstances of the case before me are of such grave import, or the offence itself of such high grade, as to justify the requisition desired. The power given by the constitution ought not to be cheapened, nor applied to trifling offences, nor indeed to any that was not originally contemplated. I am, very respectfully, your obedient servant,

[Signed] J. C. SPENCER.

Secretary of state.

THE PRESBYTERIAN CASE.

From the United States Gazette.

A gentleman of the bar, in whose prudence we have great confidence, has, at our request, supplied us with a notice of the case which closed yesterday. It will be seen that the verdict of the jury is for the relators, or new school. The counsel for the respondents (or old school) moved for a new trial.

IN THE SUPREME COURT.

Before hon. Molton C. Rogers and a special jury. Commonwealth.—At the suggestion of James Tod, John R. Neff, F. A. Raybold, George W. McClelland, William Darling and Thomas Fleming, Ashbel Green, Thomas Bradford, Solomon Allen, Cornelius C. Cuyler, and William Latta, not summoned.

Information in the nature of quo warranto, and ordered by the supreme court to a jury to try questions of fact to inform the conscience of the court.

The proceeding in this interesting case is founded upon the statutory power given to the supreme court, declaratory of the common law, by act of assembly of Pennsylvania, passed 14th of June, 1836, entitled "an act relating to writs of quo warranto and mandamus." That act provides that the writ of quo warranto may issue in a designated description of cases, among which is the present, viz: "In case any question shall arise concerning the exercise of any office in any corporation created by authority of law," &c. and "in case any association or number of persons shall exercise any of the franchises or privileges of a corporation within the respective county without lawful authority."

On the 29th of May, 1838, on relation of the complainants, it was suggested to the supreme court that the defendants were since the 24th of May, 1838, exercising and did still exercise the franchises and privileges of corporators without lawful authority, viz: the franchises and privileges of trustees of a certain corporation called and known by the name of "trustees of the general assembly of the Presbyterian church of the United States of America;" that on said 24th of May, 1838, the relators were duly elected trustees of said corporation agreeably to the provisions of the act of assembly of the 28th of March, 1799, incorporating said body; but notwithstanding said election the defendants still usurped said office, and praying for process of law, &c. On the 31st of July, 1838, the defendants put in separate answers: that of Ashbel Green asserted that he was one of the original trustees and had ever since acted as such; and denying the election of the relators, and claiming that his right as trustee had never been vacated, determined or abridged; and that of Thomas Bradford, alleging that on the 27th of May, 1829, he was duly elected by the general assembly a trustee, and had ever since acted as such; also denying the election of the relators and asserting his present right.

On the 10th of October, 1838, the relator replied to the plea of Ashbel Green, that true it was he was originally a trustee of the general assembly, but that by the act of incorporation, the corporate body had power to change one-third of the whole body of 15 trustees, as often as they should hold their sessions, and that in exercise of such authority, said body did on the 17th of May, 1838, at an assembly held in this city, duly elect James Tod in place of the said Ashbel Green, and the said James Tod accepted said office, and thereby the said general assembly avowed, disfranchised and discharged the said Ashbel Green, &c. and thus replied to the plea of Thomas Bradford, in like form alleged that George W. McClelland was duly elected in his place, &c. In like form, the relator asserted that Thomas Fleming was elected in lieu of Cornelius C. Cuyler, and William Darling in lieu of Solomon Allen. William Latta was not summoned, and his right, opposed to that of F. A. Raybold, is only incidentally in question. In the pleadings the several parties appealed to the country, viz: a jury trial, and the issue of fact became ripe for a trial on the 7th of November, 1838.

Accordingly, a jury was empanelled on the 2d Monday of March, 1839, and proceeded to enquire of the matters of fact contained in the pleadings. The relators were represented on the trial by Josiah Randall, W. M. Meredith and George Wood, esqrs.—the defendants by F. W. Hubbell, J. R. Ingersoll, John Sergeant, and W. C. Preston, esqrs.

The fact of the cause covered much ground, and were extracted from the course and proceedings of the general assembly during a long period of years, but the most striking, interesting and important points of consideration were the excision of May, 1837, and the secession of May, 1838.

It seems that the organization of the Presbyterian church, as to government, is this:—First, the session composed of pastor and elders, who enjoy a life tenure; next, in rank the presbytery, consisting of all pastors and one elder from each session, within a particular district; next, still higher, the synod composed of a number of presbyteries, not less than three within a prescribed district, in which, as in the Presbytery, the pastors and one elder from each session hold seats; and last, the higher tribunal, is the general assembly, composed of pastors, and delegated elders from all the presbyteries.

In 1803 the presbyteries of Oneida, Albany and Columbia, N. Y. composed the synod of Albany. In 1812, this synod having increased in numbers, was divided into two synods, called Albany and Geneva. In 1821 the synod of Geneva was parted, and its presbyteries of Niagara, Genesee, Rochester and Ontario were formed into the synod of Genesee. In 1827, the synod of Pittsburg was divided, and its Ohio presbyteries of Grand river, Portage and Heron was constituted the synod of the Western Reserve. In 1829, the Albany synod again yielded to a division, and its western presbyteries of Ogdensburg, Waterloo, Oswego, Oneida and Otego became the synod of Utica. The four important synods so much in question, thus created, were the synods of the Western Reserve, Geneva, Genesee and Utica.

The Presbyterian church, as in almost all other religious communities, encountered internal disputes on doctrine, and ranged themselves into parties, called the new and old school; this has been until recently a division of opinion, not feeling, and kindly conducted on both sides. The general assembly, at various times, had a majority of either party. From 1831 to 1835, inclusive, the old school prevailed. In 1836 the new school was in the majority. In 1837 the old school party had a superiority of numbers, and in the session of the general assembly of that year a resolution calling the excinding measure was passed. This vote cut off from the church the four synods of the Western Reserve, Geneva, Genesee and Utica. These synods contain 599 churches, and not quite so many pastors; their representatives were of the new school party. The ground of this excision was connected with the opinions or faith of those synods, and the question of unconstitutionality of the plan of union of 1801 between the general assembly and the church of Connecticut.

In May, 1838, the annual session of the general assembly commenced, and, as might be expected, the process of excision caused great difficulties. Delegates from the excinded synods presented their credentials to the usual officers, the clerks, who declined to enrol their names. The moderator of the past session, Dr. Elliott, took his seat in the assembly, he held in the new school Presbyterian church, according to the usual form. Dr. Patton, of New York, offered resolutions; the moderator declared them out of order; he appealed, and the moderator made the same decision as to his appeal. Dr. Elliott, after the report clerks, inquired if any delegates were present whose names had been omitted. Dr. Mason, of N. Y. then presented the commissions from the excinded districts, and was decided by the chair to be out of order. He appealed, and that was also declared to be irregular. The rev. Mr. Cleveland, of Michigan, then moved that Dr. Eaman, of N. Y. be appointed moderator *pro tem.* and put the question to the assembly. The ayes were general, there being but few negatives; but whether the voting was universal was disputed. At this time great confusion occurred—much noise—and the evidence was contradictory upon the opportunity and the generality of voting, and the conduct of the respective parties. The moderator then closed. Dr. Beman, proceeded to organize in the usual manner, and the body of new school delegates, including the excinded portions, adjourned to the First Presbyterian church, and, among other business, elected the six gentlemen named as relators to the office of trustees. The remaining bodies also organized and transacted business.

It is not our purpose to offer opinions, or adopt the evidence on either side, but merely to furnish an intelligible view of the points of controversy, and the history of the events which have involved them.

The charge of the judge ruled the law in favor of the relators in emphatic language. He held the excinding resolution to be unconstitutional and void, and on the question of organization he charged the jury that if the delegates were prevented from hearing the question or voting by the clamors, art, or measures of the new school party or the audience, then the Dr. Beman assembly was irregularly formed, and the relators must fail in this issue; but if they believed that the confusion was the act of the defendants, or those who supported the Dr. Elliott house, then they could take no advantage of their own wrong act, and the verdict must be for the plaintiffs.

The jury retired for a few minutes and returned to the court a verdict of guilty against the defendants. The discussion to the jury was ably conducted by Messrs. Meredith and Wood for the plaintiffs, and by Messrs. Ingersoll and Preston for the defendants.

The leading counsel for the relators, Josiah Randall, esq. was their original counsel and legal adviser during 1837, and yielded the prominent position in the argument to which he was entitled, in order to open the cause of the plaintiffs to the jury; it is spoken of as a masterly effort. The evidence of the defendants was fully opened by F. W. Hubbell, esq.

The consequences of the judgment upon this verdict will be according to the 11th section of the act of 1835: "If any person, &c. be found or adjudged guilty of usurping or intruding into, or unlawfully holding or exercising the office, franchise, privilege or power mentioned in such writ, the court shall give judgment that such defendant be ousted and altogether excluded from such office, franchise, privilege or power, and that the commonwealth, or party suing such writ, as the case may be, recover costs from the defendant."

It is understood that the law laid down by judge Rogers will be considered by the court in bank on a motion for a new trial.

AMENDMENT

Proposed by Mr. Rives to the bill (S. 258) "more effectually to secure public money in the hands of officers and agents of the government, and to punish public defaulters," viz: Strike out all after the enacting clause, and insert the following: "That hereafter all payments of public dues, of whatsoever character or description the same may be, (postages and custom-house fees only excepted), shall, wherever practicable, be made by a deposit of the same, by the person from whom the same shall or may be due, to the credit of the treasurer of the United States, in some solid and substantial bank situated in the district in which they are payable; and that no payment of the public dues (except as herein before mentioned) made in any other manner, shall be deemed a valid discharge of the debtor's obligation or liability to the government. And it shall be the duty of the secretary of the treasury, with the approbation of the president of the United States, to adopt such measures and to establish such rules and regulations as may be necessary to carry into effect this law, and to report all such measures, rules, and regulations, to congress at its ensuing session.

SEC. 2. *And be it further enacted,* That in all cases where the duties upon imports or tonnage are required by law to be paid in cash, whenever an entry of such goods shall have been completed, and the amount of duties on such entry shall have been ascertained according to law, or whenever it is found to be impracticable to ascertain at the time of such entry the exact amount of duties due thereon, and the same shall have been arranged by estimation, it shall be the duty of the collector to issue duplicate certificates of the amount of duties so ascertained or estimated to be due on such entry, and this certificate shall contain a statement of the name of the ship in which such importation was made, the name of the person making such entry, the date thereof, and the amount of duty due, or estimated to be due, thereon, which certificates, in duplicate, shall be countersigned by the naval officer, who shall record the same in his office: and the said certificate so being completed, shall be delivered to the person making such entry, who shall forthwith take the same to the bank designated in said certificate; and the said person shall then and there, leaving one of the said certificates with the said bank, deposit in the said bank the amount so stated to be due in said certificate to the credit of the treasurer of the United States; and the bank officer receiving such deposit shall endorse on the back of said certificate a receipt for the amount of such deposit, which certificate so endorsed shall be returned to the collector issuing the same, who shall thereupon deliver to the person making such entry a permit for the goods described in such entry, or such other receipt or acquittance therefor as is by law required; and in the case of the payment of an estimated demand of

duty, whenever the exact amount due shall have been ascertained and fixed according to law, it shall be the duty of the collector to issue to the person who made such entry, and who paid on such entry, to receive the excess if any, or who paid on such entry, certificates in duplicate of the amount of such excess, which certificate shall correspond in number with the certificate of deposit, shall be countersigned by the naval officer, recorded in his office, and then delivered to the person entitled to the same, who shall present the same to the bank aforesaid, which bank shall forthwith pay the amount thereof, and, retaining one of the said certificates, shall return the other stamped as paid to the collector aforesaid, by the hands of the person who shall have presented the same.

SEC. 3. *And be it further enacted,* That it shall be the duty of the said banks, of the said collector, and of the said naval officer, respectively, to make weekly returns of the said certificates of deposit and of payments, together with an abstract thereof, to the first auditor of the treasury, whose duty it shall be, on receiving, to examine and compare the same, and thereupon to state an account with the said bank, and also with the said collector, in relation to said deposits and payments.

SEC. 4. *And be it further enacted,* That, in all cases in which by law the duties are secured to be paid by bond, it shall be the duty of the collector to deposit for collection the duty bonds, heretofore and hereafter to be taken, in a bank designated for the purpose as aforesaid, and that whenever any such bond shall be paid, it shall be the duty of the bank holding such bonds to carry the amount paid thereon to the credit of the treasurer of the United States; and it shall be the duty of the collector, on depositing said bonds, to prepare abstracts of said bonds, so to be deposited, in triplicate, one of which shall be delivered to the naval officer, and, after being compared with said bonds, shall be recorded by him; another shall be delivered with the said bonds to the said collector, and the other shall be retained by the collector, and recorded in his office; and it shall be the duty of the said bank, of the said collector, and also of the said naval officer, respectively, to make monthly returns of such abstracts to the first auditor of the treasury, who shall examine and compare the same, and therefrom state an account with the said bank and the said collector; and it shall be the duty of the said bank to make weekly returns of the bonds so deposited, which may be paid at maturity, and also of the said bonds as are put in suit, in the manner hereinafter directed.

SEC. 5. *And be it further enacted,* That all fees on making entry, and all other fees due and payable according to law, at the several custom houses, shall be received by the cashier thereof, whose duty it shall be to keep an exact account thereof, and, with a copy of said account, to deposit, from day to day, the amount of fees so received by him, to the credit of the treasurer of the United States, in a bank designated for that purpose, and to make weekly returns to the collector and naval officer, of the amount of fees so received and deposited by him; and it shall be the duty of the collector to endorse on each entry the amount of fees due and payable thereon, which endorsement shall be transferred by the naval officer to a book to be kept by him for that purpose; and it shall be the duty of the bank aforesaid to distinguish, in its returns to the treasury of its account, the sums so received, from time to time, for fees; and it shall be the duty of the collector to make weekly returns to the first auditor of the treasury of the amount of fees so endorsed on the said entry.

SEC. 6. *And be it further enacted,* That it shall be the duty of the bank, in which said bonds shall be deposited for collection, whenever a bond shall not be paid at maturity, forthwith, and without delay, to deliver the same to the first attorney of the United States for the district in which the said bank is situated, to be put in suit; and, upon so delivering said bond, to take from the said attorney triplicate receipts of the same, one of which shall be sent by the said bank to the collector from whom he received the said bonds, one shall be sent to the first auditor of the treasury, and the other shall be retained by the said bank; and it shall be the duty of the district attorney, on receiving said bond, to send to the first auditor, and to the solicitor of the treasury, respectively, an abstract of such bond so delivered to him; and it shall be the duty of said auditor, on receiving said receipt and abstract, to compare the same, and to give to the collector credit for such bonds so put in suit, and to open an account with said district attorney, charging him with the amount of said bond so delivered to him as aforesaid.

SEC. 7. *And be it further enacted,* That it shall be the duty of the district attorney, in all cases where payment shall be offered to be made in any suit brought, or directed to be brought, by him on any bond, or for any fine, penalty, or forfeiture, or other

Remand on behalf of the United States, to deliver to the person who proposes to pay the same a certificate, in triplicate, containing the title of the suit, a brief statement of the demand, the date thereof, and the amount due thereon; and the person to whom the said certificates are delivered shall, on the day of the late thereof, take the same to the bank designated in said certificate, and then and there deposit in the said bank, to the credit of the treasurer of the United States, the amount stated to be due in said certificate; and the officer of said bank shall endorse on said certificate a receipt for the amount so deposited, and, retaining one of said certificates, shall deliver the others to the person producing the same, who shall forthwith, retaining one of the said certificates, redeliver the other to the district attorney who issued the same; and the said district attorney shall, on receiving the said certificate endorsed as aforesaid, dismiss the said suit; and no suit instituted shall be suspended or dismissed until such certificate, so endorsed, shall be returned to the district attorney as aforesaid; and it shall be the duty of the said bank to make weekly returns to the first auditor of the treasury of all such certificates, with the receipts endorsed thereon; and it shall be the duty of said district attorney, whenever such certificates shall be returned to him as aforesaid, to send to the first auditor of the treasury a true copy thereof, to the end that his account may be credited with the amount of the bond, or other debt so paid, as aforesaid.

Sec. 5. *And be it further enacted*, That, after the passage of this act, it shall not be lawful to pay any money for salaries of officers, for the incidental expenses of custom-houses, or receivers' offices, or for any other purpose whatsoever, (certificates of debenture and bounty only excepted, as hereinafter directed), unless the same shall be regularly drawn from the treasury on warrants issued under appropriations made by law; and all moneys so drawn, and not paid directly to some person having a claim of the government, shall be placed by the head of the department or other person under whose superintendence or by whom it is to be disbursed, (when practicable), in some bank designated for that purpose, to the credit of the officer or other person who is to disburse the same, whose disbursements whenever it can be done, shall be only made by checks drawn on the said deposits to the order of the person receiving the same, specifying the particular object or purpose for which each is drawn; and it shall be the duty of the bank, on which the said checks shall be drawn, to make weekly returns of the checks so drawn and paid, together with a copy of the account of such officer or other person with the said bank, to the proper accounting officer of the treasury department, to the end that the same may be examined and compared, and that the account of such officer or person may be promptly and truly stated and adjusted.

Sec. 9. *And be it further enacted*, That whenever any certificate of debenture or bounty shall become due and payable, according to law, it shall be the duty of the collector to endorse on said certificate an order on the bank in which the public moneys are deposited for his district, directing the payment of the same; and upon the presentation of the said order, countersigned by the naval officer, it shall be the duty of the said bank to pay the amount thereof, and to charge the same to the treasurer of the United States, in account with the said bank; and that the said certificate, with the endorsement thereon, before it shall be delivered, or be a valid order for payment, shall be countersigned by the naval officer, and recorded in his office; and it shall be the duty of the said bank, of the said collector, and of the said naval officer, respectively, to return weekly abstracts of each certificate of debenture and bounty, so paid as aforesaid; and it shall be the duty of the said bank, from time to time, upon the settlement with the treasurer of the United States of his account with the said bank, to return the said original certificates, with the orders of payment endorsed thereon, to the first auditor of the treasury, that the same may be examined and compared by him with the returns of the said naval officer and collector; and further, that it shall be the duty of the said collector and naval officer to make weekly returns of all certificates of debenture and bounty issued by them, which said returns shall contain a statement of the amount to be paid on said certificate, the number thereof, and the name of the person to whom the same is made payable.

Sec. 10. *And be it further enacted*, That if any officer mentioned or referred to in this act, shall neglect or refuse to make such returns as are herein required to be made, and truly and diligently to perform the duties required of him by this act, it shall be the duty of the head of department to which the duties of the said officer appertain, forthwith to report such neglect or refusal to the president of the United States; and if such neglect or refusal shall

not be satisfactorily accounted for, the said officer shall forthwith be removed from office, and such other legal remedies shall be applied as the case may warrant; and if any bank in which the public money may be deposited, as aforesaid, shall neglect or refuse to make the returns required by this act to be made, it shall be the duty of the head of the department to which such returns are required to be made, forthwith to report the same to the president, who, if such neglect or refusal shall not be satisfactorily accounted for, shall cause the public money deposited in such bank to be removed therefrom.

SWARTWOUT DEFALCATIONS.

Report of the committee of investigation, chosen by ballot, by the house of representatives, January 17 and 19, 1839, on the subject of the defalcations of Samuel Swartwout and others, and the correctness of the returns of collectors and receivers of the public money; also, the report of the minority of the committee.

[CONTINUED FROM PAGE 143.]

Receiver's office, Vandalia, Nov. 16, 1831.

SIR: Your letter of the 23d ultimo has been received, in relation to my not having deposited the public moneys in my hand at the time specified by the law on that subject, as well as by your instructions. When the bank of Louisville rescinded her contract with the department, I waited a considerable time for advice from the department how I should act; receiving no instructions, I went on to make a deposit, in the branch bank of the United States at St. Louis, of eight thousand dollars, of which I advised you. I then received your instructions to continue to deposit in the bank of Louisville; shortly after which I received your circular of August the 6th, to pay over to any collectors of the United States that I might have confidence in; and shortly after, your instructions to deposit in the Saving institution of Louisville. Your circular instruction, under date of the 6th of August, was, and is, considered a matter of great importance to the people of this section, particularly as there are no banks nearer than St. Louis and Louisville. And under that circular, I have paid over, to the orders of captain Ogden, several thousand dollars; and sent you, with my last monthly return, his receipt for three thousand dollars; and have continued to pay to his order from time to time for which he has promised to request drafts in his favor on me hereafter.

You have ordered that my accounts with the department be closed on the first of the next month. I shall be compelled to beg your indulgence until the last of the month, at which time the quarter will end; which will give me time to see captain Ogden; and to settle my accounts with him. The payments made by me, and to the order of Captain Ogden, have been of great importance to all who had moneys due them from the road; as they received their money instead of checks on distant banks; and if I have acted contrary to your circular, it shall be my business to repair any injury that the government may have sustained, by my future conduct, which shall be governed by your instructions. I am, with sentiments of respect, your obedient servant.

WM. LINN, receiver.

Hon. Levi Woodbury, sec. of the treasury.

Treasury department, December 4, 1834.

SIR: Allow me to inquire why it is that your letter of the 16th ultimo is entirely silent as to your neglect to comply with the positive directions contained in a letter from the department dated 23d June last, and that you still neglect to pay the public money in your hands, or to furnish the statement as required by my act, of the 29d ultimo, and a statement of your advances to colonel Ogden. I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

Wm. Linn, esq. receiver of public money, Vandalia, Ill.

Treasury department, February 12, 1835.

SIR: Although it has pleased the president under the explanations given, notwithstanding your past neglect in some cases to deposit the public moneys as required by law and the instructions of the department, to renominate you for the office of receiver of public money at Vandalia, and your nomination has been confirmed, yet it is not to be inferred from this evidence of his regard, that any future omission in this respect can be overlooked. Once for all then, I would inform you that a strict observance of the relations of the department, for the periodical deposit of the public money, and the transmission of your accounts and returns, are paramount duties, the neglect of which will be reported for the action of the executive. I am, &c.

LEVI WOODBURY, sec. of the treasury.

William Linn, esq. Receiver of public money, Vandalia, Illinois.

Receiver's office, Vandalia, March 18, 1835.

SIR: Your letter of instructions, and advising me of my reappointment, has been received. I flatter myself that you are now satisfied that, although I may have erred in the payment of the government money to the superintendent of the Cumberland road, it was to be attributed to the purest motives, and not with a wish or intention to infringe upon the required duties of my office. From the vouchers furnished you, it will be shown that, since the month of September last, I have had paid \$15,000. This, as well as the balance in my hands, has already been paid over to the order of the superintendent, before I received any voucher from him, which, consequently, placed my accounts behind. Those payments were made by me under the presumption that I would be sustained by your circular of the 6th of August last; and before doing so, I had consulted my friends here, (including a number of my securities), who coincided with me in the construction of that circular; and further concluded, that by making those payments I was doing the public a service, and would not incur your dissatisfaction. The phraseology of the superintendent's receipts never corresponded with my own on the subject, as they represented or purported that the moneys paid by me were to be expended for the use of the Cumberland road, instead of stating, as they should have done, that they had been expended for that purpose. For, permit me to remark to you, sir, that the moneys were always paid long months before I received the vouchers; consequently, my arrears appeared large, when, in fact, I had but an inconsiderable fund on hand belonging to the government. The citizens and laborers on the road looked upon this arrangement as one of the best that could be adopted. The bands were generally paid in specie, which they invariably preferred; they might otherwise have been paid in checks on the bank of Louisville—a result to them, perhaps, not the most agreeable, as the intercourse between this and that place is inconsiderable, and consequently, a loss would have been the consequence to the laborer.

The last payment from captain Ogden to me was in a check of \$5,000, drawn at Louisville, on his way to Washington city. He has not as yet returned; when he does I will close my accounts with him and pay over no more moneys without a special order from you to that effect. My duty I will endeavor to fulfil. I would beg leave to refer you to my letter addressed to the honorable Mr. Tauey, in reference to the \$8,000 deposited by me in the branch bank of the United States at St. Louis. I never received any communication from him while in office, except a circular under date of the 20th of November, 1833, directing all future deposits to be made in the bank of Louisville. That bank declined receiving government moneys on deposit. I waited to hear from the secretary, to know how I should act on the occasion; and the sums were accumulating on my hands, increasing the responsibility of their safe-keeping. I was prompted to assume a further responsibility, by making the deposit in the branch bank of the United States at St. Louis, and addressed him an explanatory letter to that effect, to which I never received any reply; and it was not until the day the senate of the United States acted on his nomination, that I received a communication from him calling my attention to my duty, without suggesting any place of deposit for the sum above specified, and without noticing the contents of my letter to him in reference to the \$8,000 which I had already deposited.

I have determined to accept the office you have tendered me, although I had been nominated by the governor, and confirmed by the senate to the most responsible office of the state of Illinois—that of canal commissioner and treasurer of the board. At the solicitation of my fellow citizens of this district I have declined the appointment conferred upon me by the state, and shall enter on the duties of receiver as soon as I file my bond, which will be in the course of a few days. My securities living in different parts of the state, and the district judge and attorney being residents of Kaskaskia, a distance of 100 miles, will occasion some little delay in the approval and transmission of my bond.

Flattering myself that this letter may prove satisfactory, I have the honor to remain, with great respect, your obedient servant.

WILLIAM LINN.

Hon. Levi Woodbury, sec. of the treasury.

Receiver's office, Vandalia, May 31, 1835.

SIR: I have the honor to transmit, herewith, my account current for the month ending this day. I would beg leave to refer you to the communication you will receive from William J. Brown, esq. examiner of the land office here, for an explanation

of the cause which has prevented me from making a deposit of the public moneys at the expiration of the present month. The roads throughout the state have been rendered impassable by frequent and heavy rains.

On the termination of the present quarter, I shall make a deposit of all the public moneys I may have received. I have the honor to remain, with great respect, your obedient servant,

WILLIAM LINN, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, November 30, 1835.

Sir: Your monthly duplicate returns for the months of August, September and October, have not been received. The frequent occasions on which it becomes necessary to notice the neglect of receivers in this respect, suggest a resort to some more effectual remedy than mere complaint. Hence, as a means of enforcing a strict attention to this duty, I shall report any future omission in this respect for the action of the executive, unless satisfactory reasons are assigned for the neglect. The returns in arrears are expected to be transmitted forthwith. I am &c.

LEVI WOODBURY, Secretary of the treasury.

Receivers of public money at Galena, Illinois and Tallahassee, Florida.

Receiver's office, Vandalia, Dec. 31, 1835.

Sir: In my last letter, I promised to close my accounts with the department on this day. Circumstances beyond my control have prevented it, for which I hope satisfactory reasons have been given by my friends. Captain Ogden being absent from his office has prevented me from obtaining from him a receipt for \$6,383 paid over to his order. You will observe from captain Ogden's receipts that the moneys had been paid over previous to my obtaining from him the receipts. I have now on hand, and am paying it over daily, the sum of \$1,611 of public moneys. My friends at Washington have received letters upon this subject from gentlemen here, which I hope will prove satisfactory. I have the honor to remain, with great respect, your obedient servant,

WILLIAM LINN, receiver.

Hon. Levi Woodbury, sec. of the treasury.

Treasury department, February 4, 1836.

Sir: Your returns for the months of October, November and December, have not been received. I regret that there should be any occasion to notice neglect or accident (as the case may be) in this important duty; and avail myself of the occasion to inform you that, unless your future returns are received at the department within the month next succeeding that for which the return is rendered, it will place me under the disagreeable necessity of reporting the fact to the executive, in order to comply with the general rule in this class of cases. I am, &c.

LEVI WOODBURY, Secretary of the treasury.

To receivers at Palmyra, Missouri, October, November and December; Edwardsville, Illinois, November and December; Quincy, Illinois, November and December; Shawneetown, Illinois, October, November and December; Cahaba, Alabama, November and December; St. Stephen's, Alabama, November and December; Columbia, Mississippi, November and December; Mount Salus, Mississippi, November and December; Helena, Arkansas, December; Washington, Arkansas, December; Zanesville, Ohio, December; Vincennes, Indiana, December; Chicago, Illinois, December; Galena, Illinois, December; Vandalia, Illinois, December; Tuscaloosa, Alabama, December; Augusta, Mississippi, December; Choctawhatchee, Mississippi, December; New Orleans, Ouachita and St. Louis, Louisiana, December; Green Bay, Michigan, December; Batesville, Arkansas, December.

Receiver's office, Vandalia, Feb. 26, 1836.

Sir: Your letter of the 4th instant has been received, in which you complain of my returns for December not having been received. I will refer you to the commissioner's office for my reasons for the returns not having been forwarded at the usual time, and I hope they may prove satisfactory. I have the honor to remain, with great respect, your obedient servant,

WILLIAM LINN, receiver.

Hon. Levi Woodbury, sec. of the treasury.

Treasury department, July 25, 1836.

Sir: I am in the receipt of your letter of the 30th ultimo, covering your account current for the month of June, with two certificates of deposit; one of which bears date on the 30th of said month. I wish, therefore, to be informed why the entire amount of money on hand at the time the last deposit was made was not included in it; the balance

appearing by your account, not deposited, amounts to \$15,129 04, which I have to request may be forthwith placed in bank to the credit of the treasurer of the United States. I am, very respectfully, &c.

LEVI WOODBURY, Secretary of the treasury.

William Linn, esq., Receiver of public money, Vandalia, Illinois.

Treasury department, November 3, 1837.

Sir: Observing that large sums of money received by you in payment for public lands still remain in your hands, I have to request that you will let me know why the same are not placed to the credit of the treasurer in the state bank of Missouri, at St. Louis. I am, &c.

LEVI WOODBURY, Secretary of the treasury.

Receiver of public money Vandalia, Illinois.

Treasury department, December 8, 1837.

Sir: Your letter of the 28th ultimo, announcing the death of Mr. Prentiss, register is received. Again it becomes my duty to call your attention to the subject of my former letters in reference to the deposits of the public money; and to inform you that if, by return of mail, evidence is not received of your having complied with the requirements of my letters of 16th August and 3d November, it will be my unpleasant duty to report your neglect to the president and to recommend your removal from office. I am, &c.

LEVI WOODBURY, Secretary of the treasury.

William Linn, esq. receiver, Vandalia, Illinois.

Treasury department, January 26, 1838.

Sir: Your letter of the 7th instant is received, and your resignation is accepted by the president. I regret that so large a balance stands undeposited in your hands, and trust that certificates of deposit for the amount with the bank of Missouri will, without delay, be forwarded here. I am, &c.

LEVI WOODBURY, sec. of treasury.

William Linn, esq. Vandalia.

[Balance due from Mr. Linn, fifty-five thousand nine hundred and sixty-two dollars and six cents, (\$55,962 06)].

5.—Correspondence with W. P. Harris, receiver at Columbus.

CIRCULAR TO RECEIVERS OF PUBLIC MONEY.

Treasury department, January 15, 1834.

Sir: Many of the receivers of public money having failed to observe that part of the general instruction of the department, dated 1st of May, 1831, which relates to the endorsement therein required to be made on the receipts given by them in payment for public lands, and omitted to furnish statements of the aggregate amount received in each description of funds in each month, it becomes my duty to call your particular attention to the regulation referred to, and to insist upon its strict observance, as well during the public sales as at the time of private entries. In performance of this duty, it is essentially necessary that the endorsements should exhibit the amount received in the funds of each bank, and that the monthly statement should afford like information in regard to the aggregate receipts of each month. As the existing instructions given for the regulation of your conduct in the receipt of bank notes in payment for public lands authorise you, under circumstances of well founded distrust, to discontinue the receipt of the notes of the state banks at any time, it is not proposed to make any change in the instructions which have heretofore governed you in the receipt or refusal of such notes.

I would, however, enjoin upon you a vigilant attention to the interests involved in the authority thus given you, and the exercise of a sound discretion in the use of it.

I take the occasion to advert to the necessity of a prompt compliance with the regulations of the department in regard to the deposit of the public moneys, and a punctual observance of the instructions which relate to your monthly returns. I am, &c.

R. B. TANEY, sec. of the treasury.

Columbus, (Miss.) February 13, 1834.

DEAR SIR: Enclosed you will find a certificate of deposit from Wm. B. Winston, cashier of the office of the Planters' bank at this place, for the sum of thirty-five thousand two hundred and eighty-one dollars and eight cents, which has been placed to the credit of the treasurer of the United States. I have heretofore enclosed you the following certificates of deposits, and have not received an acknowledgment of the same. I would be glad you would acknowledge the same in your next. To wit:

Certificate of deposit from S. Sprague, cashier Planters' bank, dated October 30, 1833, for	\$10,500 73
One ditto November 23, 1833, for	2,971 16
One ditto November 30, 1833, for	8,300 00
One ditto December 29, 1833, for	197,768 51
One ditto from W. B. Winston, cashier of Planters' bank, dated January 11, 1834, for	75,996 30
Certificate enclosed	35,251 08
	\$331,118 22

Your circular dated the 15th ultimo is received. I shall strictly attend to the same. It was not practicable for me to make the endorsements during the land sales, and since that time I have been so very busy making out my returns that I have not been able to attend to it. Respectfully, yours,

W. P. HARRIS, receiver, To the secretary of the treasury.

Treasury department, February 7, 1834.

Sir: It has been represented to this department that some of the receivers of public money in Mississippi have been engaged in trading on the bank notes they receive in payment of public lands, by exchanging them for bank notes of inferior value. I hope that there may be some mistake in this business, as it is my duty to state to you that such conduct would be regarded by this department as a gross violation of official duty, and be treated accordingly. But, as such a statement has been made from the most respectable authority, I must ask whether you have engaged in any such use of the public money received by you; and request a prompt answer to this inquiry. I am, &c.

R. B. TANEY, sec. of the treasury.

To receivers of public money of Augusta, Salus, Washington, Choctawhatchee and Columbus.

Receiver's office, Columbus, (Mississippi), February 26, 1834.

Sir: Yours of the 7th instant is at hand. I presume that the charge of changing the public moneys for other of less value was not made in relation to myself. If it was, I must plead guilty in this much: that I have, for the accommodation of travellers, exchanged money to suit that section of country to which they were going; but in no instance have I ever taken any money but what was receivable in payment of lands. To this, I think, the register will do me the justice to certify. I am, very respectfully, your obedient servant,

W. P. HARRIS, receiver.

Columbus, February 26, 1834.

I have perused the above communication, and, as reference is made to me, I have no hesitation in saying that the facts therein set forth are perfectly in accordance with truth, so far as my knowledge extends. Respectfully,

WILLIAM DOWNING, register.

Hon. R. B. Taney, secretary of the treasury.

Treasury department, March 6, 1834.

Sir: The several certificates of deposits referred to in your letter of the 13th ultimo were received in due course. As the acknowledgment of such papers and returns addressed to the department would greatly add to the business of the office, it has not, on that account, been usual to do so. When not advised to the contrary, it may be presumed they have been received; and, in regard to the returns which are required to be rendered, it becomes my duty to advise you that those for the months of November, December and January, are in arrears; and to say to you that a strict and punctual observance of this duty is indispensable. I am, &c.

R. B. TANEY, sec. of the treasury.

W. P. Harris, esq. receiver public money, Columbus, Miss.

Treasury department, March 17, 1834.

Sir: I have received your letter of the 26th ultimo, and have had to say that the department cannot approve any exchange whatever in the money received by you; that which is received must be deposited. I am, &c.

R. B. TANEY, Secretary of the treasury.

W. P. Harris, esq. receiver public money, Columbus, Miss.

Treasury department, March 25, 1834.

Sir: The department having received no monthly returns showing the transactions of your office from the month of October last, I have thought proper to inform you that, as a means of enforcing a strict compliance with the regulations of the department, in respect to this duty I shall not hesitate to report the case for the action of the executive, should the neglect be continued. I am, &c.

R. B. TANEY, sec. of the treasury.

W. P. Harris, esq. Receiver of public money, Columbus, Miss.

Treasury department, May 19, 1834.

SIR: Lest the letter of which the enclosed is a duplicate may have been miscarried, I have thought it proper to transmit a copy, and again to call your attention to its requirements. I am, &c.

R. B. TANEY, sec. of the treasury.

Receivers of public money,
Augusta, Mount Sales, Columbus, Choctawhatchee.

Receiver's office, Columbus, (Miss.) June 6, 1834.

SIR: Yours of the 19th ultimo is received; and, in reply, I only have to say that my monthly accounts current for the months of November and December, 1833, and for the months of January, February, March and April, 1834, were forwarded you in due time; and why you have not received them I am unable to account for, unless it is owing to a failure in the mails; they were regularly forwarded you and to the commissioner of the general land office, and mailed in the post office at this place. My monthly account current for this month is now ready, and only wants a comparison with the register's register of receipts, which, when compared, will be forwarded. Respectfully, sir, your obedient servant,
W. P. HARRIS,
Receiver of public money at Columbus, Miss.

Hon. Secretary of the treasury.

Treasury department, February 6, 1835.

SIR: I regret that there should be occasion for again calling your attention to the omission to render your monthly duplicate returns to this office for the months of November and December, (those being in arrear), and to remind you that punctuality in this respect is indispensable. I am, &c.

LEVI WOODBURY, sec. of the treasury.

W. P. Harris, esq.
Receiver of public money, Columbus, Miss.

CIRCULAR.

Treasury department, February 28, 1835.

SIR: It has been intimated to the department that a practice prevails at some of the land offices of permitting entries and issuing certificates of purchase without the payment of the purchase money at the time of the entry. Such a practice being unauthorised and highly reprehensible, I have deemed it proper to make known to you, that if it has been tolerated by you, it must immediately cease; and any repetition of it hereafter, coming to the knowledge of the department, will receive prompt and exemplary notice.

I cannot omit the occasion to impress upon you the necessity of a strict attention to, and punctual compliance with, the duties required of you in regard to the prompt deposit of the public moneys, and the transmission of your accounts and returns; and to say to you that the performance of those duties must be regarded as paramount to all other in your official station. I am, &c.

LEVI WOODBURY, sec. of the treasury.

To receivers of public money at Cahaba, Huntsville, Montgomery, St. Stephen's, Augusta, Choctawhatchee, New Orleans, Ouachita, Demopolis, Mardianville, Sparta, Tusculouss, Columbus, Washington, Opelousas, and St. Helena.

Treasury department, March 17, 1835.

SIR: Having received no monthly duplicate return of the transactions of your office since that for the month of October last, it becomes my unpleasant duty to call your immediate attention to the omission. Allow me to express a hope that there may be no further occasion to remind you of the importance of punctuality in the transmission of these returns. I am, &c. LEVI WOODBURY,

Secretary of the treasury.

To receivers of public money, W. P. Harris, Columbus, Mississippi; R. H. Sterling, Choctawhatchee, Mississippi; B. R. Rodgers, Opelousas, Louisiana; T. Simpson, Demopolis, Alabama. [To be received for October for the two last named.]

P. S. To the receiver at Opelousas: Having received no evidence of your compliance with the requirements of my letter of the 1st November last, I take occasion to apprise you that, unless you exhibit satisfactory evidence of your having deposited the whole of the public money in your hands at the time of such deposit, on or before the 1st of April next, I shall be under the disagreeable necessity, in the discharge of my duty, to report your neglect for the action of the executive.

Columbus, April 1, 1835.

DEAR SIR: Your favor of the 27th March was received on this day. The reason why the returns mentioned in your communication were not made, is this: that we have not had the necessary blanks for that purpose; and also the interference of the public land sales at this office, and the immense business done at this office since the sales have closed, are all reasons I shall urge for the delay of

such returns. I shall make them so soon as I can do so. Respectfully, your obedient servant,
W. P. HARRIS, receiver.

Receiver's office, Columbus, April 18, 1835.

SIR: Enclosed you will receive my monthly account current for the month of November, 1834, showing a balance of \$108,318 85. You will discover that I have neglected to give an account of the different kinds of funds received that month; there was such a press of business during the months of November and December that I found it impossible for me to render a correct statement; but for the future I will give you a correct statement of the different kinds of funds received in each month.

I have the honor to be, very respectfully, your obedient servant,
W. P. HARRIS, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, June 25, 1835.

SIR: Having, in a communication addressed to you on the 17th of March last, and on several prior occasions, urged upon you the indispensable necessity of a strict attention to making your monthly returns, and finding that no returns have been received from you since that for the month of November last, it becomes my unpleasant duty to say to you, that if those in arrear are not transmitted by return of mail, I shall be constrained to report your neglect for the action of the executive. I am, &c.

LEVI WOODBURY, sec. of the treasury.

Receiver of public money, Columbus.

Receiver's office, Columbus, (Miss.) July 13, 1835.

SIR: Enclosed you will receive my monthly account current for the month of December, 1834, showing a balance of \$355,067 83.

The returns would have been forwarded you sooner; but not having been furnished with the necessary blanks, which we could not procure here, it was out of my power.

We did not obtain the blanks until we had written the third time. And, in addition, the press of business has been very great which you will discover by our returns. Your obedient servant,
W. P. HARRIS, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, August 28, 1835.

SIR: Agreeably to the intimation given you in my letter of the 20th June, it has become my disagreeable duty to report your continued neglect to the president; who has instructed me to say to you, that if the monthly returns required from you by the regulations of the treasury, which are in arrear, are not received at the department on or before the 10th of October next, you will then be dismissed from office. I am, &c. LEVI WOODBURY,

Secretary of the treasury.

Wiley P. Harris, esq.
Receiver of public money, Columbus, Miss.

Columbus, September 14, 1835.

SIR: Yours of the 25th of August is before me, in which you state "that you are instructed by the president to say that if my monthly returns are not made by the 10th October, I will be dismissed from office."

All I can say in excuse or extenuation of my seeming neglect in the office, is the great press of business, which will the more fully appear by reference to the certificate of deposit. I have kept constantly employed in the office three clerks, and I do assure you that it is utterly impossible to keep the business up, as more than that number cannot be employed. Every exertion shall be made to make out and forward the returns as soon as possible. I ask of the president a suspension of removal for a time, until correct information be had with regard to the manner in which the business of the office has been conducted. You may be assured, sir, that the money is regularly deposited in the bank, and that the books are correctly kept, (only behind from an excess of business always on hand), but which will soon, I think, diminish, when there shall be no cause of future complaint. With respect, I am your obedient servant.

W. P. HARRIS, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, September 22, 1835.

SIR: Allow me to inquire why it is that your deposits are not made in the branch of the Planters' bank at Columbus, instead of the parent bank at Natchez? Does the branch refuse to receive them, and credit the amount at the mother bank? I am, &c.

LEVI WOODBURY, sec. treasury.

Wiley P. Harris, esq.
Receiver of public money, Columbus, Miss.

P. S. Your return for the month of February last has been received to-day, and shows a large amount on hand not deposited; and you are hereby required

(if not already done) to deposit any balance still on hand in the above branch, to the credit of the treasurer, and forward receipts therefor, in order to save time and expense in travelling to Natchez.

Treasury department, September 28, 1835.

SIR: I regret to say that the reasons assigned in your letter of the 14th instant for withholding your monthly returns cannot hereafter be deemed satisfactory. I can perceive no sufficient cause for their being delayed longer than the first week in each succeeding month, as there can be no difficulty in ascertaining at once the amount of money received within the month, or in stating the amount of your disbursements and deposits during the month; this is all that is required in them. The object of these returns is to afford the department the earliest information in regard to the money operations of the land office, and the punctual transmission of all the moneys received to the bank of deposit. They are, therefore, of paramount importance, and cannot be permitted to await the completion of detailed book entries, or the perfection of other business, be its character what it may. I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

W. P. Harris, esq.
Receiver of public money, Columbus, Miss.

Receiver's office, Columbus, (Miss.) Oct. 9, 1835.

SIR: Enclosed herewith you have my monthly account current for the month of September last, showing a balance of \$181,604 63. In answer to your letter of 22d ultimo, containing the inquiry, "Why my [your] deposits are not made in the branch of the Planters bank of Columbus, instead of in the parent bank at Natchez?" I permit me to state that an arrangement was made by me some time in December, 1833, or January, 1834, with the parent bank at Natchez, by which the cashier of the branch at this place was directed to receive my deposits, and grant a receipt for the same as credited to the United States. This arrangement existed for some time, and was only terminated by the positive directions of the parent bank to the branch here not to receive my deposits. They were then placed in the parent bank, at the sacrifice of much time and convenience, until such time as I prevailed on the parent bank to accept certificates of deposit to my individual credit, instead of the branch, in lieu of the money; and on said certificates have been, and are, predicated the certificates of deposit in the parent bank to the credit of the United States. This has been productive of much delay, leading me to regret to say that no notification on my part; for, independently of the distance from this place to Natchez, (255 miles), the officers of the parent bank have frequently delayed forwarding me certificates of deposits, until at certain periods; weeks have elapsed before I have received a certificate of deposit, and then one, only, for the aggregate amount of several deposits. It must be evident, sir, that such a mode of transacting the business (the only one I can properly at present pursue) will frequently show a much larger balance on hand than acknowledged to exist. The certificates are stated in my monthly accounts current as they are actually dated and drawn at the parent bank, while at no time has there not been a large sum in the bank in advance of the receipts of certificates. The certificates of deposits which are now due from the banks at Natchez, and which are expected in course of time, will show but a small balance on hand. I will take the liberty to say that it will afford me more than ordinary gratification to submit my accounts and the general business of the office to the examination of the usual visiting agent. Your obedient servant,
W. P. HARRIS.

Hon. Levi Woodbury, secretary of the treasury.

Columbus, September 15, 1835.

DEAR SIR: Many of the early and constant friends of the administration in this state have heard, with much regret and sorrow, that the present receiver of public moneys at this place is to "consider himself dismissed unless his returns are made before the first of October."

I have long had the honor of an intimate acquaintance with general Harris, and I can freely assure your excellency that a more honorable man does not live, unblemished in all the relations of life, and standing high in the estimation of the public. He has served here for many years in the most responsible and dignified stations, and no man enjoys in this state a more diffused and deserved popularity. I am very well informed as to the management of the office. I reside in the district, and know that he is the most indefatigable business man in the state. Since he received the appointment, he has been absent but once, and then only for a few days. Day and night he is there. The people

speak of this everywhere. He has constantly had three, and now four, clerks at work; who, in my own knowledge, have been engaged from sunrise until ten at night, and he cannot obtain them for less than fifty dollars per month. His receipts must have been between twelve and fourteen hundred thousand dollars, and the labor for the ensuing six months will be arduous in the extreme. I know that the receiver suffered under great inconvenience for two or three months, being without abstracts, which were not obtained from Washington until he had written three or four times, and even then were much delayed by the extraordinary failure of the mails. From my knowledge of the business of the office, I do not think it possible that the receiver can accomplish his returns by the first of October, though every exertion will be made, and has been made, to keep up with the business. I have known the receiver and his clerks to be at work, time after time, until after one o'clock at night; and the strongest testimonials from the best and most influential friends of your excellency can be had as to his integrity and industry. General Harris has never engaged in speculation, either directly or indirectly.

Pointexter employed a vile, unprincipled agent (Gibson Woodridge) to take testimony at this office, under a resolution of the senate; and he endeavored to implicate general Harris and George W. Martin in some transaction of very minor importance. If I had been exacting, I could have explained the whole matter to the entire exoneration of general Harris; and I could have explained the whole transaction, as it regards colonel Martin, to the satisfaction of the world. The fact is, it was a miserable attempt, on the part of Pointexter, to strengthen his party here. He hates colonel Martin with the malignity of a demon; and nothing would rejoice him more than the expulsion of general Harris, whom he knows to be one of the main pillars of the democratic cause, and one of the earliest and most distinguished friends of the administration in Mississippi. His family and connexions are extremely influential, and all of them are co-operating with us in the arduous struggle which we are now making. They are true democrats; and the bank, nullifying and White parties would shoot to victory at any blow aimed at them.

We are now in the midst of an electioneering campaign. Governor Runnels, R. Walker, major B. W. Edwards, and myself, constitute this democratic Van Buren ticket. It will be a close contest. The Nashville papers circulate extensively through our state. Much of our population is from Tennessee; nine-tenths of our newspapers are for White; and every bank in the state, including the United States branch, has taken commission in his service. Some three or four thousand of our voters are recent emigrants from other states, and reside in the new counties, knowing nothing of our political arrangements; and, as we have no mails circulating among them, the result, as to them, is doubtful.

With high respect, I remain your excellency's most obedient servant,

JOHN F. H. CLAIBORNE.

To his excellency the president of the U. States.

Columbus, (Miss.) Sept. 14, 1835.

Sir: General Wiley P. Harris, the receiver of public moneys at this place, has shown me the letter of the honorable Levi Woodbury to him of the 23th of August. In that letter, he is required, as such receiver, to have the arrears of his monthly returns made to the treasury department by the 10th of October next; and he is informed that, in case the same should not be done by that time, he will be dismissed from office.

In troubling you with this letter, I have felt considerable diffidence, arising from your not having more than an introductory acquaintance with me; if, indeed, you should now recollect that acquaintance.

Were congress now in session, that diffidence would be greatly abated, as I could refer you to several of the Tennessee delegation, with those from this state, who are well acquainted with me, and who would, I doubt not, unite in bearing testimony that I would be incapable of making misrepresentations to you.

Having had considerable knowledge of the business done in the land office here, and of the attention and industry with which its duties have been discharged, I have been requested by general Harris to say to you what I may know on the subject.

The amount of money reported by the receiver to the treasury department, arising from the sales of public lands at this office, will satisfactorily indicate to you the unprecedented amount of public lands sold here within a limited time past.

The greatly increased labors called for by the operation of the late pre-emption laws will, I am

persuaded, suggest themselves to your consideration.

The department must needs be satisfied with the prompt and faithful accounting for the public money, as duplicate certificates of deposit in the Planters' bank are generally obtained semi-weekly, and forwarded.

I know that general Harris has generally had three clerks employed in the office; and such, indeed, has been the press and quantity of business on hand, that he and they have been frequently engaged until 10 or 11 o'clock at night.

The utmost active and indefatigable labors will be immediately put in requisition, with the employment of additional clerks, until the desired returns shall be completed and forwarded; and it is confidently believed that the great amount of business these returns will show, will furnish, of itself, a satisfactory excuse for the otherwise seeming delays.

It is in unison with the prevailing sentiment now, to say that the receiver's office at this place is faithfully, attentively, industriously and ably conducted; and it is hoped that general Harris's dismissal from office may be suspended until he can make out the returns; and it is confidently believed that they will contain within themselves a highly satisfactory excuse for the complained-of delay of the monthly returns. I have the honor to be, with great regard, your obedient servant,

STEPHEN COCKE,

His excellency Andrew Jackson, president of the U. S.

Columbus, (Miss.) Oct. 10, 1835.

Sir: I have the honor to report that Wiley P. Harris, esq., receiver of public moneys at Columbus, has not complied with the requirements of your letter of the 23th August; and that his returns for May, June, July, August and September, are in arrears. According to his return for April, there was on hand the sum of \$211,059 03 on the 30th of that month; yet his succeeding deposits, made on the 9th and 11th May, were no more than \$140,000; when, according to the regulations, the whole sum should have been deposited. His previous deposits, made in January, February, March and April, are all very far short of the money on hand at the end of the previous month.

The department is advised of deposits made during the period for which his returns are in arrears, amounting to the sum of \$450,000; but, in the absence of any knowledge of the receipt of the land office at the period of the several deposits, it cannot be ascertained whether the amount deposited at the respective dates embraced all the moneys on hand or not. Respectfully submitted:

J. McG., clerk.

Hon. secretary of the treasury.

P. S. Mr. Harris's letter, with letters from Messrs. Cocke and Claiborne, are enclosed.

Treasury department, Oct. 12, 1835.

Sir: Trusting to the assurances given in your letter of the 11th ultimo, and to those of your friends, made in your behalf, the president has consented, upon the facts now before him, to continue you in office until the 12th November proximo; then, unless your monthly returns are all rendered, and satisfactory evidence that the whole of the public moneys with which you are chargeable are deposited, you must be removed from office, however painful to both him and this department.

I am, &c.
LEVI WOODBURY, sec. of the treasury.
W. P. Harris, esq. receiver of public money, Columbus, Mississippi.

Treasury department, Oct. 26, 1835.

Sir: I have to observe, in reply to your letter of the 9th instant, that the allowance authorised by the regulations of the department, as a compensation for travelling expenses, and risk in the transmission of the public moneys to the bank of deposit, can only be made when such expenses and risk have actually been incurred, and not in any cases where both are avoided by means of the fac-tiver, instead of the mail or deposit banks. Moreover, inasmuch as the branch bank of Columbus receives and credits the moneys received by you in the first instance, I can perceive no reason why each deposit in past months should not have embraced the whole amount in your possession at the time of such deposit, as the instructions require.

I am, &c.
LEVI WOODBURY,
Secretary of the treasury.
W. P. Harris, esq. receiver of public money, Columbus.

Treasury department, Nov. 28, 1835.

Sir: Your letter of the 11th instant, and return for the month of October, are received. As your deposits of public moneys are made at Columbus,

no reasons whatever can be seen why the whole money in your hands at the end of the month is not deposited; it is expected that it will be hereafter.

I am, &c.
LEVI WOODBURY,
Secretary of the treasury.

Treasury department, Feb. 4, 1836.

Sir: Your returns for the months of October, November and December, have not been received. I regret that there should be any occasion to notice the neglect or accident, (as the case may be), in this important duty; and avail myself of the occasion to inform you that, unless your future returns are received at the department within the time next succeeding that for which the return is rendered, it will place me under the disagreeable necessity of reporting the fact to the executive, in order to comply with the general rule in this class of cases. I am, &c.

LEVI WOODBURY,

Sec. of the treasury.

To receivers at Palmyra, Missouri, October, November and December; Edwardsville, Illinois, November and December; Quincy, Illinois, November and December; Shawneetown, Illinois, October, November and December; Cahala, Alabama, November and December; St. Stephen's, Alabama, November and December; Columbus, Mississippi, November and December; Mount Salus, Mississippi, November and December; Helena, Arkansas, December; Washington, Arkansas, December; Zanesville, Ohio, December; Vincennes, Indiana, December; Chicago, Illinois, December; Galena, Illinois, December; Vandalia, Illinois, December; Tuscaloosa, Alabama, December; Augusta, Mississippi, December; Clarksburg, Mississippi, December; New Orleans, Oachahta and St. Helena, Louisiana, December; Green Bay, Michigan, December; Batesville, Arkansas, December.

Columbus, Feb. 27, 1836.

Sir: Yours of the 4th instant came to hand this morning. I can say, sir, in answer, that my return for the month of November was ready to forward on the 15th of December last; but, several small errors, of which I have notified the department in the returns, which I forwarded without comparing with the register's books, induced me to wait until the register's books were brought up, in order that my books should be correct. The register's register of certificates is ready this morning; and I will compare my return for November, and immediately forward it. The return for the month of December will be ready and forwarded in a few days. The public money has been deposited, and certificates forwarded regularly. I can assure you, sir, that my returns are not delayed through my negligence. I will forward them for the future, without waiting to compare with the register, unless otherwise directed. I am, sir, yours, very respectfully,
W. P. HARRIS, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Columbus, (Miss.) March 13, 1836.

Sir: Enclosed you will receive my monthly account current for the month of November, 1835, showing a balance of four hundred and sixty-six thousand four hundred and ten dollars and fifty-nine cents. (\$466,410 59). The returns for the months of December, January and February, will be forwarded in ten or twelve days. I am, sir, very respectfully, your obedient servant,

W. P. HARRIS, receiver.
Hon. Levi Woodbury, secretary of the treasury.

Treasury department, March 28, 1836.

Sir: Your letter of the 13th instant, enclosing your return for the month of November, is received. Again it becomes my unpleasant duty to complain of your neglect in this respect, and to inform you that the omission to transmit the required monthly statements for a whole quarter after the time due, cannot be permitted in any public officer; and especially after having been heretofore so often reminded of the consequences of such neglect. On the return of the mail, therefore, if the usual statements for the other months in arrears are not received, I shall be under the disagreeable necessity of again submitting the subject to the president, for his immediate action. I am, &c.

LEVI WOODBURY, sec. of the treasury.
W. P. Harris, esq. receiver of public money, Columbus, Mississippi.

Receiver's office, Columbus, (Miss.)

April 25, 1836.

Sir: Yours of the 23th ultimo, complaining of my monthly returns not having been forwarded, came to hand. And I now have the pleasure of informing you that my monthly return for December was mailed 23th of March; that for January was mailed 4th of April; that for February on the 11th

of April; and the last, for March, was mailed the 18th of April; all of which you have received, no doubt, ere this. Respectfully, yours,
W. P. HARRIS, receiver.
Hon. Levi Woodbury, sec. treasury.

Receiver's office, Columbus, (Miss.)
May 23, 1836.

Sir: Herewith enclosed you will please find my monthly account current for the month of April last, showing a balance of one hundred and twenty-eight thousand five hundred and eighty-four dollars and seventy cents, (\$128,584 70). I am, very respectfully, your obedient servant.

W. P. HARRIS, receiver.

Hon. Levi Woodbury, sec. treasury.

Treasury department, June 6, 1836.

Sir: Your letter of the 23d ultimo, accompanied by your returns for the month of April, is received. Seeing the balance of public moneys in your hands amounted to \$128,584 70 at the end of that month, I have to request that you will explain why it was that the whole of the public moneys in your hands at the last of the previous month was not deposited, instead of a part, in conformity to explicit and frequent instructions on that point. It is painful to be obliged to ask you so often for explanations. I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

Receiver of public money, Columbus, Miss.

Receiver's office, Columbus, (Miss.)

June 27, 1836.

Sir: Your favor of June 6 is received, in which you complain of the amount of funds in my hands. I will inform you that I make my deposits in the branch bank at this place, weekly, which you will observe from the letter I send you to the cashier. It is altogether owing to the irregularity of the mails that I am unable to receive the certificates of deposit from Natchez. And I shall now be under the necessity of sending an agent there for the especial purpose of obtaining the certificates. This is produced by the high water between here and Natchez, which at this time renders the roads almost impassable. Yours, respectfully,

W. P. HARRIS, receiver.

Hon. Levi Woodbury, sec. treasury.

Office Planters' bank, Columbus, June 22, 1836.

Sir: By the request of W. P. Harris, esq. receiver of public moneys at this place, I would state that he has regularly made his deposits in this office, and obtained from us from three to four certificates monthly. I would further observe, that so far as my knowledge of the management of his office extends, it has been conducted with perfect propriety, and a strict regard to the interests of the government. Very respectfully,

W. B. WINSTON, cashier.

Hon. Levi Woodbury, secretary of the treasury.

Columbus, (Miss.) August 27, 1836.

DEAR SIR: In obedience to a circular from the commissioner of the general land office, under date of the 25th May last, requiring me, as receiver of the land office at Columbus, to execute a new bond in the penalty of \$200,000, I did sign the bond enclosed to me by the department, and have procured the signatures of nine different gentlemen, who, I presume, would be deemed amply sufficient sureties for a greater sum than that required in the bond; but, after procuring this security, some facts have come to my knowledge which have induced me to adopt a different course. You are aware that complaints have from time to time been made by the department, on account of the tardiness of some of my official returns, and of the deficit of the returns of moneys which they exhibited. The immense amount and press of business which have constantly existed in this office since its establishment were the apologies which I had to offer for my apparent delay and dereliction, and which I then believed would be fully ratified so soon as the business of the office would admit of more leisure and minute examination. This examination has been recently made by me; and although I have taken upon myself to send an agent to Natchez to examine my bank account particularly, and have made a pretty thorough examination of my own accounts and official papers, I regret to say that I still find that there is a deficit against me, which as yet I am unable to account for.

Under these circumstances, I feel that the only alternative left, and the one which my duty towards you and the public for whom I act requires, is to tender to you my resignation as receiver of the land office at Columbus, Mississippi. I feel assured, from former demonstrations of your kindness towards me, that I have heretofore enjoyed your

confidence; and I regret that any circumstances should have occurred, calculated in the least to impair that confidence. I, however trust and believe that I will yet be able to explain the whole matter satisfactorily, and that neither the public nor my friends will sustain any loss thereby. I wish my resignation to take effect from and after the last day of the present month, (August), at which time I shall, in anticipation, close up the business of the office.

In conclusion, I will take the liberty of recommending to you for appointment as my successor colonel Gordon D. Boyd, of Attala county. You are probably acquainted with his public character, as he has been for many years a prominent member of our state legislature, and has been throughout an ardent supporter of your administration, and an unyielding advocate of the principles of democracy. This request is made in my behalf, in part, on my own account. As he is my warm personal friend, he will willingly afford me every facility in his power to trace out and explain any errors which may have occurred while the office was under my charge. His capability to manage the office I think unquestionable; and it is only at my suggestion that he consented to my placing his name before you, and will most probably make no application through any other medium. In conclusion, permit me to express to you assurances of my high consideration and esteem. Respectfully, yours, &c.

W. P. HARRIS.

Andrew Jackson, president of the United States.

Endorsement in the handwriting of the president. Referred to the secretary of the treasury. The within resignation cannot be accepted until he settles up his accounts. If necessary, he can be suspended or removed. A. J.

Treasury department, September 21, 1836.

Sir: Your letter of the 27th ultimo, addressed to the president, has been referred to this office. Your duties as receiver will, of course, have ceased, or been suspended, after the 31st ultimo, the time when you propose your resignation should take effect. Immediate steps, it is hoped, will be taken to adjust your accounts and pay over the balance. Soon as the president returns, a further communication will be made to you. I am, &c.

LEVI WOODBURY, sec. of the treasury.

W. P. Harris, esq. Columbus, Mississippi.

[The letter to the president by Harris, and referred to this office, with the endorsement thereon, reached it on the 21st of September, 1836; and, on the same day, measures were ordered to be taken to secure and collect what was due from him; and he notified that he was suspended from office; and the register was also notified of the fact, as appears by the annexed letters. On the president's return to the city, (October 3), a successor was appointed. L. W.]

Treasury department, September 21, 1836.

Sir: I would remind you of the necessity of ascertaining the balance due by Mr. Harris, receiver at Columbus, as soon as practicable, and of taking measures to secure and collect the same; and he has been notified that his duties as receiver ceased after the 31st ultimo. I am, respectfully, &c.

LEVI WOODBURY, sec. of the treasury.

To the commissioner of the general land office.

Treasury department, September 21, 1836.

Sir: I transmit, for your information, a copy of a letter addressed to W. P. Harris, esq. Upon the return of the president a successor will be appointed. I am, respectfully, sir, &c.

LEVI WOODBURY, sec. of the treasury.

William Downing, esq.

Register land office, Columbus, Miss.

Columbus, (Miss.) November 1, 1836.

DEAR SIR: I write for the purpose of advising you as to my situation in regard to my late connexion with the land office in this place. The state of my health has been such of late that I have been unable to examine into my office accounts; and as I feel that the prospect of its improvement is extremely doubtful, I am preparing to remove immediately to Brandon, near the seat of government is this state. I have, however, engaged the service of Mr. Robert E. Harris, my nephew, who was engaged for some time with me as clerk, who, together with my successor in office, has kindly proffered his assistance, will make a thorough examination, and, if possible, trace out the error, or ascertain why it is that I appear to be so much in arrear. In the mean time, however, I am preparing for the worst, by selling off, on credit for bankable paper, all my property, which I can make more than sufficient to meet the deficit, should an indulgence be extended to me which will enable me to carry my

views into effect. I beg to request of you that you will not commence suit or any action upon my official bond until, if necessary, I can make an application to congress to extend to me the necessary indulgence, as it is impossible for me to sell my property for cash. A coercive and rigid course towards me would not only have the effect of taking from me the means of doing justice, but occasion a loss to the government which it would not otherwise sustain. I can assure this much, that if I am in arrear to any thing near the amount which the account shows against me, I have not used it, or derived any benefit therefrom; but it is so much actual loss, which is as yet to me unaccountable. Throughout my life I have endeavored to act justly and correctly towards others; and I feel just as little disposed to act differently towards the government, whose officers have reposed confidence in me; and I now assure you that all my effects are ready to be given up to satisfy its just demands, in whatever manner may be required of me. As no possible good can result from a rigid course towards me, but, on the contrary, the consequence might be the impoverishment of my family as well as loss to the public, I do hope that, if consistent with your official duty you can, you will take no steps until it may be seen whether congress will grant to me any indulgence. I respectfully request an answer to this communication. I have the honor to be, very respectfully, your obedient servant,

W. P. HARRIS.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, November 19, 1836.

Sir: I have received your letter of the 1st instant by the mail of this morning, and regret to inform you that, as long ago as August last, steps were taken by the solicitor of the treasury to attempt to secure the balance due from you. I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

W. P. Harris, esq. Columbus, Mississippi.

[Balance due from Mr. Harris one hundred and nine thousand one hundred and seventy-eight dollars and eight cents. (\$109,178 08.) See statement.]

6.—Correspondence with G. D. Boyd, receiver at Columbus.

Receiver's office, Columbus, (Miss.)

December 9, 1836.

Sir: I have lately received, in payment for lands entered at this office, a number of the receipts of the treasurer of the United States for money deposited by the holders of them. I have been in the habit of receiving them as money, and giving out my own receipts, as in other cases for money actually paid to me. Upon the examination of the law, however, I have doubts whether I ought to receive them in this way, as the law seems to require that the holders of them shall produce such receipts to the register of the land office, and has no other directory provisions. I therefore request to be advised upon this subject. Respectfully, your obedient servant,
G. D. BOYD, receiver.
Hon. Levi Woodbury, secretary of the treasury.

Treasury department, Dec. 26, 1836.

Sir: In reply to the inquiry made in your letter of the 7th inst., I would respectfully refer you to the enclosed circular. I embrace the occasion to call your attention to the necessity of making your monthly returns to this office as soon after the expiration of each month as practicable.

I am, &c. LEVI WOODBURY,

Secretary of the treasury.

G. D. Boyd, esq. receiver of public money, Columbus, Miss.

Northeastern land district,

Columbus, (Miss.) January 21, 1837.

DEAR SIR: I herewith enclose to you a certificate of the cashier of the Planters' bank in Natchez for the sum of eighty-six thousand five hundred and ninety-three dollars and forty-six cents, deposited by me to the credit of the treasurer of the United States. In explanation of the delay of our monthly returns for the month of December, I will mention that some time since I had them in readiness, but, in consequence of what the register informed me would be considered as objectionable in them, I have retained them for correction. The errors arose from the fact that, at the opening of this office, on the 1st December, owing to the great press of business, I permitted (with the consent of those who resided in this vicinity) those who lived at a greater distance to pay out their receipts first, and dated each on the day on which it was actually paid out; in consequence of which, some of the higher numbers were dated earlier than those which preceded them. I shall, however, have both my monthly and quarterly accounts ending with the month of

December in readiness in a very few days. Very respectfully, yours, &c. G. D. BOYD,

Receiver of public money, Hon. Levi Woodbury, secretary of the treasury.

Treasury department, February 15, 1837.

SIR: Your letter of the 29th ultimo, respecting the manner scrip is to be assigned, has been received. The fourth section of the act of 30th May, 1830, provides that assignments shall be by endorsement thereon, attested by two witnesses. Where genuine scrip is presented, endorsed as required, and you have no reason to suspect the same to have been forged, there can be no objection to your receiving the scrip, but you have, in such cases, to act on your judgment, as your accounts can be credited with that only which is regularly transferred to the individual asking it. It is not necessary the assignment should be made in your presence.

I am, &c. LEVI WOODBURY, Secretary of the treasury, Receiver of public money, Columbus, Mississippi.

Treasury department, May 25, 1837.

SIR: I regret to be under the necessity of complaining of your neglect to transmit your return for the month of March last, and of reminding you that greater strictness must be observed in the performance of this duty. I am, &c.

LEVI WOODBURY, sec. of the treasury, To receivers of public money Kaskaskia, Illinois, (March and April), Columbus, Mississippi; Mount Sales, Miss. (February and March).

Treasury department, June 10, 1837.

SIR: In consequence of your neglect to render your monthly return, and pay over the public moneys, as required by law and the instructions of the department, and the further omission to execute your official bonds in perfect form, the president has directed that the sales of public lands within your district be temporarily suspended, until your compliance with the duties imposed on you, or such other steps as the facts may justify. The register has been instructed accordingly. Under these circumstances, I have to require that a bond be renewed, in the form required by the commissioner of the land office, and that your returns be promptly rendered; and that the whole amount of public moneys in your hands be specially deposited to the credit of the treasurer of the United States, in the Planters' bank at Natchez, and evidence thereof transmitted here without delay. I am, &c.

LEVI WOODBURY, sec. of the treasury, Receiver of public money, Columbus, Mississippi.

Receiver's office, N. E. land office, Columbus, (Miss.) July 24, 1837.

DEAR SIR: Your communication of the 10th June ultimo, in consequence of my absence, has just been received. From the circumstance of Mr. V. M. Garesche, who presented to me to register and myself his testimonials showing he was authorized by your department to make particular examination into the affairs of this office, having been here, and my having made to him a full disclosure of its situation, and of mine in connexion with it, I did not deem it necessary for me to communicate with the department at present. I had already anticipated the order to suspend the sale of land at this office, by ceasing to receive any money. So soon as I was advised of the defect of my official bond, I authorized Mr. Garesche to inform the department that it was my intention, as soon as I could conveniently, to see my former sureties, (some of whom were distant from here), and obtain their signatures to all the new bond. I have now obtained the names of all, except one, who was on the bond before forwarded; and his I have not yet obtained, in consequence of his absence, travelling through the state. So soon, however, as I can learn where he is, I will immediately attend to it. I was anxious to obtain the names of those who were on my first bond, (to whom I had made an explanation of my affairs), in preference to any others, in order to show to the department that my friends here, and those who knew my business best, still have confidence. The truth is, I am in default; a circumstance which has originated from my reposing too great confidence in others. I am, however, prepared and determined to secure the government against loss, not only by a sufficient bond, but also secure it and my friends by an unconditional surrender of the whole of my property, whenever it may be required. The returns, in arrears, I will make out immediately; and hope, also, very soon to have it in my power to send the evidences of the deposits of it in my power to send the public moneys in my hands. It is also my intention, so soon as I can properly arrange these things, to forward my resignation. In the mean time, however, I shall endeavor to properly execute my

official duties, or make any further communication which may be required of me. I am, very respectfully, your obedient servant,

G. D. BOYD, receiver, Hon. Levi Woodbury secretary of the treasury.

Columbus, July 24, 1837.

I have read the foregoing letter, and have seen the bond to which it refers, and find that it has all the names which were to the original bond, with the exception of general S. Coker; and there are some additional names.

WM. DOWSING, register.

Treasury department, August 8, 1837.

SIR: I am happy to hear of the frank and honorable course proposed in your letter of the 24th ultimo. It would be convenient to have the bond and resignation arrive here by the early part of September. I am, &c.

LEVI WOODBURY, Secretary of the treasury, G. D. Boyd, receiver of public money, Columbus, Miss.

Treasury department, October 7, 1837.

SIR: I have to acknowledge the receipt of your letter of the 23d ultimo, tendering your resignation of the office of receiver of public money at Columbus, Mississippi, and requesting indulgence on the debts due the United States; and I have to inform you, in reply, that your resignation is accepted, to take effect on the 1st day of the present month, and a successor will be appointed.

The district attorney will be intrusted to exercise as much indulgence as the public interest will permit, in relation to the adjustment of your concerns. I am, &c. LEVI WOODBURY, Secretary of the treasury.

Gordon D. Boyd, esq., Receiver of public money, Columbus, Miss.

Extract from the report of V. M. Garesche, appointed to examine land offices.

LAND OFFICE AT COLUMBUS.

Columbus, (Miss.) June 14, 1837.

SIR: My labors are at last closed; my examination terminated on the — instant. I might have, probably, procured the assistance of a clerk, but I do not know that the service would have been benefitted, either as to economy or despatch. In the first instance, nothing less than five dollars per day would have been accepted, and the assistant would have been, in all probability, deficient in the knowledge required. In that case, my teaching, and the numerous interruptions occasioned by his inexperience, would have made me lose a time which his co-operation on the other time would not have made up. My anxiety, too, as to his correctness, would have obliged me to examine his work before assuming the responsibility. I therefore declined; and, to make up for the services of this neglected aid, I was assiduous at the office from half past seven in the morning till seven in the evening, not even excepting Sundays; allowing myself less than one hour for my dinner. I enter into all these details, that, should the result not meet your anticipation, the fault should not be attributed to any negligence on my part; but I trust my labors will be found satisfactory.

The account of the receiver, which I have made out, and transmit herewith, presents against him a balance of \$55,965 54. His own account makes it \$53,272 73; it is also annexed. His assets, of which I also send you the list, amount to \$61,549 98, rating the land at \$125 only, but might probably realize double the amount. The man seems really penitent; and I am inclined to think, in common with his friends, that he is honest, and has been led away from his duty, by the example of his predecessor, and a certain looseness in the code of morality, which here does not move in so limited a circle as it does with us at home. Another receiver would probably follow in the footsteps of the two. You will not, therefore, be surprised, if I recommend his being retained, in preference to another appointment; for he has his hands full now, and will not be disposed to speculate any more. He will have his bond signed by the same sureties, and forwarded in a few days to Washington; this speaks favorably. He has, moreover, pledged his word that, if retained, he will strictly obey the law, and receive nothing but specie in payment for lands. He tells me that he is about selling a great portion of his lands; that and some other negotiation will enable him to discharge a large portion of his debt to the United States before the expiration of the present quarter. Lenity towards him, therefore, might stimulate him to exertions, which severity might, perhaps, paralyze. I have, in the mean time, enjoined the closing of the land office until the bond is completed and returned. No land has been sold since the 29th ultimo.

Various are the reports of the late receiver's solvability; some say that he will pay the whole, whilst others, and the greater number, do not believe that he will pay 75 per cent. but they all concede that his intemperance has been his greatest crime, and that the loss of his money has been caused by that of his reason; and that, as in algebra, the minus on one side has been plus on the other. It is my belief that his forced confidence has been sadly abused. He, too, passes for an honest man. I am, very respectfully, sir, your obedient servant, V. M. GARESCHÉ.

Hon. Levi Woodbury, secretary of the treasury.

[G. D. Boyd is indebted fifty thousand nine hundred and thirty-seven dollars and twenty-nine cents (\$50,937 29), as per last settlement at the treasury.]

List of notes belonging to G. D. Boyd.

Table listing various financial notes and amounts, including entries for James Fullerton, Joseph Barron, Henry Brown, Nathan Tims, A. W. Harris, Henderon, James White, H. Fordson, H. Henderson, Wm. Logan, W. B. Williams, G. R. Fitter & Richard H. Walker, Thomas H. Rogers, Joseph Ivey, Wm Dodd & Allen Dodd, Andrew Atkinson, W. B. & H. J. Williams, Evans, Boyd & Co., and J. M. Lilly.

I have, also, say 20,000 acres of land unsold. I owe out of this one debt of \$1,200, which is all I owe, except some small debts. I have also an interest of half of the profits which may be made at about 15,000 acres more. G. D. BOYD.
June 5, 1837.

—Correspondence with Littlebury Hawkins, receiver of Helena.

Treasury department, January 20, 1835.
SIR: The department having received no duplicate of the monthly returns, required by its regulations, showing the transactions of your office, since your appointment, it becomes proper to call your immediate attention to this duty, and to inform you that promptitude and punctuality in this respect, and in the deposit of the public money, is to be regarded as paramount duties, and will be insisted on accordingly. I am, &c.

LEVI WOODBURY, sec. of the treasury.
Littlebury Hawkins, esq.
Receiver of the public money, Helena, Ark.

Helena, March 13, 1835.
DEAR SIR: Yours of the 30th January is before me; in reply to which I have to say, that, notwithstanding a want of promptness is somewhat manifest on my part, yet permit me to assure you that diligence on my part was, and shall on all similar occasions be used, in order to discharge promptly the functions of my office. But my apology is, at, owing to the river being closed, and no steamboats running, it was rendered entirely impracticable at an earlier day than I attended to it. Since my last deposit, I flatter myself that all promptness is been made use of. I have the honor to be your obedient servant, L. HAWKINS, receiver.
Hon. Levi Woodbury, secretary of the treasury, &c.

Helena (A. T.) July 5, 1835.
SIR: I have the honor to enclose the transcript of a sales of land at this office for the months of July, May and June. I am respectfully, your obedient servant, L. HAWKINS.

Hon. Levi Woodbury, sec. of the treasury, &c.
N. B. They were retained to the end of the quarter, with an intention of sending on an agent with them. Indisposition of the agent prevented.
L. H.

Treasury department, July 20, 1835.
SIR: I have received your letter of the 5th inst. enclosing register of sales and receipts for the months of April, May and June last. The transmission of these papers to this office is irregular, as will be seen by reference to your instructions. That error may be no further misapprehension in regard to the returns required, I have to state, for your information, that your quarterly accounts and vouchers, accompanied by the register of sales and necessary statements, are to be rendered to the general land office for settlement, immediately after the expiration of each quarter. Duplicate monthly returns, showing the balance on hand in the previous month, the aggregated receipts, and the several heads of disbursement in the current month, and the balance due, are to be rendered at the close of each month—one of which is to be sent to the secretary of the treasury, and the other to the commissioner of the general land office; and as a return of the latter description has been received on you since that for the month of January last, I just require your immediate attention to the omission.

The regular deposit of the whole of the public moneys, as prescribed by the regulations of the treasury, and the punctual transmission of your accounts and monthly returns, are paramount official duties. I trust you will so regard them, and by their strict observance, thus save the department the painful necessity of calling the attention of the executive to any future neglect in these respects. I am, &c.

LEVI WOODBURY, Secretary of the treasury.

L. Hawkins, esq.
Receiver of public money, Helena, A. T.

Helena, (A. T.) August 2, 1835.
DEAR SIR: Your favor of the 30th ultimo came duly to hand. I regret that I was compelled to leave to make my deposits at Natchez. The monthly and quarterly accounts, both, shall be furnished from the commencement of the operations of this office to the end of the last quarter, and shall be strictly attended to hereafter. I am, respectfully, your obedient servant, L. HAWKINS, receiver.

Hon. Levi Woodbury, sec. of the treasury.
[Balance due from Mr. Hawkins, one hundred thousand dollars, (\$100,000), per last settlement at treasury].

6.—Correspondence with U. G. Mitchell, receiver at Cahaba.

CIRCULAR.

Treasury department, February 28, 1835.

SIR: It has been intimated to the department that a practice prevails at some of the land offices of permitting entries and issuing certificates of purchase, without the payment of the purchase money at the time of the entry. Such a practice being unauthorised and highly reprehensible, I have deemed it proper to make known to you, that if it has been tolerated by you, it must immediately cease; and any repetition of it hereafter, coming to the knowledge of the department, will receive prompt and exemplary notice.

I cannot omit the occasion to impress upon you the necessity of a strict attention to, and punctual compliance with, the duties required of you in regard to the prompt deposit of the public moneys and transmission of your accounts and returns; and to say to you that the performance of those duties must be regarded as paramount to all other in your official station. I am, &c.

LEVI WOODBURY, sec. of the treasury.
To receivers of public money at Cahaba, Huntsville, Mount Vernon, Augusta, Chickasaw, Clinton, New Orleans, Ouachita, Denopopolis, Marietta, Sparta, Tuscaloosa, Columbus, Washington, Opelousas, and St. Helena.

Treasury department, February 4, 1836.

SIR: Your returns for the months of October, November and December, have not been received. I regret that there should be any occasion to notice the neglect or accident, (as the case may be), in this important duty; and avail myself of this occasion to inform you that, unless your future returns are received at this department within the month next succeeding that for which the return is rendered, it will place me under the disagreeable necessity of reporting the fact to the executive, in order to comply with the general rule in this class of cases. I am, &c.

LEVI WOODBURY, Secretary of the treasury.

To receivers at Palmyra, Missouri, October, November and December; Edwardsville, Illinois, November and December; Quincy, Illinois, November and December; Shawneetown, Illinois, October, November and December; Cahaba, Alabama, November and December; St. Stephen's, Alabama, November and December; Columbus, Mississippi, November and December; Mount Salus, Mississippi, November and December; Helena, Arkansas, December; Washington, Arkansas, December; Zanesville, Ohio, December; Vincennes, Indiana, December; Chicago, Illinois, December; Galena, Illinois, December; Vandalia, Illinois, December; Tuscaloosa, Alabama, December; Augusta, Mississippi, December; Choctawhatchee, Mississippi, December; New Orleans, Louisiana, December; Green Bay, Michigan, December; Batesville, Arkansas, December.

Receiver's office, Cahaba, Feb. 19, 1836.

SIR: I received your of the 4th instant. The press of business at this office has prevented the returns to be forwarded as soon as they are required.

I wish to know if it would be advisable to suspend the entry of land a few days at a time, in order to forward the returns sooner. The returns you mention have been forwarded. I shall spare no pains to comply with the instructions from your department. Respectfully, your obedient servant, U. G. MITCHELL, R. P. M.

Hon. Levi Woodbury, sec. of the treasury.

Treasury department, March 3, 1836.

SIR: The suspension of the business of the land office, for the purpose of enabling you to make out your monthly returns, cannot be permitted. As the returns are intended to be mere exhibits of your cash transactions for each month, and are not necessarily subject to the delay of detailed book entries, I can perceive no sufficient reason for their being withheld longer than the first week in each succeeding month. I am, &c.

LEVI WOODBURY, sec. of the treasury.
U. G. Mitchell, esq. receiver of public money, Cahaba.

Treasury department, November 24, 1836.

SIR: Besides the neglect complained of in my letter of the 18th instant, I regret to be obliged to take notice of another, equally culpable: it is the omission to deposit the public money at the intervals prescribed in the instructions of the department by you since the 23th July last, although the balance on hand on the 31st August amounted to \$62,910 1-3, as shown by your returns of that date. I must therefore claim your immediate attention to the subject. I am, &c.

LEVI WOODBURY, sec. of the treasury.
Receiver of public money, Cahaba, Alabama.

Receiver's office, Cahaba, December 8, 1836.

SIR: I received yours of the 24th November. I am truly sorry you think I have neglected my duty about depositing the public moneys; that is a thing I never have neglected, sick or well. On the 14th November, 1836, I enclosed you the cashier's receipt, dated 31st October, 1836, for \$136,091 34.

As I wrote you before, the delay of my returns was owing to my indisposition; I have just got so I can attend to my office. Respectfully your obedient servant, U. G. MITCHELL, R. P. M.
Hon. Levi Woodbury, Secretary of the treasury, Washington, D. C.

Treasury department, Jan. 17, 1837.

SIR: I enclose a copy of a note submitted to the department in reference to the conduct of your assistant, in charging a discount on moneys received in payment for public lands; and have to request that you will furnish the department with full explanations. I am, &c.

LEVI WOODBURY, sec. of the treasury.
Receiver of public money, Cahaba.

Receiver's office, Cahaba, Feb. 3, 1837.

SIR: I received yours of the 17th ultimo. I am truly sorry that any gentleman should find fault with the gentleman that I entrusted my office to in my illness. I can say to your department that Mr. Joseph Babcock is a gentleman of high standing and respectability; a man that is honest and correct in all his dealings; he stands as high as any gentleman in this section of country; and he would scorn to do any act derogatory to a gentleman. I now enclose you Mr. Babcock's statement, which I hope will be satisfactory to your department. Respectfully, your obedient servant, U. G. MITCHELL, sec. of public moneys.

Hon. Levi Woodbury, Secretary of the treasury, Washington city.

Cahaba, February 3, 1837.

DEAR SIR: At your request, I have to state, in answer to Mr. Boykin, charged with having received of him paper money in payment for land, that such was not the fact. Mr. Boykin requested me to take paper; I told him I could not, but that he could probably get his money changed in town. He replied that it was a hard case if he had to pay a per cent, and then asked me if I would exchange with him; I answered that I had specie of my own, unconnected with the public money, he could have at the current rates specie was at that time selling at in town, which was five per cent. He agreed to this arrangement, paid me for the exchange, and the specie was deposited by me for his land. Now, this is the true history of the transaction with Mr. Boykin. I used no funds but my own, which, as a free citizen, I intend I have an undoubted right to do. Very respectfully, your obedient servant, JOSEPH BABCOCK.

Uriah G. Mitchell, esq. receiver.

Treasury department, Feb. 18, 1837.

SIR: Your letter of the 3d instant is received; in reply to which, I have to observe, that neither you nor any other person in your employment should deal in exchanges, inasmuch as it tends to produce complaints, and subjects you to suspicion, however upright your views may be. I hope it will not be allowed hereafter. I am, &c.

LEVI WOODBURY, sec. of the treasury.
Receiver of public money, Cahaba, Alabama.

Treasury department, May 25, 1837.

SIR: I have to ask your attention to that part of the enclosed circular which relates to the transmission of your monthly returns to this office. I am, &c.

LEVI WOODBURY, Secretary of the treasury.

To receivers of public money, St. Louis, Palmyra, Cahaba, New Orleans, Choctawhatchee, and Montgomery.
[Mr. Mitchell, as late receiver at Cahaba, is indebted fifty-four thousand six hundred and twenty-six dollars and fifty-five cents, (\$54,626 55.)]

9.—Correspondence with Paris Childress, receiver at St. Helena.

Treasury department, July 13, 1834.

SIR: I regret to be under the necessity of noticing your omission to make returns for the months of April, May and June last. By a circular dated the 15th of January last, you were advised of the necessity of promptitude in this respect; it remains that I should again remind you, once for all, that this is a duty which must be punctually observed. I am, &c.

LEVI WOODBURY, Secretary of the treasury.
To receivers at Marietta, Ohio; Vincennes, Indiana; Fort Wayne, Indiana; Springfield, Illinois; Fayette, Missouri; St. Helena, Louisiana; and St. Stephen's, Alabama.

Receiver's office, St. Helena, (La.) Aug. 15, 1834.

Sir: In answer to yours of the 18th ultimo, I furnish you, herewith, my accounts for the months of April, May and June last, showing the transaction in my office. The office of register being vacant, no business was transacted; and I was of opinion that it would not be thought necessary by the department that I should reiterate from month to month the same statement, believing that my quarterly returns would answer every thing fully and satisfactorily. I am, sir, very respectfully, your obedient and humble servant,

PARIS CHILDRESS, receiver.

Hon. Levi Woodbury, secretary of the treasury.

CIRCULAR.

Treasury department, Feb. 28, 1835.

Sir: It has been intimated to the department that a practice prevails at some of the land offices of permitting entries and issuing certificates of purchase, without the payment of the purchase money at the time of the entry. Such a practice being unauthorised and highly reprehensible, I have deemed it proper to make known to you that, if it has been tolerated by you, it must immediately cease; and any repetition of it hereafter, coming to the knowledge of the department, will receive prompt and exemplary notice.

I cannot omit the occasion to impress upon you the necessity of a strict attention to, and punctual compliance with, the duties required of you in regard to the prompt deposit of the public moneys, and transmission of your accounts and returns; and to say to you that the performance of those duties must be regarded as paramount to all other in your official station. I am, &c.

LEVI WOODBURY, sec. of the treasury.

To receivers of public money at Cahaba, Huntsville, Montgomery, St. Stephen's, Augusta, Chocomauna, New Orleans, Oracida, Denonville, Mandeville, Sparta, Tuscolosa, Columbus, Washington, Opelousas, and St. Helena.

Treasury Department, Feb. 4, 1836.

Sir: Your returns for the month of December have not been received. I regret that there should be any occasion to notice the neglect or accident, (as the case may be), in this important duty, and avail myself of the occasion to inform you that, unless your future returns are received at the department within the month next succeeding that for which the return is rendered, it will place me under the disagreeable necessity of reporting the fact to the executive, in order to comply with the general rule in this class of cases. I am, &c.

LEVI WOODBURY, sec. of the treasury.

Paris Childress, esp. receiver at St. Helena, La.

Receiver's office, St. Helena, (La.) March 1, 1836.

Sir: With this you will receive my current aggregate of moneys received, and certificate of deposit for ten thousand dollars, from which it is to be seen there is a balance of two thousand two hundred and eighty-two dollars and five and a half cents in hand.

Your letter of the 4th of February has been received, and I should regret that any of my acts, for the future, should place you under the disagreeable necessity of informing the executive of my neglect of duty. I, like others, am liable to make mistakes and neglect my duty, but I believe seldom in comparison with others. But I shall endeavor, whilst I remain in office, so to act as to clear me from any suspicions relative to punctuality in returns. Yours, respectfully,

PARIS CHILDRESS, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, March 26, 1836.

Sir: Complaints have been made to the department that you do not reside at the land office; and that, in consequence, it frequently occurs that persons having business at the office are disappointed in seeing you, and obliged to return without being able to accomplish their business.

You are aware that, by the regulations of the department, you are required to reside at the place where the land office is located, while you fill the office of receiver. I must therefore claim your immediate attention to this matter. I am, &c.

LEVI WOODBURY, sec. of the treasury.

Receiver of public money, St. Helena, Louisiana.

Receiver's office, St. Helena, (La.) Aug. 12, 1839.

Sir: I have the honor to transmit to you, herewith, my account current and aggregate statement of moneys, and certificate of deposit for the month of July, showing a balance of five thousand two hundred and eleven dollars and thirty-eight and a half cents in favor of the United States.

I also will advise the department of the fact that I have removed to the office, and shall never be absent, unless to deposit. Respectfully, your obedient servant,

PARIS CHILDRESS, receiver.

Hon. secretary of the treasury, Washington city.

New Orleans, Feb. 25, 1838.

DEAR SIR: With this you will receive my account current, aggregate of moneys received, and account with the treasurer of the United States, which have been delayed in their transmission by my leaving the office, and there being no mail at Greensburg during the last month.

In this I also tender you my resignation as receiver of public moneys, being no longer worthy of the trust; and, in conclusion, must recommend Mr. T. N. Baylies as a gentleman more worthy to fill the vacancy than any one of the present applicants. Respectfully, your obedient servant,

PARIS CHILDRESS.

Hon. Levi Woodbury, Secretary of the treasury, Washington city.

Treasury department, March 19, 1838.

Sir: Your resignation of the office of receiver of public money at St. Helena has been received and accepted; and I have to request that the balance of public money in your hands may be placed in the Union bank, at New Orleans, to the special credit of the treasurer. I am, sir, very respectfully, your obedient servant,

LEVI WOODBURY, Secretary of the treasury.

Paris Childress, esp. St. Helena, La.

[Balance due from Paris Childress, twelve thousand four hundred and forty-nine dollars and seventy-six cents, (\$12,449 76).]

10.—Correspondence with M. J. Allen, receiver at Tallahassee.

Treasury department, Nov. 15, 1836.

Sir: The punctual deposit of the public moneys at stated intervals being enjoined by the requisitions of the department, it becomes proper to invite your special attention to this duty, and to require that the amount in your hands be placed to the credit of the treasurer in one of the deposit banks. To enable you to do so with more convenience, and to save the expense of travel, you are authorised to procure a draft on any convenient deposit bank for the funds on hand, and to allow a reasonable premium for the same. The draft so procured can be sent to the bank on which it is drawn, and credited to the treasurer. I am, &c.

LEVI WOODBURY, sec. treasury.

Math. J. Allen, esp. Receiver of public moneys, Tallahassee, Florida.

Treasury department, Feb. 21, 1837.

Sir: I regret to be under the necessity of complaining of your neglect to render your returns for November, December and January. Your immediate attention is requested to the subject.

I am, &c. LEVI WOODBURY, Sec. of the treasury.

Receiver of public money, Tallahassee, Fla.

Tallahassee, March 21, 1837.

Sir: Herewith are transmitted my accounts current for the months of January and February, 1837. I some time since received a communication from you, drawing my attention to the transmission of my returns for November and December of the last year; but, as they had been some time forwarded, I did not think it necessary to answer that communication; but, upon reflection, I feel uncertain whether I transmitted to you the monthly returns due your office—indeed, it had escaped my recollection that they were due you. You will much oblige me by informing me for what months accounts current are due you; and I will transmit copies of them immediately after its receipt. Very respectfully, your obedient servant,

MATTHEW J. ALLEN, receiver.

Hon. Levi Woodbury, sec. treasury.

Treasury department, April 12, 1837.

Sir: The monthly returns in arrear from your office are those for November and December last, as you have already been informed. I am, &c.

LEVI WOODBURY, sec. treasury.

Receiver of public money, Tallahassee.

Treasury department, January 13, 1838.

Sir: The acting quartermaster general has this day communicated to me a letter of lieutenant J. W. McGrath, dated the 2d instant, which states that you have refused to pay five drafts of \$5,000 each, drawn by the treasurer in your favor of major J. B. Brant, United States army. If a satisfactory explanation of this refusal shall not be re-

ceived by return of mail, it will be my imperative duty to lay the case before the president, for his final action upon your breach of official trust, to the great injury of the public service. I am, &c.

LEVI WOODBURY, sec. of the treasury.

M. J. Allen, esp.

Receiver of public money, Tallahassee.

Tallahassee, January 13, 1838.

Sir: I write this for the purpose of accounting to you for the fact of my having protested drafts on this office when there were funds in it to the credit of the treasury.

Before the suspension of specie payment, I received the notes of the two banks at this place, with an express understanding with their officers that it was to be considered as a special specie deposit. At the period of suspension at this place, the directors of those banks refused to recognise any difference between myself and their other creditors, on the ground that the officers of the banks were not authorised to make the contract which they did with me as receiver.

There remains, therefore, in those banks funds belonging to the treasury to the amount of about \$30,000 (unavailable at the time) in specie. This sum is perfectly secure, and will be immediately paid on the resumption of specie payments. The banks offered drafts on the north to the holders of those drafts which have been protested, but they refused to receive any thing except the specie. Very respectfully, your obedient servant,

MATTHEW J. ALLEN, receiver.

P. S. January 19, 1838. I have just discovered that by neglect this letter was not transmitted when written, and that my communication of yesterday, in which I refer to it, has preceded it.

M. J. ALLEN.

Tallahassee, January 15, 1838.

Sir: Herewith are transmitted my weekly returns for the first and second weeks of this month. You will perceive that though (for the reasons assigned in my last communication to you) I had been compelled to protest drafts previously presented for want of specie funds, yet I have paid one, viz: No. 2,915 on war warrant No. 8,211, since, for \$8,000, on the condition that the deficiency in bank (in specie) should be made up by my future deposits. Said deficiency is \$5,640 12.

The balance on hand, \$26,895 37½, is (as stated in my last) at present unavailable to the treasury, but perfectly safe; a part of the above balance is on hand in cancelled treasury notes, which will be transmitted as directed. Very respectfully, your obedient servant,

MATTHEW J. ALLEN, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, Feb. 2, 1838.

Sir: Your letters of the 13th and 15th instant are received. The department cannot recognise any such excuse as that assigned in your letter for the failure to meet its drafts in specie. The receipt of bank notes has been expressly prohibited. It is required that you will put yourself in a situation to pay all the money on hand in specie, if desired, by procuring it out in discharge of the drafts drawn on you if the holders demand it. I shall expect a full and satisfactory reply to this letter, by return of mail, in order that the whole subject may be submitted to the president. I am, &c.

LEVI WOODBURY, sec. of the treasury.

M. J. Allen, esp.

Receiver of public money, Tallahassee, Florida.

Tallahassee, Jan. 24, 1838.

Sir: I this day received your communication of the 13th instant, requiring an explanation of the fact of my having refused to pay four drafts of \$5,000 each, drawn on me in favor of J. B. Brant United States army.

I beg leave to refer you to my letter of the 13th instant, in which I have explained the reasons of my having been compelled to protest the draft above mentioned.

You will please inform me whether my explanation is satisfactory, and what course shall be pursued in regard to the public moneys on deposit, if the banks of this place. I am, very respectfully, your obedient servant,

MATTHEW J. ALLEN, receiver.

P. S. When in Washington last summer, I informed you personally of the situation of those funds. M. J. A.

Hon. Levi Woodbury, sec. treasury.

Treasury department, Feb. 5, 1838.

Sir: Your letter of the 24th ultimo is received. When you told me last summer that you had depo-

aited your funds in one of the banks at Tallahassee, I stated that this department had given no instructions to that effect, and could not recognise the act. I further stated that you must, through the bank or otherwise, meet the drafts of the department in funds satisfactory to the holders of our drafts. I can see no other alternative consistent with the law.

It will be a misfortune if the bank neglect its duty to you, which may justify a little delay; but the most obvious course is, at once to take steps to enforce that duty, or to procure funds elsewhere to discharge your obligation to the government as speedily as possible. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
Matthew J. Allen, *esp.*
Receiver of public money, Tallahassee, Florida.

Tallahassee, Feb. 21, 1838.

Sir: In the belief that you will apply the corrective, I feel it my duty to apprise you of some things which the agents of the government are doing in this quarter.

Mr. M. J. Allen, receiver of public moneys, is in the practice of exacting an exorbitant discount upon the bank note currency of the country, when offered in payment of public lands. I have before me a memorandum of two cases which occurred on the 16th instant. In one of them the discount was fourteen, in the other fifteen per cent.; and the gentleman who gave the memorandum stated to me that he had paid the receiver as much as twenty per cent. You will perceive that the effect of the specie circular is to enrich your office, at the expense of the people.

On the 8th ultimo, the cashier of the Union bank of Florida received from lieutenant John Williamson a draft of the treasury of the United States, on the receiver, for eight thousand dollars. The directions of Williamson were, to demand specie, with which to pay the workmen employed in the construction of the arsenal at Mount Vernon. The receiver had not the specie, and the draft would have gone back protested, but that, on a promise by Allen to refund the specie, the draft was paid by the cashier of the bank. I presume that the drafts of the treasurer are predicated upon funds reported to be in the hands of the receiver. It is matter of complaint, that citizens have applied to enter lands, their money was refused, and, after having converted their bank notes into land office money, upon another application for their land they have found it entered by the receiver or by his clerk, H. R. W. Andrews. It is less than two years since either the receiver or his clerk has been in office. Of the previous pecuniary resources of the first, I have no information; but I have been informed that the clerk was not worth five hundred dollars. On the 12th instant, M. J. Allen subscribed to the new stock of the Union bank of Florida forty thousand dollars; and in name of Allen and Andrews, twenty thousand dollars; the subscription to be secured by mortgage of land.

Should you deem this communication worthy of notice, and will commission the surveyor general, or any person possessing your confidence, to investigate the matter, I will adduce the testimony in proof of what I have written. Very respectfully,
JOHN G. GAMBLE.

The president of the U. S.

Tallahassee, March 17, 1838.

Sir: Enclosed are answers to the charges preferred against me by John G. Gamble, as communicated in yours of the 8th instant.

I expect to be in Washington city about the middle of next month, when I will call upon you [and explain] some of the circumstances connected with those charges.

The cashier of the Union bank of Florida has told me that he expected a draft in their favor, on me, for the amount of public funds in their hands. You will please inform me whether this arrangement will be made, that, if otherwise, I may take steps to convert those funds into such as will suit the government, as I wish to pay the whole balance on hand as early as possible. Very respectfully,
M. J. ALLEN.

Hon. Levi Woodbury, secretary of the treasury.

Tallahassee, March 17, 1838.

I divide the charges made by Mr. Gamble against me, as receiver, into three, and will answer them in the order made.

1. As regards my receiving bank notes at 15 per cent. discount.—I have, since about the 1st of January last, in a number of instances, (at the earnest request of persons wishing to secure lands which were unable to obtain the specie), received the notes of the Union and Central banks of Florida,

and none other, at a discount of 15 per cent. and at no other rate. Before I agreed to do this, the people were giving 20 per cent. for specie, and it was often not to be had at that. I have received nothing but specie or treasury notes lately; nor shall I again, under any circumstances. What I have received has been merely for the accommodation of persons desirous of securing land, for I could make nothing by the operation, as it would cost within a fraction of the 15 per cent. to convert Union bank funds into specie; and I knew I was doing it at my own risk, being bound to the government for specie. John G. Gamble is president of the Union bank, (as, probably, you know), and is now charging 8 per cent. for exchange on the north, and the same for treasury notes, in his own obligations.

2. As regards the draft for \$5,000 in favor of J. Williamson.—The statement of Mr. Gamble is substantially correct, and I have refunded the specie, as promised; but Mr. Gamble forgot to tell you that the Union bank had more than that amount of my funds in its hands, at that time, which he chose to call notes, contrary to justice and honor.

3. The charge that persons have applied to enter lands, their money being refused, and the land subsequently entered by myself or Mr. Andrews, is not fact, and I defy the evidence. Mr. Andrews is not my clerk, as Mr. Gamble very well knows; he is the clerk of Mr. Hackley, the register. I am attending to the duties of my own office. When away last summer, Mr. Robert B. Copeland was my agent.

The Union bank has lately bought out the Central bank of Florida; so that the amount in that bank, to my credit as receiver, is now due from the Union bank.
M. J. ALLEN, receiver.

Hon. Levi Woodbury, secretary of the treasury.

P. S. I invite the ablest and promptest investigation into my conduct as receiver, conscious that if I have erred, it has been through no improper motive.
M. J. ALLEN.

Tallahassee, April 13, 1838.

Sir: I have just received yours of the 2d current, saying it is proper I should submit such proof as may be in my power in support of the charges made against M. J. Allen, in my letter of the 21st of February last, addressed to the president of the United States.

Believing that you would direct an inquiry to be made here by some gentleman possessing the confidence of the department, and that Mr. Allen and the witnesses would be brought face to face, I have not deemed it necessary to obtain certificates to prove the charges. Indeed, I did not suppose they would be desired. Nor does your letter suggest a denial of any other than the charge in relation to the entry of lands which have been applied for by others.

The gentlemen whose names are associated with that charge reside more than sixty miles from this city. I will write to them this day to furnish the proof you ask; but the great irregularity of the mails may prevent a receipt of their answer for some weeks.

But, although you mention a denial of one charge only, your letter asks proof of "that and the other charges." I have accordingly written to the parties, (who I know did pay the discount on bank paper mentioned in my letter to the president), for their written statements. They, however, reside some seventy miles from Tallahassee, in an opposite direction.

I presume, however, that when Mr. Allen reaches Washington, he will not deny the practice of which he is charged, and that the delay of proof will be immaterial.

In support of the other two facts mentioned in my letter to the president, I have a certificate of the cashier of the Union bank of Florida.

I must here apprise you that, in practice, the two offices of register and receiver are virtually blended in one. The register, a most excellent and deserving man, had employed, as his clerk in the office, H. R. W. Andrews, to attend to the duties of the office. The receiver, Mr. Allen, subsequently employed the same Andrews as his clerk. Almost all of the business of both offices is done by this clerk. Both offices are kept in the same room; and, in practice, the check intended by law in the establishment of the two offices is useless. I am sure that the register is unaware of the impropriety of the course, and that he will apply a corrective upon your giving him a hint to that effect.

In conclusion, I will say that my action in this matter has been dictated by a sense of duty—a duty to be performed by some one, although unpleasant. With Mr. Allen I have never had an unkind word, nor have I had towards him an unkind feeling.
Very respectfully,
JOHN G. GAMBLE.

Hon. Levi Woodbury, sec. of the treasury.

Union bank of Florida,
Tallahassee, April 14, 1838.

I hereby certify that the statement made by John G. Gamble, in his letter of the 21st of February last, addressed to the president of the United States, in relation to the draft of the treasury department in favor of lieutenant John Williamson on M. J. Allen, receiver of public moneys, for eight thousand dollars, is a true statement.

I also certify, that, as stated in said letter, M. J. Allen did, on the 12th of February last, subscribe, in his own name, for one hundred shares (or \$40,000) of the stock of this bank, and in the name of Allen & Andrews, two hundred shares; making, together, a subscription of \$60,000.

I also certify that since that time H. R. W. Andrews, the clerk and partner of said Allen, has subscribed for \$3,000 more of said stock.

JOHN PARKHILL, cashier.

Tallahassee, April 18, 1838.

Sir: Since the date of mine of the 13th current, I have seen one of the gentlemen to whom I had been referred for proof "that, after refusing the money of applicants for land, the receiver had entered the same land himself;" and I find that my informant had misapprehended the facts of the case. The information was given in so positive a manner that I did not doubt its truth. But as there has certainly been mistake in one case, there may be mistake in the others; and I feel it my duty at once to apprise you of it, that Mr. Allen may not suffer from any untrue charge. The other charges, I understand, are not denied by him. Very respectfully,
JOHN G. GAMBLE.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, April 2, 1838.

Sir: Your letter of 17th ultimo is received, and Mr. Gamble has this day been written to, requesting him to forward any evidence in his power in support of his charges, and especially the third, which you deny, and which is very material.—When the evidence is received, the president will decide on the whole subject.

I understand that the bank has made an engagement to pay here \$10,000 on your account. If they pay more, it will be credited. I trust that the drafts heretofore drawn on you will be promptly paid. In the mean time, it is desirable to get all your accounts arranged, as the department cannot consent to your leaving Tallahassee till the subject is adjusted. I am, respectfully, your obedient servant,
LEVI WOODBURY,

Secretary of the treasury.
Receiver of public money, Tallahassee, Florida.

Washington, April 19, 1838.

Sir: Enclosed are two statements: one made by H. R. W. Andrews, and attested by R. J. Hackley, (the register at Tallahassee), going to disprove the third charge of Mr. Gamble; and one from H. R. W. Andrews, showing that my receiving bank notes at 15 per cent. discount was a relief to the people of 5 per cent. instead of being oppressive, as charged by Mr. Gamble.

You will perceive, by reference to the statement made below, (which you will find correct), that I did not leave Tallahassee on account of the charges preferred against me; but to transact important business in New York, which required my personal presence. I shall return to Tallahassee next month.

Very respectfully, your obedient servant,
M. J. ALLEN, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Statement referred to above.
Balance subject to draft Dec. 16, 1837 \$49,952 1/2

Balance subject to draft March 1, 1838 22,959 00

Reduction \$27,993 1/2

Amount received by me since I have been in office, to March 31, 1838 \$179,844 2/4

M. J. ALLEN.

[TO BE CONTINUED.]

CHRONICLE.

A man of a thousand. A citizen of Dorchester, in Massachusetts, and not the wealthiest in the town, has paid to a baker in that place the sum of \$1,852 15, within the last five years, for bread, which has regularly been distributed to the poor and infirm in the neighborhood. This is but one item, and the recipients of this bounty believe that he has bestowed double that sum in wood, provisions, and other necessities, to them and others, who are sick and unfortunate.

Cost of rail roads. The cost of sandy rail roads is thus stated in a late report of the directors of the Housatonic rail road:

	Per mile.
Cost of the Boston and Worcester road	\$37,000
" Boston and Providence road	42,000
" North and Worcester road,	22,000
" Western rail road	34,000
" New Jersey do.	45,000
" Camden and Amboy	40,000
" Columbia and Philadelphia	40,000
" Alleghany and Portage	45,000
" Albany and Schenectady,	61,000
" Utica and Schenectady,	19,000
" Sennington	52,000
" Hartford and New Haven, about	20,000
" Housatonic, about	15,000

Bank robbers arrested. About a year since, a package of bank bills amounting to \$6,300, belonging to the Ocean bank at Newburyport, and the Powow bank at Salisbury, Mass., was stolen from a small trunk in which it was sent to one of the Boston banks. The robbery was ascertained to have been committed by an Englishman, named Freeman, and others. Pursuit was made, but Freeman escaped, and sailed for England in the packet ship Westminster, where he arrived in safety with the vessel, and landed in England till March, when he returned with several accomplices, well furnished with all kinds of instruments for burglarious purposes.

The London police officers having full information of the designs of these villains, communicated the fact to lord John Russell, from whose office despatches were sent over hither to the British consul, and by him laid before the police by the high constable Hays, who also had letters from the Great Western, advising him of the fact of Freeman, under the name of Arnold or Colard, with his wife and nephew, named Arnel, alias Ager or Aggett or Eregt, having sailed in the ship Gladiator for this port. The arrival of the Great Western before the Gladiator, brought the intelligence in season to be successfully acted on, and high constable Hays having made arrangements with the keeper of the telegraph, to announce the Gladiator as soon as she appeared below, had his corps of officers, consisting of Homans, Sparks, B. J. Hays, and G. F. Hays, ready to pounce upon, and secure the villains as soon as they should come within their grasp.

The vessel arrived on Wednesday night of last week, and the next morning Freeman, whose real name is Colard, his wife and nephew Arnel alias Aggett was arrested. Colard is to be sent to Boston, on a requisition from Mr. Everett. The nephew is detained here, and the woman is discharged.

[N. Y. Ez.]

On the 19th inst. sixteen steamboats and seven schooners arrived at or departed from the harbour of Cleveland, on Lake Erie.

Dr. Wylie, president of Indiana college, had charges preferred against him in the legislature of Indiana, for mismanagement of the funds of that institution, and for other offences. The legislature ordered the subject to the board of directors, who, at the instance of the prosecutor, Dr. Foster, agreed to conduct the case with the customary regulations of a court of justice. The prosecutor, and the two gentlemen who endorsed the charges, were members of the board. Dr. Wylie was unanimously acquitted, one of the endorsers resigned his seat in the trial, and the other, with the prosecutor, joined in the verdict.

James river and Kanawha company. The canal has been doing a good business since it was opened. We have been favored by the toll-gatherer with a statement of the amount of produce brought down, and merchandise carried up the James river canal, and the amount of tolls received, from the opening of the canal, (January 12th), to the 13th of April, 1839, both inclusive:

Descending.

2,272 hhds. tobacco.
115 hhds. steam.
107,704 bushels wheat.
61,932 barrels flour.
196,900 lbs. miscellaneous articles.
625,800 lbs. manufactured tobacco.
300 tons bar and pig iron.
316 cords wood.
85,000 feet plank.
81,514 bushels coal.

Ascending.

2,325,500 lbs. merchandise.
2,066 sacks salt.
1,113 hhds. liquors.
351 tons iron.
1,533 plaster.
51,033 bushels corn, oats, &c.
Amount of tolls \$16,716 15.

The company are making the necessary arrangements to confer their improvements. They hope, that

it will be in their power to complete their work up to Lynchburg, by the 1st of January next. They are about to exert an effort for the same purpose. Thus the tolls will be greatly increased, and the confidence of the public and the legislature positively confirmed.

Pere le Chaise. I have wandered thro' that far-famed cemetery, that overlooks from its mournful brow, the gay and crowded metropolis of France; but among the many inscriptions upon those tombs, I read scarcely one—I read—to state so striking a fact with numerical exactness—I read not more than four or five inscriptions in the whole of Pere le Chaise, which made me feelingly refer to a future lie of I read of those cold marble tombs, the lamentations of bereavement, in every affecting variety of phrase. On the tomb of youth, it was written, that "its broken hearted parents, who spent their days in tears, and their nights in anguish, had laid down here their treasure and their hope." On the proud miser's tomb, where friendship, companionship, love, had deposited their holy relics, it was constantly written, "her husband inconsolable," "his disconsolate wife;" "a brother left alone and unhappy has raised this monument;" but seldom, so seldom, that scarcely ever did the mournful record close with a word of hope; scarcely at all it would be read amidst the marble silence of a future lie of the dead, that there is the beyond, and that surviving friends hope for a blessed meeting again, where death comes no more.

[Rev. Orville Dewey.]

The great bell of Moscow. Much has been said and written in relation to this wonderful mechanical production; and as there are many opinions afloat about the actual size of it, we subjoin a correct estimate of its weight and cost. Its actual Russian weight is 13,337 poods, 434,773 pounds English gross weight. It is 10 feet in the diam. of the upper Ann, and cost a sum equal to \$275,500 dollars. The sound of it rather amazed and deafened, than delighted the inhabitants of Moscow. Its real value is probably double its original cost, for every one ambitious to contribute towards it, threw gold or silver into the furnaces containing the metal, which were four in number. The geographical dimensions are as follows: The piece by which the bell was hung to the beam, from the top of the bell to the beam, 3 feet 1 inch; length of the bell, from the beam to the bottom, 21 feet 4 1/2 inches; diameter of the bell at the top, 7 feet 4 3/4 inches; diameter at the bottom, 22 feet 4 3/4 inches.

The Army and Navy Chronicle states that, the opinion of the court of inquiry, at St. Louis, in the case of lieut. colonel J. B. Brant, deputy quartermaster general, has not been promulgated, but its tenor may be inferred from the fact that a general court martial has been ordered to assemble at St. Louis, on the 15th June, for his trial.

The court will be composed of
 Bvt. brig. gen. John E. Wool, inspector gen.
 Bvt. brig. gen. W. K. Armstrong, col. 3d arty.
 Bvt. col. John E. Walbach, lieut. col. 1st arty.
 Col. George Croghan, inspector general.
 Col. Joseph W. Taylor, commissary of subs.
 Bvt. col. Wm. S. Foster, lieut. col. 4th infantry.
 Col. Truman Cross, ass't. quartermaster general.
 Major Henry K. Craig, ordnance.
 Major Matthew M. Payne, 2d arty.
 Major Hartman Bache, corps top. engs.
 Bvt. major Levi Whiting, 4th arty.
 Major Joseph F. Taylor, commissary of subs.
 Captain David L. Vinton, ass't. quartermaster.
 Captain Wm. C. De Hart, 2d arty. judge advocate.

Michigan. The legislature of Michigan adjourned sine die on the 21st ult. after a session of 15 weeks. The following appropriations in aid of internal improvements, were made during the session: To the Southern rail road, \$100,000; Central rail road, \$100,000; Northern rail road, \$100,000; Clinton and Kalamazoo canal, \$300,000; improvement of St. Joseph's river \$50,000; Grand river, \$25,000. The state bank of Michigan have been located by law at Detroit, Pontiac, Mount Clemens, Monroe, Adrian, Ann Arbor, Jackson, Marshall and Niles.

The appropriations for works of internal improvement, though greatly reduced from the sums originally proposed, and amounting in all to no more than \$350,000, are yet thought, by the Detroit Advertiser, to exceed the present means of the state. The whole of the balance in the treasury, \$7,000,000, amounting to upwards of \$500,000, is said to be unavailing and unconvertible, in the Michigan state bank; and the three succeeding instalments of the five million loan, will be required to meet existing liabilities, in the progress of the public works, and in reference to the ordinary expenses of the state government. In this state of things the Detroit Advertiser says: "We only perceive one mode, which we can perceive, for the pecuniary embarrassments under which the state, and the people thereof, are laboring, is time and retrenchment. It will go hard with our spoil-loving rulers—but they must come to it. Necessity is a stern master. They have exhausted the treasury—exhausted the people—exhausted their credit—now they are about to become economists from sheer necessity. It is time they should."

A few days before the adjournment of the legislature, gov. Mason sent a message to the house of representatives, vetoing the bill "for the relief of certain scultors on the state lands."

Steam vessels of war. We learn from the New York American, that the board which have been si-

ting in Washington, to devise and recommend plans and models for steam vessels of war, have determined to build two steam frigates over 1,600 tons burden, to carry ten guns each, six two bomb cannon, and eight forty-two pounders. One is to be constructed at the Brooklyn navy yard, under the superintendance of Mr. Hart. The other it is supposed, at Philadelphia.

Gen. Wool, accompanied by lieut. Macomb, as assistant, passed up the Mississippi on the 7th inst. on his way to Fort Gibson, having already inspected the posts on Red river. [Army and Navy Chronicle.]

Mr. Verplanck has made a report to the senate of New York, on internal improvements. It proposes expenditures as follows:—

For the Erie canal, including what has already been expended	\$24,000,000
For the lateral canals, including what has already been expended and appropriated	8,000,000
For rail roads,	12,000,000

Present debt,

	8,000,000
	52,000,000

Deducting amount already expended or appropriated, and included in the present debt,

	5,000,000
Balance,	\$17,000,000

Which will be the total amount of the public debt at the completion of all the public works.

The "Wetumpka trading company," a free banking association at Wetumpka, in Alabama, has gone off bodily. The president, directors and company, have absconded to Texas, with all the property of the concern, upon which they could lay their hands. The Wetumpka paper says, that "the systematic adroitness with which they have swindled the community out of \$25,000 to \$40,000, puts Dr. Dyott and the Wild Cat banks at defiance."

Charles P. Clinch has been appointed deputy collector of the port of New York.

The Alexandria Gazette of yesterday states, that CHARLES BERRY, esq. late of that town, having professed his belief in the immortality of the soul, after leaving by his will several legacies to his friends, has devised the residue, being the bulk of his estate, to his executors, in trust, for such purposes as they may consider as promising to be most beneficial to the town and trade of Alexandria.

St. Louis. The population of St. Louis, Mo. is supposed, at this time, to fall little, if at all, short of 20,000. This number we must remember only includes the inhabitants of the city proper. Including the suburbs, it is supposed that the population would exceed 30,000. Several new churches are in progress in the city, as we learn from the Republican of the 12th inst. The Second Presbyterian church have commenced a building of handsome style and finish, on the corner of Fifth and Walnut streets. The Methodist Episcopal church have purchased for \$3,000, a lot on the corner of Fifth and Second streets, of which they propose to erect a more spacious building than that which they now possess, and which, though among the largest in the city, is found insufficient for their accommodation. The Catholics are also erecting a new and spacious church in Soular's Addition of St. Louis; and several other buildings, as schools of worship, besides the mentioned ones, are in contemplation; and no doubt, by the high prices of materials and labor, as the Republican remarks, will prevent the immediate commencement and early completion of all or most of these buildings.

The state bank of Michigan. The legislature have elected the following gentlemen directors of the state bank of Michigan, viz. Edward Mundy, John Biddle, John S. Barry, Robert Stewart, B. F. H. Withersell, Zina Fischer, Charles Noble, and G. W. Jermaine.

The Detroit Advertiser, in a recent issue, says: "From the political character of these gentlemen, it will be seen that the legislature have carried out, in the choice of directors, the spirit of compromise in which the bank bill was conceived and enacted. This fact, together with the high character of the directors, both at home and abroad, gives assurance that no ordinary circumstances will prevent the bank from being put in successful operation, and answering the warmest expectations of its friends."

The Michigan house of representatives, have postponed indefinitely, the senate's bill, to remove the capitol of that state from Detroit to Marshall.

A relic of antiquity. Mr. R. S. Prescott, of this city, in searching the bell, in what is called the Yorkshire quarry, a few rods from the Derby turnpike, a few days since, turned up from a deep burrow, an ancient silver coin, of about the size of a half dollar, which, on being cleansed, was found to be in good preservation. It is covered with Hebrew characters, (as we are informed, not having seen it), and bears the date of 1000, in Arabic script. The Hebrew coins of the reign of 610 years ago. It is a mystery how it came there, as the land is in a suburb of the town, was never built upon, and for many years was not cultivated. We hope some learned antiquarian will give us a correct description of it. [New Haven Herald.]

NILES' NATIONAL REGISTER.

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[VOL. LVI.—WHOLE No. 1,441.]

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN-NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE

APPOINTMENTS BY THE PRESIDENT. *Nathan Luffborough, Joshua Pierce, John Cox, James Gettys, Lewis Carbery, George Naylor and C. H. Willberger,* to be members of the levy court of Washington county.

Thomas Carbery, Bernard Hove and William M. nor, to be inspectors of the penitentiary.

Samuel Smoot to be justice of the peace for the county of Washington.

George Hill, of Connecticut, to be consul of the United States for the port of Boodroom, in Turkey in Asia.

Arnold Plumer, of Pennsylvania, to be marshal of the United States for the western district of Pennsylvania, in the place of Seth Salisbury, removed.

On Thursday, the 9th instant, the hon. *Richard G. Dunlap* was introduced by the secretary of state to the president, and delivered his credentials as minister plenipotentiary and envoy extraordinary of the republic of Texas.

MILITARY ACADEMY. The following gentlemen have been invited to attend the ensuing examination of the cadets of the United States military academy, to commence on the second Monday in next month. [Globe.]

Gen. G. Temple Winthrop, Massachusetts.

Gen. John Pickering, " "

Hon. John McKeon, New York.

Gov. W. L. Marcy, " "

Hon. Byram Green, " "

Hon. R. C. Grier, Pennsylvania.

Rev. William R. De Witt, " "

Hon. Thomas M. Pettit, " "

Col. William Drayton, " "

Dr. Charles Magill, Maryland.

Johnson Reynolds, esq., Virginia.

Abrm. W. Venable, esq., North Carolina.

Rev. J. Bachman, South Carolina.

William H. Elliot, esq., " "

Dr. C. Milton Reek, Georgia.

Col. F. Jordan, " "

Rev. J. J. Bullock, Kentucky.

Abrm. Litton, esq., Tennessee.

B. M. Atherton, esq., Ohio.

Hon. William Hendricks, Indiana.

Gen. Thomas A. Smith, Missouri.

Gea. J. R. Fenwick, United States army.

RHODE ISLAND. The votes at the recent election in this state having been counted, it appears that seven senators, all whigs, have been chosen. Samuel W. King is chosen by a majority of 528 over all others; Hezekiah Bosworth by 100; Jonathan Reynolds by 114; Ezekiel Fowler by 100; William S. Browning by 116; Olney Whipple by 129; Henry Aldrich by 165.

There are still three vacancies in the senate—but as a quorum has been chosen, no new election will take place, and the first senator, Samuel W. King, will officiate as governor. The whig majority in grand committee is 17. John Sterne, the administration candidate, has been chosen general treasurer by a majority of 38; Henry Brown, secretary by a majority of 902; Albert C. Greene, attorney general without opposition; both whigs.

CONNECTICUT. The spring session of the legislature of this state commenced last week, being the first meeting since the late general election. The strength of parties in the house of representatives was tried upon the election of a speaker. The votes were for Wm. W. Boardman (whig) 109; for Chas. Woodward (V. B.) 74; scattering 3; showing a whig preponderance of thirty or forty votes. John A. Rockwell (whig) was elected president pro tem. of the senate.

Governor Ellsworth's message is very temperate and guarded in its allusions to national politics, but presents his views against the sub-treasury scheme, very fully and frankly. It develops an admirable financial condition of the "land of steady habits." Connecticut owes nobody a farthing, and has \$21,000,000 in her treasury, beside a school fund of \$2,000,000, yielding an annual revenue of \$104,000. The state paupers cost \$1,700 a year for their maintenance; but the state prison earns a net sum of \$3,000 or over.

LEGISLATURE OF NEW YORK. The legislature of this state adjourned on Tuesday at 12 o'clock, sine die. A slip from the Albany Argus says:

The number of laws passed during the session is large, 390; but the acts of public importance may be said to lie in a nutshell. Indeed we recollect at this moment only the acts allowing the issue of small bills; concerning foreign bank notes; concerning the compensation of the clerks of the supreme court and registers of clerks in chancery; and to preserve the purity of elections, as of general importance; the two latter of which passed at the last moment.

The bills in aid of the several rail road companies, having been held by the assembly by a preconceived political arrangement, until within a few days of the adjournment, and then pushed through indiscriminately, and thrown upon the senate in the midst literally of all the public business of the session, that body did not find time to take them up, nor inclination to allow them to rush through, in an accumulated mass, without the opportunity to discriminate among the applications, or to give such as were meritorious the consideration the subject demanded. The house held possession of them nearly four months, and then threw them upon the senate under the circumstances we have stated. They were not called up in the latter body.

The bill to authorise the construction of the New York, and Erie rail road by the state, was rejected in the senate, and after full discussion in both houses—the bill not being in a shape to receive the votes of all who were in favor of the measure in some form.

The senate rose and reported on the bill to reduce the size and cost of the Erie canal enlargement to six feet by sixty, on Monday; but were not able, under the pressure of other matters, to go again into committee on the subject. But if the question had been brought to a vote, we do not doubt that a decided majority were in favor of this saving to the state of some \$500,000.

The bills to extend (for five years) the charters of the Long Island bank, and the bank of Rochester, became laws.

The assertion of the Argus, that "the bills in aid of the several rail road companies having been held in the assembly, by a preconceived political arrangement, and then pushed through indiscriminately," is without a shade of foundation in truth—it is well known that these bills were denounced, and determined to be rejected in a caucus of the ex-regency held last week. The federal loco focus in the senate have "taken the responsibility" of defeating these internal improvement bills, as they did the election of United States senator, and the Jesuitism of the Argus will not blind the eyes of the people to this violation of their rights.

[N. Y. Times.]

MR. WEBSTER IN BOSTON. Mr. Webster's personal friends in Boston gave him a private dinner on Monday evening, at the Tremont house. About 150 of them sat down to a rich feast, well arranged and prepared with great good taste. The dinner was rather private than public—a few only of the many among Mr. Webster's friends being present. Among the speakers were Mr. Webster, governor Everett, Mr. Lathrop and the rev. Mr. Winslow. Mr. Webster took occasion to remark that he had no thought of changing his place of residence after his return from England as had been intimated in some of the papers; Boston had been his home for 23 years. He went there a young man and was now too old a man to change his social relations, and leave old friends for new ones. Boston was his home, and in this world he desired no other. The Tremont dinner was intended as a sort of adieu meeting to Mr. Webster prior to his leaving for Europe. The feast was both intellectual and social, and the meeting and parting was conducted in the best spirit.

FROM FLORIDA. We learn from Tampa Bay, says the Tallahassee Floridian of the 4th inst, that a short time since the hostile Indians under Nhe-Stoco Mata, principal chief of the Tallahassee, with one hundred warriors, went into Tampa and carried off all the Indian prisoners at that post. They likewise returned the night following, crossed the river and reconnoitred the post and barracks. —

They refuse to come in to treat with the whites, and left word with a white man whom they held prisoner during one night, that if gen. Macomb wished to treat with them he must come to their camp. It is said they are unwilling to leave the territory until better satisfied of the situation of their friends who have emigrated; that they will retire down the peninsula and defend themselves until overpowered. No depredations have been committed recently, and they declare their intention to remain peaceable unless disturbed by the whites. We have no intimation of gen. Macomb's further movements.

COTTON SPECULATIONS. The New Orleans papers have lately contained many paragraphs on the subject of very extensive dealings in cotton by a single individual, the initials of whose name only are given, (V. N.), but who seems to have alarmed the merchants, who have in turn arrested his operations, and, in doing so, arrested him, and prevented his loaded vessels from leaving port. The following is the latest paragraph on the subject from New Orleans that we have seen:

From the Louisianaian, April 30.

The great speculator. The operations of this individual have occasioned great embarrassment in the market. An immense quantity of cotton is temporarily thrown out of the way of purchasers, in consequence of being seized by the sheriff. Some of the cotton factors have been severely distressed to meet their engagements, having depended for that purpose on the punctual payment in cash of the sums due them by the speculator. Many ships of the first class, laden or partly laden with cotton on his account, have been detained. In fact, the commercial part of the community is thrown into excitement and confusion by all these circumstances, and it will require the lapse of some time, and we fear, a long course of judicial proceedings, to restore affairs to their former calm.

On this subject the New York American of Monday last has the following paragraph, which throws more light upon the matter:

"Mr. Vincent Nolte, well known in this community and in New Orleans, has recently been purchasing cotton on speculation very largely—from 80 to 40,000—in the latter city. When the accounts by the Great Western reached New Orleans and sent cotton up, those who had not before ventured as purchasers began to investigate the more daring purchases of Mr. Nolte, and by hints and innuendoes, as is said, occasioned distrust about his ability to comply with his contracts.

"This led to withholding deliveries, seizing ships loaded, and finally to holding Mr. Nolte himself to bail, in which state things were at the last accounts. We have confidence that Mr. Nolte will carry through his undertaking successfully, and, we hope, profitably to himself."

LATEST FROM TEXAS. The packet Columbia, 43 tons from Galveston, arrived at New Orleans on the 30th ult.

They had a splendid ball on the 22d ult, in honor of the victory of San Jacinto.

An attempt was made on the 25th, by a couple of young bloods to fight a duel, near Galveston, but they were interrupted by the sheriff.

A large cargo of ice had arrived at Galveston, and the erection of the house to keep it in during the season, is announced.

The Civilian and Houston Intelligencer continue at loggerheads. They cast insinuations at each other and call pretty hard names.

UPPER CANADA. Recall of sir George Arthur. The Hamilton Express, of the 27th ult, has the following postscript:

"We have good authority for stating that sir George Arthur has been recalled:

Outrage on the Stephen Girard. The following communication from gov. Arthur, was sent by lieutenant Jones, of the British army, as special messenger, to the collector at Cleveland, in explanation of the recent insult offered to an American vessel in the waters of the Welland canal:

Government house, Toronto, 25th April, 1839.

Sir:—An account has just reached the lieutenant-governor, that a gross insult was offered by some militia on Monday last, to the master of the American

schooner Stephen Girard, of Oswego, while that vessel was lying at Port Colborne, on her way to Cleveland. No official report of this reprehensible proceeding has yet been received; but by a letter from the collector at Port Colborne, to a director of the Welland canal, it would appear that some militia men, in a state of intoxication, boarded the vessel, cut the pennant halyards, and by threatening language compelled the master to throw them on shore. They also endeavored to impede the progress of the Stephen Girard, through the canal, and in this attempt her jolly-boat was materially injured.

His excellency trusts that it can hardly be necessary for him to express the great concern he feels on this occasion; nor is it his wish to palliate an offence, the commission of which has excited his highest displeasure.

He hopes, however, that you will do every thing in your power to allay the angry feelings to which such an outrage is calculated to give rise; and by the publication of a true statement of the facts of the case, to divest it of that false coloring with which it will probably at first be represented. It will, likewise, perhaps be regarded by you as a part of your duty to direct the attention of your countrymen to those lawless and cruel aggressions on this province, which have provoked an act of a retaliatory character from a few drunken soldiers; and his excellency doubts not but that every proper means will be employed by the public functionaries of Cleveland to compose and tranquilize the public mind. In the same spirit he authorizes me to assure you, that the perpetrators of this outrage shall be visited by the severest punishment our laws will permit; and that such effectual means shall be immediately adopted to prevent its recurrence as will enable your vessels to pass through the canals without the slightest danger of interruption or annoyance of any kind. For your further satisfaction on this point, his excellency has directed an intelligent officer to proceed instantly to Cleveland, to afford every explanation that can reasonably be required on the subject of my present communication.

I have only to add, that it is the particular desire of the lieutenant-governor that the master of the Stephen Girard should come here to substantiate the charges against the militiamen, who are now under confinement, and that he may rely on experiencing protection and kind treatment from us. I have the honor to be, sir, your most obedient, humble servant.

R. D. TUCKER, prov't, Sec'y.
S. Starkweather, esq. collector of customs, Cleveland.

LATE AND IMPORTANT FROM CHINA. Suspension of trade—*Mob law in the Celestial Empire.*—By the ship York, from Canton, we have advices to Jan 12th. The smuggling of opium had continued to increase until Dec. 3d, when 203 cattie being about to be landed in front of the foreign factories at Canton they were seized, and the foreign trade entirely suspended.

The Coolies who were arrested accused Mr. Innes, a British merchant, of having sent money to Wampoa for the purchase of the opium, and Mr. Talbot of the American house of Talbot, Olyphant & Co. of having imported the same in the ship Thos. Perkins. The hatches were ordered to be sealed, and Innes and Talbot to be expelled. The hong merchant Poonhoyqua, who was security for the Perkins, was exposed in the pillory.

Several communications may be passed between the chamber of commerce of the foreign residents and the governor. Mr. Talbot declared his innocence, and that the Perkins brought nothing but rice. The chamber remonstrated at the treatment towards him and the hong merchants.

Mr. Innes was directed to leave immediately or his house should be pulled down. On the 12th Dec. matters grew worse in consequence of the attempt of the authorities to insult the foreign merchants by stranding in front of the factories a Chinese accused of smuggling opium. An immense crowd gathered on the square, and the foreign residents and the crews of the vessels resisting the execution, the Coolies consented to remove the instruments and criminal to another place. The crowd up to this time were friendly, but the foreigners indiscreetly struck back some of the Chinese with canes, the mob turned on them, and pelted them with showers of stones.

The old hong merchant Howqua now appeared on the scene, and beckoned to the foreigners to retreat, which they did, into the imperial hong. The mob, amounting to some 8,000, tore up the palisades, and did much injury to the verandahs and doors of the factories by brick bats, stones, &c. The military were finally called in and the mob dispersed.—The troops, with their camp fires and gorgeous lan-

terns, bivouacked on the square during the night. Capt. Elliott, superintendent of the British trade, arrived in the course of the night from Wampoa, with 120 of the crews of the shipping. The chamber of commerce on the 14th remonstrated against the execution of criminals on the factory ground. The governor replied that the ground was the emperor's, the executions should go on if the smuggling did not cease. A few days after his excellency published an order declaring Mr. Talbot innocent. Mr. Innes went to Macao.

Captain Elliott, at a meeting of the foreign merchants, chiefly Americans, admitted the foreigners were engaged in the smuggling, and declared that in regard to the British he should put a stop to it, as it was disgraceful, and would lose them the entire trade with China. He issued a notice prohibiting all British boats engaged in the smuggling to return to the Boeca Tigris, and enjoining respect to Chinese authorities, &c.

The trade was re-opened Jan. 1.

Numerous brilliant meteors were seen at Canton by the missionary, the rev. Dr. Parker, on the 9th and 13th November. The doctor had been honored with a request to prescribe for the Namby.

Business is not yet re-established since the blow it received by the troubles.

The hong merchants have determined to give no security for ships until the captains and consignees give security that they are not engaged in smuggling opium. As the captains and consignees cannot give this security, the residents have petitioned to have the hong merchants compelled to give security as before, which request would probably be granted. The prices for the new teas were not yet fixed.

[N. York Star.]

STEAMBOAT GLASGOW. We find in the St. Louis Bulletin of the 26th April the following particulars of the destruction by fire of the steamboat William Glasgow:

The William Glasgow, captain Littleton, on her passage from Pittsburg to this port, while in the Mississippi about 15 miles from the mouth of the Ohio, on Tuesday last took fire in the hold, and was consumed to the water's edge. Such was the rapid progress of the flames, that nothing was saved but a trifling amount of baggage by a few of the passengers, and the books of the clerk's office.

There was on board at the time upwards of a hundred passengers, consisting chiefly of emigrants, destined for Illinois and Missouri. Many of these emigrants had with them considerable sums of money in specie, most of which was lost. One person lost in specie \$3,500; and the whole amount is conjectured to be not less than \$15,000, besides furniture and other property. In truth, many families are literally beggared. The steamer North Star, which arrived here this morning, bringing the above intelligence—succeeded, at great risk to herself, in rescuing a number from the burning wreck, and brought to this place about one half of the passengers, some of whom are in a very destitute and pitiable condition. The Glasgow had on board two hogheads and some kegs of powder, which fortunately did not explode until the persons on board had made their escape.

The confusion and trepidation of the passengers no doubt in this case, as in all similar ones, occasioned a needless abandonment of property, and, we are pained to add, the loss of one if not two lives. A German, named Henry Brink, in the desperation of the moment, leaped into the water and perished, leaving a widow and two children. The captain and a portion of the passengers remained behind, without, however, the faintest prospect of recovering any thing, as the fire and explosion have completely annihilated both boat and cargo.

WAR. War has been well called a destroyer—it reverts upon blood and treasure. The mighty inroads which it makes upon the finances of a nation, may be seen by the following table of the expenditures of the British government for six successive years, ending with the battle of Waterloo, which gave peace to Europe:

Years.	£	s.	d.
1810	89,110,154		
1811	92,190,699		
1812	103,421,583		
1813	120,952,667		
1814	116,843,859		
1815	116,491,061		
	£639,009,955		

A very large proportion of this 639 millions of money, wrung from the people of Great Britain, and irretrievably lost, was squandered in prosecuting the peninsular war!

SPECIAL MISSION TO ENGLAND.

From the Globe of yesterday.

The president has determined not to send a special minister to England at present, and we are permitted to publish the following extracts from the correspondence between Lord Palmerston and Mr. Stevenson as explanatory of the views of the two governments upon the subject.

[EXTRACT.]

Mr. Stevenson to Lord Palmerston.

Lord Palmerston has probably already been apprised that, among the proceedings of the congress of the United States at the close of its late session provision was made for a special mission to Great Britain, in relation to the subject of this controversy, should it, in the opinion of the president be deemed advisable to appoint one. In virtue of this provision, the undersigned has now the honor of acquainting his lordship that the president of the United States (desirous of conforming to the indicated wishes of congress) has directed him to announce to her majesty's government his willingness to institute such a mission, and change the place of negotiation, which had heretofore been agreed on, from Washington to London; provided it should be agreeable to her majesty's government to do so, and would, in their opinion, be the means of hastening or facilitating the final adjustment of the controversy.

In submitting this proposition of the president, which he has now the honor of doing, the undersigned flatters himself that Lord Palmerston will not fail to appreciate the motives which have influenced the president in making it, and see in it, not only an additional proof of his desire to terminate amicably this protracted and painful controversy, but the earnest solicitude which he feels to place the relations of the two countries beyond the reach of those casualties by which, in the present state of things, they are so liable to be injured.

To this proposition, the undersigned has been directed respectfully to urge the early consideration of her majesty's government.

The importance and urgency of bringing to a speedy close the pending negotiation, and the existing embarrassments in which the two countries are now placed, will, the undersigned persuades himself, sufficiently explain the earnestness with which he has presented the subject upon the consideration of Lord Palmerston; and, in closing this note, he can but indulge the confident hope that the final determination of her majesty's government will not only correspond with the just expectations which are entertained by his own government, but that it will be the means of leading to such an adjustment of the whole controversy as may be compatible with the just rights and honor of the two countries, and the peaceful and friendly relations, upon the preservation of which so essentially depend the prosperity and happiness of both.

(Signed) A. STEVENSON.

Portland Place, March 30, 1839.

[EXTRACT.]

Lord Palmerston to Mr. Stevenson.

Her majesty's government consider the communication which Mr. Stevenson had been instructed to make to the undersigned upon the subject of the proposed mission of a special envoy to England as a fresh proof of the friendly disposition of the president, and of the frankness which it is hoped will always characterise the intercourse between the two governments; and her majesty's government hastens to reply to that communication in the same spirit and with the same frankness. The president is desirous of knowing whether such a mission would be agreeable to her majesty's government, and whether it would, in their opinion, be the means of hastening or facilitating the final adjustment of the controversy. That it would always be agreeable to her majesty's government to receive any person enjoying the confidence of the president, and sent hither to treat of matters affecting the interests of both countries, the undersigned is persuaded that the government of the United States cannot possibly doubt; but her majesty's government do not see that in the present state of the negotiation such a mission could be likely to hasten or to facilitate the adjustment of the controversy. It was the wish of the British government in 1831, when the award of the king of the Netherlands was given, that any further negotiation which might be necessary upon this subject, should be carried on in London. But the government of the United States expressed a strong desire that the seat of negotiation should be in Washington, and the British government acquiesced in that arrangement.

Now the question at present to be considered is whether any advantages would arise from transferring the negotiation to London.

Undoubtedly if the state of the negotiation were such that the two governments were at liberty to arrive at a final and immediate settlement of the controversy, by a conventional division of the territory in dispute, her majesty's government would be of opinion that advantage might arise from the mission proposed to be sent to this country by the government of the United States. But Maine having refused to agree to a conventional line, and another reference to arbitration being in the present state of the matter out of the question; the only course left open for the two governments, with a view to arrive at a solution of the controversy, is to cause a fresh survey of the territory to be made, for the purpose of endeavoring to trace upon the ground itself, the line of the treaty of 1783; and the undersigned is sending to Mr. Fox, for the consideration of the resident, a draft of a convention for the purpose of regulating the proceedings of the commissioners to be appointed by the two governments for this end; and her majesty's government hope that the report these commissioners will either settle the question at issue, or furnish to the two governments information as may lead directly to a settlement. But as being the present state of the matter, it appears to her majesty's government that a special envoy now sent from America, would not, on his arrival in this country, find any thing to discuss or to settle in connection with this question, a discussion or settlement of which could be of importance commensurate with the expectations which such a mission would naturally excite on both sides of the Atlantic; and that if, in consequence thereof, the envoy so sent were to return to the United States, before the two governments had fully settled the whole question, a disappointment might thereby be created which, however unfounded it would be, might, nevertheless produce bad effects in both countries.

Her majesty's government having thus stated, without reserve, their impression upon this matter, we have the decision of it to the president; and the undersigned has only further to assure Mr. Stevenson that her majesty's government are very sensible to spirit of friendly confidence, which has dictated Mr. Stevenson's communication.

(Signed,) PALMERSTON.
Foreign Office, April 3, 1839.

FROM MEXICO.

The New Orleans True American, of May 1, announces the arrival of the U. S. cutter *Wood- y*, with \$50,000 in specie, from Tampico, from which port she sailed on the 20th ult. From the paper we learn that the government forces were leagues from that place. Both parties are re- sented as wanting strength.

Mexia was at a small place on the coast, 40 miles N. of Tampico. He had 1,700 troops, and was sent to march on Puebla. At Tampico the town is quiet and in possession of the federalists.— There were about 1,000 men under arms and the town was being fortified.

The only American vessel in the harbor was the U. S. sloop *U. S. Stead*, which was at anchor on the side, and would remain there for the protection of the American residents. Mexia will not make attempt on Vera Cruz. It is rather too well garrisoned to resist any force he can bring against him to hope to take it.

The commerce of Vera Cruz has been resumed. There were about 1,200 government troops on duty in the city. The French squadron consisting of three men-of-war, were lying at Sacrificios, and the *Island*. The English had one sloop of war, and under the castle. The U. S. ship *Ontario* at Sacrificios, com. Shubrick, with the *Macean*, was on his way to Vera Cruz. The *Yan- na* was at Laguna, and the *Levant* at Matanzas.

When the federal army left Tampico, they chartered four American vessels, then lying in that port, for seven hundred dollars was advanced to each vessel for its services for twelve days. They all sailed to Tampico with troops and munitions of war. On the arrival (on the 11th day after their departure), the schooner *Andrew Jackson*, of Modoc discharged her soldiers and one field piece, then put to sea, as it is reported in Tampico, three brass field pieces, 500 stand of arms, and a large quantity of fixed ammunition. This loss will doubt greatly effect the operations of general Mexia, as he depended on these arms to equip such recruits as might arrive from the interior. The Louisiana of May 24, has the following relation of the treaty of peace and indemnity between Mexico and France:

The name of the most Holy Trinity— the president of the republic of Mexico, and his majesty the king of the French, desirous of termi-

inating the war which unfortunately prevails between the two countries, have chosen for their plenipotentiaries respectively, to wit: his excellency the president of Mexico, Manuel Eduardo Gorostiza, minister of foreign affairs, and Guadalupe Victoria general of division; and his majesty the king of the French, Charles Baudin, officer of the royal order of the legion of honor—

Who, after interchanging their full powers, and having found them good and in good form, have agreed upon the following articles:

Art. 1. There shall be constant peace and perpetual friendship between the republic of Mexico on the one part, and his majesty the king of the French, his heirs and successors, on the other part, without exception of persons or places.

Art. 2. To the end to facilitate the prompt re-establishment of mutual kindness between the two nations, the contracting parties agree to submit to the decision of a third power the two questions following to wit:

1. If Mexico has a right to claim from France, either the restitution of Mexican vessels captured by the French forces, after the surrender of the fortress of San Juan de Ulloa, or an indemnity for the same, in case the French government should have disposed of them?

2d. If it be right to accord indemnities which, on one side, the French might claim for losses sustained by them from the law of expulsion, and which the Mexicans, on the other, might claim for loss sustained by them from hostilities after the 26th November last?

Art. 3. Until the two parties shall be able to conclude a treaty of commerce and navigation, which shall regulate in a definite manner, and with reciprocal advantages for Mexico and France their future relations, the diplomatic and consular agents, the citizens of all classes, the ships and merchandise of both countries, shall continue to enjoy in each other all the franchises, privileges and immunities whatever, which are or may be hereafter by treaties or usage to the most favored nations, and that gratuitously, if such concession is gratuitous or conditional, as the case may be.

Art. 4. As soon as one of the originals of the present treaty and of the convention of the same date, duly ratified, one and the other by the Mexican government, according to the terms of the following article, shall be transmitted to the French plenipotentiary, the fortress of San Juan de Ulloa shall be restored to Mexico with its artillery, in the state in which it shall be found.

Art. 5. The present treaty shall be ratified by the Mexican government in the constitutional form, within twelve days from the date hereof, or before, if it be possible, and by his majesty, the king of the French, within four months from said date.

In testimony whereof, the above named plenipotentiaries have signed and sealed the same with their respective seals.

Done in the city of Vera Cruz, in triplicate, one of the originals to remain in the hands of his majesty, the president of Mexico, and the two others delivered to his majesty the king of the French, the 9th day of the month of March, in the year of our Lord, 1839. CHARLES BAUDIN,
M. E. GOROSTIZA,
GAUDALUPE VICTORIA.

CONVENTION.

[*In the name of the Most Holy Trinity*]

Art. 1. In order to satisfy the claims of France, relative for damage received by her subjects before the 26th November, 1838, the Mexican government will pay to the French government the sum of six hundred thousand dollars in specie, payment of which shall be made in three instalments of two hundred thousand dollars each, by the principal administrator of the custom house at Vera Cruz, at two, four and six months, dating from the day of the ratification of the present convention by the Mexican government. When the said payments are made, the government of the republic shall be acquitted and freed by France, in regard to all claims anterior to the 26th November, 1838.

Art. 2. The question whether the Mexican vessels and their cargoes, sequestered during the blockade, and afterwards captured by the French, in consequence of the declaration of war, shall be considered good prize to the captors—shall be submitted to the arbitration of a third power, as stipulated in the second article of the treaty of this date.

Art. 3. The Mexican government binds itself not to raise or permit to be raised, any future obstacle to the punctual and regular payment of the French creditors, which have been acknowledged, and are in a train of liquidation.

Art. 4. The present convention shall be ratified with the same formalities, and in the same delay

with the treaty of peace of this date, to which it shall remain annexed.

In testimony whereof, the plenipotentiaries have, &c. (Signed and sealed as above.)

FOREIGN NEWS.

The packet ships North American and United States from Liverpool, Wellington, from London and Charles Carroll from Havre, have arrived at New York. The latest dates which we have received from London are London to the 7th ult, and Liverpool to the 8th. The last Paris dates are of the 4th ult.

The news is not very cheering. Cotton has receded and the money market is not in a promising condition.

By quarterly returns of the Bank of England, the decrease in its bullion since the last return is £1,133,000. The Bank of England was, therefore, selling stock, and curtailing its circulation, which probably had its effect upon the cotton market.

On France, however the decline in the exchange has ceased, and it was no longer profitable to send gold to Paris. The demand for the precious metals still existed in the north of Europe, whither exportation continued.

The London Times of April 6th, in its money article states that the sales of stocks continue to be made for the account of the Bank of England, and no doubt whatever exists that the operation is intended to draw in the circulation of notes. The bank directors, whether just or not, evidently apprehend some crisis near at hand, and it was expected, that after the payment of the dividends, they would increase their efforts for the contraction of the currency. The Times also adds that notwithstanding the large importations of corn, they are so far from having relieved the market, that the price is again rising, and the expectation is that there must be in this season, on the whole one of the largest importations of grain that country has ever known. This disquiet respecting the circulation was very injurious to the spring trade of the country, which was far from having its usual spirit and enterprise, for the cautious merchants abstained from large transactions until they can see the issue of this, and the manufacturers as a necessary consequence, also suffer.

American securities in such a state of affairs, had of course been temporarily neglected—small sales of United States Bank only being reported at £24 7s. 6d. and a sale of \$12,000 Indiana bonds on the 5th ult. at the previous quotations, of 95.

The average prices of wheat in England having fallen to 72s. 6d. the import duty has risen to 2s. 6d. per quarter at which it would probably remain for a few weeks.

Mr. Stevenson had a long interview with Lord Palmerston at the foreign office on the 24 April.

The London Morning Chronicle states that a proposition has actually been made to the United States authorities, and forwarded to Washington, which it is believed will lead to an ultimate settlement of disputed boundary question. The English papers, in the meantime, are inundating the country with long articles on the subject, in general betraying a most lamentable ignorance in the premises. One thing, however, appears evident, that all idea of a war with England may be given up, and that the affair will ere long be satisfactorily settled in some way or other.

A letter from Gottgen states that transportation to America, has recently been adopted in the Haooerian dominions, by which means a number of ill-disposed persons have been got rid of.

It is stated, very little to the credit of the city of Mobile, which had borrowed a sum of money on bond, dated February 1, 1836, to bear interest at the rate of 8 per centum per annum for ten years, and the interest to be paid half annually, that the last August's dividend had only been discharged in part, and the February dividend remains unpaid—this had caused great inconvenience to the holders of the bonds.

The last advices from New York, received in England, were on the 11th March, by the ship *Sampson*, and appears to have had little effect in any way.

The English revenue tables for the quarter and the year were published on Saturday. The increase on the year, as compared to the year ending April, 1838, is £2,138,566. The present quarter, with the corresponding quarter last year is £565,245. The increase of customs for the year, £1,053,179, for the quarter £349,889. The increase in the post office revenue for the present quarter, is £23,000; for the year £25,257.

Lord Lyndhurst, Lord Brougham, Sir Edward Ellice, Mr. Hume, Mr. Leader, and Dr. Bowring, are now in Paris.

The committee of the Wesleyan missionary society have purchased a ship to be employed exclusively under their direction, in conveying missionaries and stores, between the colonies of New South Wales, Van Dieman's Land, Friendly Isles, Fejeis, and other groups and islands of the great south Pacific Ocean. The committee have also requested the rev. Robert Alber to undertake a special mission to British North America, via New York. He sailed in the packet United States.

The new (Irish) lord lieutenant arrived at Dublin, on the 4th of April, amidst great parade and rejoicings. The windows of every house were thronged, as the cortege passed, and at half past two he was sworn in before the privy council.

A meeting of the citizens of Edinburgh was held for the purpose of expressing confidence in ministers, the chartists attended and outvoted the whigs, who, with the lord provost retired from the room.

On Monday a meeting of chartists was held at Devizes. The Tories, however, were armed with sticks and whilgions, made an attack on, and routed them. Vincent, the chartist leader was maltreated, and saved from serious harm by a gentleman who rescued him from, and drove him in a gig out of reach of the mob.

Louis Philippe has at length patched up a temporary ministry, which is called, with how much wit we cannot decide, the April fool ministry. It consists as follows:

Interior, De Gasparin peer; justice and religion, Girod (de l'Ain) peer; foreign affairs, Duc de Montebello, peer; War, general Despans-Cuvier; Marine, Baron Turpinier, deputy; public instruction, Parant, deputy; finance, Gautier, peer; commerce and public works, Gasparin, (ad interim).

The French chambers were opened on Thursday, the 4th, by commission, amidst appearances of external excitement as strong as were manifested since the revolution of July. Although there was neither king nor prince, and no formal speech to hear, the dense and perturbed aspect of the crowds assembled were calculated to excite serious fears for the safety of the capital. Happily, however, no disturbance took place. The following report of the opening of the chambers renders further description unnecessary.

Opening of the chamber of deputies. Although it was generally known that the king would not open the session in person, the quays and the other avenues leading to the palace Bourbon were occupied at an early hour by a considerable multitude. At noon the space in front of the chamber on the river side became altogether impassable from the density of the crowd, and shortly afterwards a detachment of the 53d regiment of the line debouched from under the peristyle, and drawing up in a line with fixed bayonets at the bottom of the flight of steps, marched forward and drove back the people.

A double row of soldiers was afterwards stationed between the palace and the bridge, to clear the way for the deputies, and a large body of town sergeants, followed by police agents, constantly moved backwards and forwards, keeping the passage free. At one o'clock, the crowd continuing to increase, half a squadron of lancers rode up the quay, and took its station under the terrace to the left of the palace.

The air and attitude of the popular assemblage were, at that time truly alarming. A number of individuals, of sinister appearance, were seen here and there moving through the crowd, which was formed chiefly of boys and workmen, attired in blouses, and evidently intent on mischief.

Very few deputies were present in the hall at the hour fixed for the opening of the sitting. M. Gasparin, the minister of the interior, repaired thither at an early hour, for the purpose of being at hand to adopt measures in case of disturbances. At half past one o'clock the drums of the national guard were heard to beat, and the deputies then actually poured into the hall, which was in an instant completely full. On no former occasion did the assembly ever muster so strong. If it were possible to form an exact idea of the relative force of parties from the appearance of the assembly, there would be little doubt that the majority lies on the left, or liberal side. The *cote gauche* in particular, presented an imposing mass, while the benches on the opposite side and those situate behind the ministers presented here and there pretty large vacancies. It is evident that the elections have produced a result decidedly favorable to the left.

The opening of the chamber of peers was not attended by any great number of their lordships. The entrance of count Mole was the signal for all parties to divest themselves of their political prejudices, and come forward to shake by the hand, him whom "all delighted to honor."

On Wednesday evening the king held the first public levee since the death of the duchess Maria

of Wurtemberg, at the Tuileries. Nearly all the peers and upwards of 250 deputies attended, besides a number of officers of the national guards and the line, and other persons of distinction.

SPAIN.

The ministers have come to the conclusion of attempting to coerce the press, with the view of repressing it licentiousness, and have issued mandates to arrest the editors of the Guiriguay journal; but the latter, being apprised of the intended visit of the police, made their escape. General Alaix, the war minister, a brutal and ignorant soldier, is considered to be the originator of these measures, and he appears to be deservedly incurring great odium, which may react on his patron Espartero, whose inactivity is looked upon with displeasure and suspicion.

General Cordova has escaped from Badajoz into Portugal.

The news from the armies is beginning to possess some interest. Balmaseda has been defeated by the Christiano colonel Scheltz, but the former fled to rally again, according to their custom when attacked by superior numbers. Reports are prevalent that Cabrera also had been defeated by Ayerbe at Segura; but the news requires confirmation.

An action cannot long be delayed between the rival generals, Maroto and Espartero, as they are concentrating their troops and approaching each other. The former has only 35,000 men, while the latter can bring 80,000 men into the field.

The opinion that the cortes will be speedily dissolved, gains strength.

PRUSSIA.

A disturbance has taken place at Cleves, in consequence of the publication of a pamphlet in favor of Protestantism, which roused the ire of the Catholic population. Much rioting took place, and the authorities are blamed for not having interposed to suppress the tumult more promptly and efficiently. It is seriously to be apprehended that the religious effervescence now unhappily existing in the Rhenish provinces of Prussia will long affect their tranquility, and will be the cause of much mischief to that power in the event of a war.

SWITZERLAND.

The canton of Zurich has been sadly agitated for some weeks past, in consequence of the election of Dr. Strauss, the author of *Des Leben Jesu* (the life of Jesus), to a theological professorship at the university of Zurich. After protracted struggles between the different parties the election has been cancelled, and a pension of one thousand francs has been voted to the disappointed candidate, in whose place Dr. Hoffman, of Winenden, a zealous antagonist to the religious doctrines of Strauss, has been invited to accept the vacant chair at Zurich.

RUSSIA.

Regiments after regiments are arriving in Georgia, to be employed against the Circassians; and the emperor is determined, it is said, to employ a vast force to subdue or annihilate these gallant mountaineers. With this view, it is reported, that the emperor will sojourn during the summer near the scene of the intended operations.

TURKEY.

Letters from Constantinople of the 19th ult. announce that the porte is carrying on warlike operations, evidently destined to be employed against the viceroy of Egypt. The Turkish rear admiral Asman bey, having failed to obtain an interview with Mehemet ali, who refused to meet him at Cairo before September, when he would have concluded his journey, and from the Abyssinian frontier the sultan in high displeasure ordered his fleet from Egypt, and commanded preparations to be set on foot for carrying fire and sword into the territory of his powerful vassal. In consequence of these commands the batteries on the Dardanels have been strengthened, the arsenals are filled with workmen, and nothing is talked of but the prospect of speedily unfurling the standard of the prophet.

With the exception of captain Walker, who is a great favorite with the captain pasha, none of the British naval officers whose services have been offered to the porte have been accepted. They are waiting at Constantinople the arrival of instructions from the British government.

We are sorry to observe that the Turkish commercial treaty is not comprehensible by the Turkish custom house officers. Their blunders and perverseness are the occasion of much annoyance to British merchants.

The stocks and the market. London, April 6. Consols opened this morning with rather a firm appearance, at 92 5-8 3-4; for the May account at 92 3-4 7-8; exchequer bills 38 40; India bonds 42; bank stock 201 2-2; India stock 251 1 2 282 1-2.

In the foreign market no operations worth notice have taken place as yet, and the prices are the same as they were closed at; Spanish active 20 1-4 3-4; Portuguese 38 1-4 3-4; three per cent 20 1-4 3-4; Belgian 102 1-2 Brazilian 75 1-2 7-8; Columbian 28 1-2 2-9; Mexican 23 24; Dutch two and a half per cent 55 1-1 1-2; five per cent 100 5-8 7-8.

The revenue. We this day publish the revenue accounts for the quarter. It will be seen that the revenue continues to increase. On the year ended 5th of April, 1839, as compared with the year ended 5th of April, 1838, there was an increase of 2,192,866*l.* On the quarter ended 5th April, 1839, as compared with the quarter ended 5th April, 1838, an increase of 585,243*l.* On the customs, the increase for the year is 1,053,179*l.* for the quarter 349,899*l.* On the excise, the increase for the year is 334,024*l.* for the quarter 135,658*l.* On the stamps, the increase for the year is 143,101*l.* On all the branches there has been an increase for the year, and a decrease for the quarter of only 7,941*l.* on the stamps, and 25,000*l.* on the crown lands.

Bank of England. Quarterly average of the weekly liabilities and assets of the Bank of England, from the 8th of January, 1839, to the 2d of April, 1839, both inclusive, published pursuant to acts 3 and 4 William IV, chapter 98.

Liabilities.		Assets.	
	£.		£.
Circulation,	18,371,000	Securities,	22,987,000
Deposits,	8,993,000	Bullion,	7,073,000
	27,369,000		30,060,000

Downing street, April 5, 1839.

This return shows an increase of 73,000*l.* in the amount of the circulation, and of 220,000*l.* in that of the securities, while the deposits have been diminished 952,000*l.* and the amount of bullion is 1,082,000*l.* lower.

Bourse. Paris, Thursday, April 4, half past three. The opening of the chambers to-day has of course given rise to rumors, but those at the bourse respecting the proceedings of the chamber of deputies, are in general false. For the account the three per cent opened at 80*l.* 45*l.* declined to 80*l.* 20*l.* and closed at 80*l.* 25*l.* a fall of 15 1-2*l.* from the improvement of yesterday. The five per cent from 109*l.* 75*l.* fell to 109*l.* 50*l.* and closed at 109*l.* 55*l.* being 20*l.* lower than yesterday. For money the three per cent have declined 5*l.* and the five per cent 20*l.* The Bank of France shares have not varied, neither have the Laitee bank shares.

Liverpool, April 8th. Cotton declined 3-8 per lb. during the week, and a limited demand. Tobacco maintains its price. A sale of 230 hbls. flaxseed, for sowing, from New York, was made at auction for 75*l.* a 77*l.* stg. Turpentine in fair demand—sales of 800 American had been made at 16*l.* Wheat is a trifle higher, owing to but few arrivals of either Irish, foreign or coastwise.

Liverpool cotton market, April 6. The demand for cotton has been unusually limited throughout this week, being entirely confined to the supply of the immediate wants of the trade, and the market closes heavily at a decline of 1-4*l.* to 3-8*l.* per lb. in the middling to fair, and 1-2*l.* per lb. in the other qualities of American cotton. Sea island maintains full prices. Egyptian continues in demand, and an advance of 1-2*l.* per lb. has, in many instances, been obtained. In Brazil, Bahia commands full rates, while in Pernambuco and Maranhao a decline of 1-4 per lb. has, in some cases, been submitted to. Surat is neglected, and has declined 1-8*l.* per lb. during the week. The sales of the week amount to 7,660 bales, all to the trade. One hundred and sixty Sea Island 20 to 40; 80 Stained do. 14 to 16; 1,450 Upland 8 a 9 7-8; 750 Mole &c, 8 3-8 a 9 7-8; 2,650 New Orleans 7 3-4 a 11; 520 Egyptian 14 3-4 a 19.

Late in the day an increased demand has occurred for cotton. The sales are 2,500 bales, of which 200 American are on speculation, generally at the prices of yesterday.

The price of wheat at Liverpool on the 6th was in an advance of 4*l.* per bushel of the previous sales; French red 9*l.* 8*l.* do. 8*l.* 10*l.* Odessa 8*l.* to 8*l.* 3*l.* do. 7*l.* 10*l.* In flour an advance of 1 to 2*l.* per sack.

LATER NEWS.

Arrival of the steam ship Liverpool, in seventeen days from Europe.

The steam ship Liverpool arrived at New York on Tuesday evening, in seventeen days from Liverpool, bringing 94 cabin passengers. The Liverpool advices are to the 20th of April, and the London to the 19th, evening, both inclusive. We are indebted to the London advices of captain Duff for a file of London and Liverpool papers of the latest dates.—principally from the Commercial Advertiser,—we take up the following summary of news.

The intelligence by this arrival is of high interest, and quite remarkable. One of those sudden turns in the progress of events has taken place, which sometimes occur to baffle all calculation, and show the folly of political prophecy. For months past our tidings from Europe have been full of gathering clouds on the political horizon, daily increasing in blackness and in volume, and wearing an aspect so threatening that it seemed almost impossible that they must be unattended with tempest and convulsion. In a moment, as it were, we find them dispersed, and all around is sunshine and gladness.

The hostile appearances between England and our own country have entirely disappeared—the occasion of jealousy and bickering between France and England, and Russia and England, have been removed by courteous diplomacy—in the east, the alarming condition of affairs is succeeded by such a change as almost totally removes the possibility of serious trouble—in France the wisdom and firmness of the king have piloted him safely through the difficulties of his position, and the factious projects of his enemies are scattered to the winds—the long pending quarrel between Belgium and Holland is peacefully adjusted—and, in a word, the whole aspect of European affairs has not been, for many years, more strongly indicative of quiet and prosperity than at the present moment.

The Liverpool correspondent of the New York Times writes, under date of April 20—

The last accounts from Maine excite some interest in the minds of the British public. The temperateness and forbearance of the American general government, as well as the more softened tone of the authorities in Maine itself, hold out every hope that a satisfactory adjustment will be accomplished, and that peace, so desirable, will be preserved. The whole current of British feeling tends in that direction, and the strong impulse of mutual interests, it is to be trusted, will keep it so.

The cotton market.—The Liverpool cotton market, it will be remembered, had declined from the 23d March to the 6th ult. the date of our latest previous advices, about 2d per lb. on American descriptions, and the market remained in a dull state. We now learn that the demand for cotton from the 6th April to the close of the week ending on the 12th, had been more animated, resulting in an improvement of 3/4d. on the reduced quotations of the 6th. The week ending the 19th ultimo, however again been characterized by great dullness, and although previous quotations were continued, sales had in some, and quotations were continued on lower terms. The arrivals had been numerous at Liverpool from the United States, and vessels generally reported having experienced very severe weather. The latest dates from this country were to the 26th of March, per Roscius, hence.

A prominent item of intelligence relates to the money market, as some uneasiness was apprehended that it would be so tight as to affect our exchanges, but there is no serious ground of apprehension; on the contrary, there is a gradual revival in the sale of American securities, and foreign exchanges were improving.

John Galt, the author, died at Greenock, April 13th.

The liberals of Liverpool had given Daniel O'Connell a public dinner.

Twenty-two shocks of earthquake were felt in Savoy at the end of last year, or in the first quarter of the present. Only seven of them took place in the day time, and not one when the weather was rainy.

A present of fifty superb cashmere shawls, from the looms of Shiras and Ispahan, has arrived in England, for Queen Victoria, from the Persian court. The margins represent triumphal processions of camels and Arab steeds, sumptuously caparisoned, elephants, and palanquins, and musicians woven with exquisite taste, and exhibiting also a high pictorial perfection, far surpassing any thing European.

The Bible.—In the house of commons, April 11th, the lord-advocate stated, in answer to a question from sir G. Clerk, that it was not the intention of the government to renew the patent (which will expire on the 17th July next) granted to the queen's printer in Edinburgh, conferring the exclusive right of printing the Bible; but that the exclusive right of printing the Bible; but that the measure would be brought in to secure the purity of the text in the printing of the Bible; and at the same time to allow unlimited freedom in its publication.

Paganini.—The physicians despair of being able to prolong the days of this eminent artist, who appears to have lived for some time past by positive enchantment. It is said that Paganini will leave a fortune of ten millions of francs (400,000*l.*) which, according to his last intention, will be divid-

ed among his musical colleagues, both in France and Italy, whose number is rated at between 700 and 800.

[France Musicate.

London April 17.—There is decidedly an improved feeling in the market for American securities. Considerable sales of U. States bank shares have been effected both yesterday and this morning at 24*l.* 7s. 6d. and some in the afternoon were made at 24*l.* 10s. per share, ex div. A quantity of Mississippi five per cents, sterling, were sold at 93, and some sales of Illinois six per cents, were done at 93.

We are sorry to state that the rates of exchange do not show any alteration for the better this afternoon; but, on the contrary, they have been generally flat.

As a counterpoise to the unsatisfactory state of the exchanges, the exportation of the precious metals during the past week has been very small.

Parliamentary summary.—The house of commons recommended business on Monday, the 8th April. Lord John Russell gave the form of his motion on the government of Ireland, as follows:

"That it is the opinion of this house that it is expedient to preserve in those principles which have guided the executive government of Ireland, of late years, and which have tended to the effectual administration of the laws and the general improvement of that part of the United Kingdom."

On the 9th, Mr. Labouchere moved for and obtained leave to bring in a bill, providing for the temporary government of the island of Jamaica. As was done in Lower Canada, it abolishes the house of assembly, for the term of five years, and establishes a council, by which the government shall be administered, with the aid of three special commissioners. Mr. Labouchere went at length into the causes which have made this measure necessary, detailing the various proceedings of the assembly, &c. &c. The bill was to have its second reading on the 19th.

In answer to a question, lord Palmerston said that he had sent to Mr. Fox, at Washington, the draft of a convention for the adjustment of the boundary question, by the appointment of a joint commission to define the boundary; and that when the answer of the U. S. government should be received, the papers would be laid on the table.

On the 10th there was no quorum.

On the 11th nothing of interest was done.

On the 12th, in the house of lords, papers, relating to the affairs of Jamaica, were moved for and ordered.

In the house of commons sir Robert Peel brought forward an amendment to lord John Russel's motion on the government of Ireland. It was to the effect that the appointment of a committee of inquiry by the house of lords did not justify ministers in calling upon the house of commons for a declaration of opinion, and that it was not fitting for the house of commons to call in question the right of the other house to inquire into the state of Ireland.

Mr. Duncombe gave notice of an amendment which he should offer; lord John Russel's motion prevailed—to the effect that it was expedient to make further reforms in parliament.

Lord John Russel announced his intention of moving to expunge from the police bill the clauses extending the metropolitan police to the city of London.

[These were the clauses against which the common council remonstrated in their address to the queen when they got such an ungracious answer.]

Munday, April 15. The house and all its galleries were crowded at an early hour, and at 6 o'clock lord John Russel commenced speaking in support of his motion on the government of Ireland. His speech is said to have been one of the ablest that his lordship ever made; and the ministerial and whig papers speak of it as triumphant.

Sir Robert Peel replied, in supporting his amendment. He mainly relied on the points assumed in the amendment, and the impolicy of adopting any measure that might bring on a collision between the two houses, touching only incidentally on the real question of lord Normanby's government in Ireland.

The debate was continued through the week, and was not completed on the 10th, which is the date of our latest London paper. No doubt was entertained as to the result, the Irish members and most of the liberals going en masse in support of the ministry.

The other proceedings in either house were of little interest, as well as we can judge from the summary in the Liverpool papers.

Sir Frederick Lamb, lord Melbourne's brother and heir prescriptive, has been raised to the peerage by the title of baron Beauvale. He has been for many years ambassador at Vienna. Lord Ponsoby, the ambassador at Constantinople, has also

been made an Irish viscount. The opposition papers intend to consider these elevations as a sort of "quitting his house in order" by lord Melbourne, in anticipation of leaving office.

The marquis of Lansdowne had declined serving on lord Roden's Irish committee of inquiry—assigning the same reason that was given by lord Normanby for his refusal.

The marriage of the marquis of Douro and lady Elizabeth Hay was solemnized on the 18th. The wedding cake weighed more than 80 pounds, and was superbly decorated with military trophies, the arms of Wellington and Tweddale &c.

The affair of lady Flora Hastings continued a subject of remark and discussion. Her brother, the marquis, had written and published a long and very severe letter to lord Melbourne, demanding the immediate dismissal of his sister's slanderers—said to be ladies Portman and Tavistock and sir James Clark, and his mother the dowager marchioness had also written to the queen, urging and finally insisting on discovery and public disgrace of her daughter's maligners. To the first letter lord Melbourne replied, by order of the queen, declaring her majesty's anxious wish to do every thing in her power to soothe the feelings of lady Flora and her family; but on the dismissal of sir James Clark being again peremptorily demanded, his lordship replied that the demand was so unprecedented and objectionable, that even his high respect for the marchioness and her family would permit him to do nothing more than acknowledge the receipt of her letter.

The opposition papers, as may be supposed, make a terrible to-do about this outward affair; and the very thin attendance at the queen's first drawing room for the season, was ascribed to the disgust it had excited among the nobility.

The queen, poor girl, was doing all she could to make amends to lady Flora; inviting her frequently to the royal dinner parties, and expressly desiring that she should receive the sacrament with herself on Easter Sunday. Lady Portman is a daughter of the earl of Harewood—lady Tavistock is sister-in-law to lord John Russell.

Arming of the chartists at Barnsley. The chartists are arming with pikes, pistols and guns, not only in the town of Barnsley itself, but also throughout its populous vicinity. Such has been the demand during the last fortnight that the shops have been nearly cleared of fire arms, particularly the pawnbrokers, who are dealers in second hand ware.

[Leeds Mercury.

London, April 19—12 o'clock. In the English stock market sales of 3 1/2 per cent. reduced continued to be made by the same parties who sold yesterday, they have not, however, influenced the value of those securities more than to 1/4 per cent. the present quotation for them is 99 3/4 *l.* 1/4; consols have been 93 buyers; they are now 93 alternately buyers and sellers for the account, and 92 1/2 *l.* for money.

In American stocks there has been hardly any business since our last report. United States bank shares are 24 1/2 5s. to 24 1/2 10s.

From the Liverpool Courier of April 20.

State of the trade.

Cotton trade. Manchester, Friday evening. The market has been singularly dull this week; few sales have been effected, and goods are from 1*l.* to 3*l.* a piece lower. Twist is not at all in demand; and nothing is sold except in cases in which the necessities of the spinner compel him to accept a very low price. Warps are 4*l.* per beer lower, and welf has fallen about a farthing per pound. At this reduction there is a fair demand for both; the supply being not greater than the demand.

Shipwreck of the brig Retrench, of the Greenock, for New York. On Thursday afternoon, the brig Retrench, bound for New York, with 48 passengers sailed from Greenock, the wind blowing fresh from the east, which was a fair wind for the vessel. On Friday morning the deep sea steamers brought the news to Greenock that the Retrench was run ashore on the rocks adjoining the Cunbragh light house, and it blowing a gale at the time, fears were entertained that the vessel would be dashed to pieces, and all on board perish.

The Gulliver tug steamer was immediately ordered off to the assistance of the unfortunate vessel, with a party of men, headed by captain Kennedy, harbourmaster, Greenock. On the arrival of the steamer at the wreck it was blowing a perfect gale from the southwest, and it was with considerable difficulty that the Gulliver could reach the Retrench. But at last this was effected, and it was found that a buoy, with a rope fastened to it, had been thrown from the Retrench and made of the islanders made it fast, by which means communication was opened with the stranded ashore on an empty chest. The passengers were all safely landed by the Gulliver at Greenock

on Friday night; but they will lose all their luggage, provisions, &c. as the vessel in all probability will be a total wreck. [Glasgow Chronicle.]

FROM THE EAST

The accounts from Central Asia are highly favorable. We give such extracts as will serve to show the result of the movements in progress.

London, April 16. An Indian mail has arrived by Egypt, with accounts of the 23d of February, from Bombay. As regards India they are of a favorable nature, our troops having obtained the command of the Indus by the surrender of Hyderabad and Bukkur, which took place without any resistance.

It is also stated that the Ameers of Sind have declared their adhesion to the British government. The valuable steamer Semiramis was wrecked on the 13th of February, near the mouth of the Indus.

The Delhi Gazette of the 13th, states that the army of Scchah Soazle had passed the Indus, and was encamped at Shikarpore, but the news of the pacific state of Scinde had not reached the army of Indus on the 25th January. The reports of battles between the Scindians and the Bombay troops are declared to be unfounded. Some apprehension existed of a formidable attack on the troops under Sir John Keane at Hyderabad, and a detachment under Sir Willoughby Cotton had consequently been ordered up to his support.

Sir A. Burnes was with the advanced force, and Sir H. Fane at Roree. It was expected that the army at Shikarpore would be detained there for some time, and no active movements appear to be contemplated in any quarter. Lord Auckland was at Delhi on the 12th of February. General Allard, a distinguished officer in the service of Runjeet Singh, died at Peshawar on the 23d of January.

FRANCE.

The victory of the king over the coalition was evinced in the result of the election for the president of the chamber, which took place on the 16th of April. The candidate of the coalition was Odillon Barrot—the ministerial candidate was M. Passy.

The latter was elected by a majority of 30, greatly to the surprise and mortification of the Carlists and republicans, and the other odds and ends who had united in the hope of forcing the king to a virtual surrender of his authority. The upshot of the matter is, that a sufficient number of the doctrinaires, late opponents of the king and count Mole have gone over—satisfied, probably, that the rule of their late allies would be more mischievous than any thing the king would be likely to attempt.

It was presumed that after this triumph Marshal Soult would renew his endeavors to form a ministry—that he would be successful—and that the new cabinet would be almost identical in policy with that of count Mole. If their should join it, it would have an overwhelming majority at its command—if he should keep aloof its majority would be smaller but still probably sufficient.

The French government is said to have offered its mediation between the sultan and the pacha of Egypt.

The French and English ambassadors at Constantinople are said to have agreed to an arrangement, in consequence of which an Anglo-French squadron will be formed of six ships of the line, four frigates and ten smaller vessels, to watch the Turkish fleet on its issuing from the Dardanelles. Sir E. Stopford is also to send five ships of the line to Alexandria, and admiral Lalande is to station three at Tunis. By this means, it is hoped, both the Turkish and Egyptian fleet will be prevented from wantonly provoking a collision.

The court of cassation has decided against the appeal of Marsaud from the sentence of the tribunal at Brest, by which he was condemned to death, with Raimond, for the murder on board the Alexandre. Raimond did not appeal.

Lord Brougham and Messrs. Hume and Leader were at Paris during the recess. The former had been ill. A public dinner was offered him, and declined—a private letter says because it was expected that monsieur Pappineau would also be present.

Paris, April 17. Five per cents, 110f. 5c. 10c. 15c. 20c. 15c.; four per cents, 101f. 5c. 10c. 15c. 20c. 15c. bank actions, 2,660f. 2,665f. 50c.

Half past three o'clock, P. M. Last prices—five per cents, 110f. 20c. three per cents, 81f. 25c. bank actions, 2,662f. 50c.

PORTUGAL.

There was a ministerial interregnum in this kingdom also. The ministers retired in a body, in consequence of being defeated in the chamber of deputies on a bill they had introduced for increasing the army; and up to the 8th of April all attempts to form a new cabinet had been unsuccessful.

CHURCH CASE.

From the Philadelphia Presbyterian.

OPINION OF THE COURT.—Gibson, C. J. delivered the opinion of the court, on Wednesday morning, May 8th, as follows:

To estimate the question from the multifarious mass of irrelevant matter in which it is enclosed, we trust in the first place, ascertain the specific character of the general assembly, and the relation it bears to the corporation which is the immediate subject of our cognizance. This assembly has been called a *quasi* corporation; of which it has not a feature. A *quasi* corporation has capacity to sue and be sued as an artificial person; which the assembly has not. It is also established by law; which the assembly is not.

Neither is the assembly a particular order or rank in the corporation, though the latter was created for its convenience; such for instance, as the share holders of a bank or joint stock company, who are an integral part of the body. It is a segregated association, which, though it is the reproductive organ of corporate succession, is not itself a member of the body; and in that respect it is anomalous. Having no corporate quality in itself, it is not a subject of our corrective jurisdiction, or of our scrutiny, farther than to ascertain how far its organic structure may bear on the question of its personal identity or individuality. By the charter of the corporation, of which it is the handmaid and nurse, it has a limited capacity to create vacancies in it, and an unlimited power over the form and manner of choice in filling them. It would be just to refer to the civil tribunals, therefore, that the assembly's commissioners had constituted an actual body, and that it had made its appointment in its own way, without regard to its fairness in respect to its members; with this limitation, however, that it had the assent of the constitutional majority, of which the *officio* act of authentication would be at least, *prima facie* evidence. It would be immaterial to the legality of the choice, that the majority had expelled the minority, provided a majority of the whole body concurred in the choice. This may be safely predicted of an undivided assembly, and it would be an unerring test in the case of a division, could a quorum not be constituted of less than such a majority; but unfortunately, a quorum of the general assembly may be constituted of a very small minority, so that two, or even more, distinct parts may have all the external organs of legitimate existence. Hence, where, as in this instance, the members have formed themselves into separate societies, numerically sufficient for corporate capacity and organic life, it becomes necessary to ascertain how far either of them was formed in obedience to the conventional law of the association, which, for that purpose only, is to be treated as a rule of civil obligation.

The division which, for purposes of designation, it is convenient to call the old school party, was certainly organized in obedience to the established order; and to legitimate the separate organization of its rival, in contravention, as it certainly was, of every thing like precedent, would require the presentation of a very urgent emergency. At the stated time and place for the opening of the session, the parties assembled, without any ostensible division; and, when the organization of the whole had proceeded to a certain point, by the instrumentality of the moderator of the preceding session, who, for that purpose, was the constitutional organ, a provisional moderator was suddenly chosen, by a minority of those who could be entitled to vote, including the excited commissioners. The question on the motion to elect was put, not by the chair, but by the mover himself; after which, the seceding party elected a permanent moderator, and immediately withdrew, leaving the other party to finish its process of organization, by the choice of its moderator for the session.

In justification of this apparent irregularity, it is urged that the constitutional moderator had refused an appeal to the commissioners in attendance, from his decision, which had excluded from the roll the names of certain commissioners who had been unconstitutionally severed, as it was alleged, from the Presbyterian connection by a vote of the preceding session. It is conceded by the argument, that if the synods with the dependent presbyteries by which those commissioners were sent, had been constitutionally dissolved, the motion was one which the moderator was not bound to put, or the commissioners to notice; and that whatever implication of assent to the decision which ensued, might otherwise be deduced from the silence of those who refused to speak out, about which it will be necessary to say something in the sequel, there was no room for any such implication in the particular instance. It will follow also, that there was no pretence for the deposit of the moderator, if indeed such a thing

could be legitimated by any circumstance, for refusing an appeal from his exclusion of those who had not color of title, and consequently, that what else might be reform, would be revolution. And this leads to an inquiry into the constitutionality of the act of excision.

The sentence of excision, as it has been called, was nothing else than an ordinance of dissolution.—It bore that the synods in question, having been formed and attached to the body of the Presbyterian church, under, and in execution of the plan of union, "be, and are hereby declared to be, out of the ecclesiastical connexion of the Presbyterian church in the United States of America; and that they are not in form or in fact an integral portion of said church."

Now it will not be said that if the dissolved synods had no other basis than the plan of union, they did not necessarily fall along with it, and it is not pretended that the assembly was incompetent to repeal the union prospectively, but it is contended that the repeal could not impair their rights of membership which had grown up under it.

On the other hand, it is contended that the plan of union was unconstitutional and void from the beginning, because it was not submitted to the presbyteries for their sanction; and that no right of membership could spring from it. But viewed, not as a constitutional regulation which implies permanency of duration, but as a temporary expedient, it acquired the force of a law without the ratification of those bodies. It was evidently not intended to be permanent, and it consequently was constitutionally enacted and constitutionally repealed by the ordinary act of legislation; and those synods which had their root in it, could not be expected to survive it. There never was a design to attempt an amalgamation of ecclesiastical principles which are as immiscible as water and oil; much less to effect a commixture of them only at particular geographical points. Such an attempt would have compromised a principle, which requires that the officers of the church be set apart by special ordination for the work. Now the character of the plan is palpable, not only in its title and provisions, but in the minute of its introduction into the assembly.

We find in the proceedings of 1801, page 256, that a committee were raised "to consider and digest a plan of government for the churches in the new settlements agreeably to the proposal of the general association of Connecticut;" and that the plan adopted in conformity to its report, is called "a plan of the union for the new settlements." The avowed object of it was to prevent alienation.—In other words, the affiliation of Presbyterians in other churches, by suffering those who were yet too few and too poor for the maintenance of a minister, temporarily to call to their assistance the members of a sect who differed from them in principles, not of faith, but of ecclesiastical government. To that end, Presbyterian ministers were suffered to preach to Congregational churches, while Presbyterian churches were suffered to settle Congregational ministers; and mixed congregations were allowed to settle a Presbyterian or a Congregational minister at their election, but under a plan of government and discipline adapted to the circumstances. Surely this was not intended to outlast the inability of the respective sects to provide separately for themselves, or to perpetuate the innovations on Presbyterian government which it was calculated to produce. It was obviously a missionary arrangement from the first; and they who built up presbyteries and synods on the basis of it, had no reason to expect that their structures would survive it, or that Congregationalist might, by force of it, gain a foothold in the Presbyterian church, despite of presbyterial discipline. They embraced it with all its defensible properties plainly put before them; and the power which constituted it, might fairly repeal it, and dissolve the bodies that had grown out of it, whenever the good of the church should seem to require it.

Could the synods, however, be dissolved by a legislative act? I know not how they could have been legitimately dissolved by any other. The assembly is a homogeneous body uniting in itself, without separation of parts—the legislative, executive and judicial functions of the government; and its acts are referable to the one or the other of them, according to the capacity in which it sat when they were performed. Now had the excited synods been cut off by a judicial sentence without hearing or notice, the act would have been contrary to the cardinal principles of natural justice, and consequently void. But though it was at first resolved to proceed judicially, the measure was abandoned, probably because it came to be perceived that the synods had committed no offence.

A glance at the plan of union is enough to convince us that the disorder had come in with the

sancion of the assembly itself. The first article directed *missionaries* (the word is significant), to the new settlements to promote a good understanding betwixt the kindred sects. The second and third permitted a Presbyterian congregation to settle a Congregational minister, or a Presbyterian minister to be settled by a Congregational church; but these provided for no recognition of the people in charge, as a part of the Presbyterian body—at least they gave them no representation in its government. But the fourth allowed a mixed congregation to settle a minister of either denomination; and it committed the right to it to a funding committee, but with a right to appeal to the body of male communicants if the appellant were a Congregationalist, or to the presbytery if he were a Presbyterian. Now it is evident the assembly designed that every such congregation should belong to a presbytery as an integral part of it; for if its minister were a Congregationalist, in no way connected with the Presbyterian church, it would be impossible to refer the appellate jurisdiction to any presbytery in particular. This alone would show that it was designed to place such a congregation in ecclesiastical connection with the presbytery of the district; but it is not all. It was expressly provided in conclusion, that if the "said standing committee of any church, shall depute one of themselves to attend the presbytery, he may have the same right to sit and act in the presbytery as a ruling elder in the Presbyterian church." For what purpose if the congregation were not a presbytery?

It is said that this *justus relaxatio* was predicated of the appeal precedently mentioned; and that the exercise of it was to be restrained to the trial of it. The words, however, were predicated with restriction; and an implied limitation of their meaning, would impute to the assembly the injustice of allowing a party to sit in his own cause, by introducing into the composition of the appellate court a part of the subordinate one. That such an implication would be inconsistent with the temper displayed by the assembly on other occasions is proved by the order which it took as early as 1791, in the case of an appeal from the sentence of the synod of Philadelphia, whose members it prevented from voting on the question, (Assembly's Digest, p. 332), as well as by its general provision that members of a judiciary may not vote in the superior judiciary on a question of approving or disapproving their records, (Id., page 333).

The principle has since become a rule of the constitution, as appears by the book of discipline, chap. VII. sec. 3, paragraph 12. As the representatives of those anomalous congregations, therefore, could not sit in judgment on their own controversies, it is pretty clear that it was intended they should be represented generally, else they would not be represented at all in the councils of the church, by those who might not be Presbyterians; and that to effect it, the principle of presbyterian ordination was to be relaxed, as regards both the ministry and eldership; and it is equally clear, that had the synods been cited to answer for the consequent relaxation as an offence, they might have triumphantly appeared at the bar of the assembly with the plan of union in their hand. That body, however, resorted to the only constitutional remedy in its power; it fell back, so to speak, on its legislative jurisdiction, in the exercise of which, the synods were competently represented and heard by their commissioners.

Now the apparent injustice of the measure arises from the fact that the sentence pronounced against parties who were neither cited nor heard; which it evidently was not. Even as a legislative act it may have been a hard one, though certainly constitutional and strictly just. It was impossible to eradicate the disorder by any thing less than a dissolution of those bodies with whose existence its roots were so intertwined as to be inseparable from it, leaving their elements to form new and less heterogeneous combinations. Though deprived of presbyterian organization, the Presbyterian parts were not excluded from the church, provision being made for them, by allowing them to attach themselves to the nearest presbytery.

It is said there is not sufficient evidence to establish the fact that the excinded synods had actually been constituted on the plan of union, in order to have given the assembly even legislative jurisdiction. The testimony of the rev. Mr. Squier, however, shows that some of the three, which were within the state of New York, congregations were sometimes constituted without elders; and the synod of the Western Reserve, when charged with delinquency on that head, instead of denying the fact, promptly pointed to the plan of union for its justification. But what matters it whether the fact were actually what the assembly supposed it to be? If that body proceeded in good faith, the validity of its enactment cannot depend on the justness of its con-

clusion. We have, as already remarked, no authority to rejudge its judgments on their merits; and this principle was asserted with conclusive force by the presiding judge who tried the cause. Upon an objection made to the inquiry into the composition of the presbytery of Medina, it was ruled that "with the reasons for the proceedings of 1837, (the act of excision) we have nothing to do. We are to determine only what was done; and the reasons of those who did it are immaterial. If the acts complained of were within the jurisdiction of the assembly, their decision must be final, though they decided wrong." This was predicated of judicial jurisdiction; but the principle is necessarily applicable to jurisdiction for purposes of legislation. I cite the passage, however, to show that after a successful resistance to the introduction of evidence of the fact, it lies not with the relators to allege the want of it.

If then the synods in question were constitutionally dissolved, the presbyteries of which they had been composed, were, at least for purposes of representation, dissolved among them; for no presbytery can be in connection with the general assembly, unless it be at the same time subordinate to a synod also in connection with it, because an appeal from its judgment can reach the tribunal of the last resort only throughout that channel. It is immaterial that the presbyteries are the electors: a synod is a part of the machinery which is indispensable to the existence of every branch of the church. It appears, therefore, that the commissioners from the excinded synods, were not entitled to seats in the assembly, and that their names were properly excluded from the roll.

The inquiry might be rested here; for if there were no color of right in them, there was no color of right in the adversary proceedings which were founded on their exclusion. But even if their title were clear, the refusal of an appeal from decision of the moderator, would be no ground for the degradation of the officer at the call of a minority; nor could it impose on the majority an obligation to vote on a question put unofficially, and out of the usual course. To all questions put by the established organ, it is the duty of every member to respond, or be counted with the greater number, because he is supposed to have assented beforehand to the result of the process pre-established to ascertain the general will; but the rule of implied assent is certainly inapplicable to a measure which when justifiable even by extreme necessity, is essentially revolutionary, and based on no pre-established process of ascertainment whatever.

To apply it to an extreme case of inorganic action, as was done here might work the degradation of any presiding officer in our legislative halls, by the motion and actual vote of a single member, sustained by the constructive votes of all the rest; and though such an enterprise may never be attempted, it shows the danger of resorting to a conventional rule, when the body is to be resolved into its original elements, and its rules and conventions to be suspended by the very motion. For this reason, the choice of a moderator to supplant the officer of the chair, even if he were removable at the pleasure of the commissioners, would seem to have been unconstitutional.

But he was not removable by them, because he had not derived his office from them; nor was he answerable to them for the use of his power. He was not *their* moderator. He was the mechanical instrument of their organization; and till that was accomplished they are subject to his rule—not he to theirs. They were chosen by the authority of his mandate, and with the power of self organization, only in the event of his absence at the opening of the session.—Corporally present, but refusing to perform his function, he might be deemed constructive by absent, for constitutional purposes, inasmuch that the commissioners might proceed to the choice of a substitute without him; but not if he had entered on the performance of his task; and the reason is, that the decision of such questions as were prematurely pressed here, is proper for the decision of the body when prepared for organic action, which it cannot be before it is fully constituted and under the presidency of its own moderator, the moderator of the preceding session being *functus officio*.

There can be no occasion for its action sooner; for though the commissioners are necessarily called upon to vote for their moderator, their action is not organic, but individual; Doctor Mason's motion and appeal, though the clerks had reported the roll, were premature; for though it is declared in the twelfth chapter of the form of government, that no commissioners shall deliberate or vote before his name shall have been enrolled, it follows not that the capacity, consummated by enrolment, was expected to be exercised during any part of the process of organization, but the choice of a moderator; and moreover, the provision may have been intended for the case of a

commissioner appearing for the first time, when the house was constituted.

Many instances may doubtless be found among the minutes, of motions entertained previously, for our public bodies, whether legislative or judicial, secular or ecclesiastical, are too prone to forget the golden precept—"Let all things be done decently and in order." But these are merely instances of irregularity which have passed, *sub silentio*, and which cannot change a rule of positive enactment. It seems then that an appeal from the decision of the moderator did not lie; and that he incurred no penalty by the disallowance of it. The title of the excinded commissioners could be determined only by the action of the house, which could not be had before its organization were complete; and in the mean time he was bound as the executive instrument of the preceding assembly, to put its ordinance into execution; for to the actual assembly, and not to the moderator of the preceding one, it belonged to repeal it.

It would be decisive, however, that the motion, as it was proposed, purported not to be in fact a question of degradation for the disallowance of an appeal, but one of new and independent organization. It was, ostensible as well as actually, of transcendental power, whose purpose was to treat the ordinance of the preceding assembly as a nullity, and its moderator as a nonentity. It had been prepared for the event avowedly before the meeting. The witnesses concur that it was propounded as a measure of original organization, transcending the customary order; and not as a recourse to the ultima ratio for a specific violation of it. The ground of the motion, as it was opened by the mover, was not the disallowance of an appeal, which alone could afford the pretext of forfeiture, but the fact of exclusion. To affect silent members with an implication of assent, however, the ground of the motion and nature of the question must be so explicitly put before them as to prevent misconception or mistake; and the remark that heralded the question in this instance, pointed at, not a removal of the presiding incumbent, but a separate organization to be accomplished with the least practicable interruption of the business in hand; and if they indicated any thing else they were deceptive.

The measure was proposed not as that of the body, but as the measure of a party; and the cause assigned for not having proposed it elsewhere, was that individuals of the party had been instructed by counsel that the purpose of it could not be legally accomplished in any other place. No witness speaks of motion to degrade, and the reality of the process by which the choice of a substitute, not a successor, was effected, left no space for reflection or debate. Now before the passive commissioners could be affected by acquiescence implied from their silence, it ought to have appeared that they were apprised of what was going on; but it appears that even an attentive ear-witness was unable to understand what was done. The whole scene was one of unprecedented haste, inasmuch that it is still a matter of doubt how the questions were put.—Now, though these facts were fairly put to the jury, it is impossible not to see that the verdict is in this respect manifestly against the current of the evidence.

Other corroborative views have been suggested; but it is difficult to compress a decision of the leading points in this case into the old fashioned limits of a judicial opinion. The preceding observations, however, are deemed enough to show the grounds on which we hold that the assembly which met in the First Presbyterian church on May 7, 1839, is the legitimate assembly of the assembly of 1837, and that the defendants are not guilty of the usurpation with which they are charged.

ROGERS, J.—opinion.

After the patient and impartial investigation, by me, of this cause, at nisi prius, and in bank, I have nothing at this time to add, except that my opinion remains unchanged, on all the points ruled at the trial. This explanation is deemed requisite, in justice to myself, and because it has become necessary (in a case, in some respects, without precedents, and presenting some extraordinary features) to prevent misapprehension, and misrepresentation.

SWARTWOUT DEFALCATIONS.

Report of the committee of investigation, chosen by ballot, by the house of representatives, January 17 and 19, 1839, on the subject of the defalcations of Samuel Swartwout and others, and the correctness of the returns of collectors and receivers of the public money; also, the report of the minority of the committee.

[CONTINUED FROM PAGE 159.]

Tallahassee, April 5, 1838.

SIR: I am informed, through the receiver of this place, that charges have been preferred by John

G. Gamble, esq. against his official conduct; also implicating myself in the following manner: "It is matter of complaint that citizens have applied to enter lands; their money was refused; and, after having converted their bank notes into land office money, upon another application for land they have found it entered by the receiver, or by his clerk, H. R. W. Andrews." This charge is incorrect; if such complaints have been made, they were without any foundation whatever. I have been engaged as clerk for the register for the last two years, during which time I have made several entries in my own name, and in company with M. J. Allen; but in no instance has either of us entered land that had been applied for, although applications were made almost daily for land without the applicants completing their entries. The course pursued in the register's office in regard to the issuing of applications, is to issue only one application for the same piece of land on the same day; should the applicant fail to complete the entry before nine o'clock the next morning, then the same land is subject to be entered by any other person. During the time I have been in the register's office, no person has been refused an application for land subject to entry in proper time. I conceive Dr. Allen or myself have a right to enter the same land. Although cases of this kind occur almost daily, we, or either of us, have, in no instance, interfered with applicants in this manner.

The Tallahassee bank bills were received in payment for land, and recognised as specie, according to a distinct understanding between the receiver and the officers of both banks, (as I was informed by the receiver prior and subsequent to the suspension of specie payments), until about the 5th or 10th of May last, at which time the Union Bank of Florida suspended specie payment; and Mr. R. B. Copeland, who was then clerk for the receiver during his absence to Mobile for the purpose of making a deposit, received the Union Bank bills at par for a few days after its suspension.

Mr. J. G. Gamble's charge must apply subsequent to the Union Bank's suspension, as the exchange of money was unnecessary before. By reference to the returns at the general land office from this district, which have been forwarded up to the 1st instant, you will not find an acre of land entered by M. J. Allen and myself jointly, or by me individually, or by myself and any other person. And I defy the world to say with truth that I have, in any manner, entered land in my own name, in company with any person or persons, procured or permitted any person or persons whatsoever to enter land for me, or purchased land from any person, since the suspension by the Union Bank. On examination of the entries, during the same period, I find M. J. Allen has entered only one quarter section, which will be found by reference to No. 7361. That land has not been applied for by any other person for the last eighteen months, to my knowledge. Very respectfully, your obedient servant,
H. R. W. ANDREWS.

Hon. Levi Woodbury, secretary of the treasury.
I certify that the statements herein made are correct.
R. J. HACKLEY, register.

Tallahassee, April 5, 1838.

I certify that I am engaged in the land office at this place, as clerk for R. J. Hackley, register, (the receiver's office being kept in the same room); that Dr. M. J. Allen, receiver, commenced taking the notes of the Tallahassee banks during the last winter, (since their suspension of specie payment), at the earnest request of persons wishing to secure lands; and that he never took said bills, or any other bank notes, at any other rate than fifteen per cent. discount, to the best of my knowledge. I further certify, that his doing so was, in my opinion, an important accommodation to the people, as it not only saved them the trouble of running about to obtain specie, but also reduced the premium five per cent., as twenty per cent., to my knowledge, was the usual price demanded and paid for specie to enter land prior thereto; and that since the receiver has ceased to take any thing but specie or treasury notes, twenty per cent. has been given, to my certain knowledge, for the latter, in the currency of the country, for the purpose of entering land.
H. R. W. ANDREWS.

Bank of the Metropolis, April 19, 1838.

I have between \$18,000 and \$30,000 to collect on the government, for the Union Bank of Florida.

da. When these collections are made, I will take in payment the government draft on the receiver of public moneys at Tallahassee.

GEORGE THOMAS, cashier.
Hon. Levi Woodbury, secretary of the treasury.

Treasury department, April 21, 1838.

Sir: I have received your letter of the 19th instant, with its enclosures, and will submit the explanations therein made to the president, with those you may offer on the other point, as soon as they are received. It is hoped you will return to the land office and attend to the subject as early as possible. I shall notify Mr. Thomas to-day, that, relying on his note, the department will suspend drawing for the amount he is to pay until the appropriation bills pass, and the payment can be closed here. I am, very respectfully, your obedient servant,
LEVI WOODBURY,
Secretary of the treasury.

M. J. Allen,
Receiver of public money, now in Washington.

April 25, 1838.

Sir: I have received your letter of the 21st instant, and would ask to what other point (requiring explanation) you refer therein; as I am under the impression that I have answered to all the charges of Mr. Gamble, except his statement concerning my subscription to the new stock of the Union Bank, which, being entirely a private concern, I have not noticed.

Our delegate from Florida, (colonel Downing), after examining all the papers, expresses himself dissatisfied with my course only on the point of my having received the 15 per cent. discount, though he acknowledges his belief that this was done for the benefit of the people, and that it was a saving to them; and I now conscientiously aver the same, and aver that it did relieve them to the amount of 5 per cent., besides saving them trouble; which facts you will find proven by others, by reference to the papers enclosed to you in my letter of the 19th instant; and I can procure further testimony to the same purpose, if deemed necessary. As evidence of gain not being my object, I told our delegate (as I did the people at the time of making their entries) that I would return the 15 per cent. on their payment to me of government funds in any reasonable time; which, I repeat now to you, I am perfectly willing and ready to do in every case. I will return to the land office as soon as practicable, which will be at an early date. In your letter of the 2d instant, (of which I have received a copy), you say it would be desirable that all my accounts should be arranged. By reference to the officers to whom I made my returns, you will find that my accounts and returns were all transmitted up to the 1st instant, before I left Tallahassee.

Any communication you may have to make me prior to the 10th of May, you will please direct to me at Baltimore. Very respectfully, your obedient servant,
M. J. ALLEN,Receiver at Tallahassee, Florida.

Hon. Levi Woodbury, secretary of the treasury.

Treasury department, May 1, 1838.

Sir: Your letter of the 25th ultimo is received; in answer to which, I have to inform you that the charge as to entering lands is yet pending for further evidence in its support, and for rebutting proof. When that is received from Tallahassee, I shall lay the whole subject before the president. I am, very respectfully, your obedient servant,
LEVI WOODBURY, sec. of the treasury.
M. J. Allen, esq. Tallahassee.

Tallahassee, May 21, 1838.

Sir: I addressed you on the 13th ultimo; and as I have no acknowledgment of its receipt, I enclose a copy. I am yet without answers to letters to persons to whom I was referred for testimony. This may be in consequence of irregular mails, or of Indian disturbances; or it may be that the parties had said more on the subject, verbally, than they could vouch under their hands; and I am inclined to think this latter is the true cause of silence.

I need not say that my original letter, preferring charges against the receiver, was written from a sense of duty, and in the firm belief of the truth of every charge stated. I had heard charges made that lands were falsely marked on maps in the register's office as having been entered, which were not in fact entered, but, after applications by other

parties had shown their value, that these lands were or would be entered by Allen, or his partner Andrews, who is the deputy of the register. But I was not informed of the parties who could testify on this point, and therefore said nothing about it. You will find evidence on this point in the letters of major Jesse Coe and general Searcy, and in the letter of colonel Jacob Robinson you will see that entries made by the receiver, under the belief that the lands were valuable, were cancelled when found to be worthless. There are many complaints for conduct such as that stated in the letter of Jesse H. Willis, esq.

I have not thought it necessary to obtain any other certificates than that of John Miller to prove the charge of extorting a high premium for entries of land paid for in the current bank notes of the country. I do not learn that the charge, in numerous instances, add to a large amount, is denied by Dr. Allen.

Before this letter can reach your hands, business will carry me from the territory, on my way to Europe. It is my intention to wait upon you as I pass through the city of Washington.

Very respectfully,
JOHN G. GAMBLE.
Hon. Levi Woodbury, secretary of the treasury.

I do hereby certify, that in the month of February last I applied to enter land, at the United States land office in Tallahassee, and, not having the specie, I paid the receiver a premium of 14 per cent. above the government price, for the land applied for.

And on same day I saw T. T. Clarady pay the receiver a premium of 15 per cent. for land entered by him. In both cases, the payment was made in the notes of the Union Bank of Florida.

Given under my hand this 7th day of May, 1838.
JOHN MILLER.

Rock Comfort, April 20, 1838.

DEAR SIR: At the time yours of the 13th instant reached me, I was just starting to my plantation on the river. Since my return home, I have embraced the first opportunity of giving you the information you asked for.

Some time in the fall of 1836 I called at the land office in Tallahassee, in company with general Searcy, who pointed out, on the map, a fraction on the Appalachicola river that seemed to be vacant, and was told that it was applied for, and would be reserved for the applicant till the next day. The next day I called again, with general Searcy, who desired to know whether the fraction had been entered, and was told by the receiver that it was, and that he was making out the certificate—I think it was for himself. I remain yours, with great respect,
JESSE COE.

Col. John G. Gamble.

Tallahassee, May 19, 1838.

DEAR SIR: In answer to yours of the 7th instant, I will state, that about the 18th November, 1836, major Coe and myself concluded to enter some land on the Appalachicola river and vicinity, for which we made application at the register's office, and obtained it. We saw other lots that we wished to enter, marked thus (S) in pencil, which we were informed had been entered. We said no more, but left the office. Next morning, precisely at nine o'clock, we called at the office. I asked Mr. Andrews (the deputy) to let me see the receiver's receipts for certain tracts marked as above stated: for some, he exhibited the receipts; for the rest, he said that he had none. Dr. Allen (the receiver) was sitting at a table writing, and observed that he was then making them out, as he was the enterer, and had omitted to do so. I observed that he was too late, that I or we were applicants for the land. The deputy register said that he did not know what to do, but that it had best be left to the register when he came. I then informed him that I then applied for all the vacant land in the Territory, from day to day, until it suited my convenience to take it out, and that I should contend for the land. The register rode up at this time; the matter was referred to him, and he gave it in our favor. This I believe to be substantially the occurrence alluded to by you.

Very respectfully, your obedient servant,
J. G. SEARCY.

Col. J. G. Gamble.

Marianna, April 19, 1838.

DEAR SIR: Your note of the 13th instant came to hand, inquiring the conduct of the land officers

towards me. When there the time before last, I carried on specie for Dr. Wilson to clear a piece of land; was warned not to designate the tract until ready to clear it, if not taken. In going to the office, John R. Chapman walked with me to ascertain two eights he wanted, but had to exchange Union money before he could take them. I advised him not to designate, but merely to cast his eye over the map, and point at different lands. He did so. Finding what he wanted was not taken, he inquired of Dr. Allen where he could get specie or treasury notes; he was answered they could be had of him at 15 or 20 per cent., (which amount I do not distinctly recollect); but I advised him to try elsewhere. He inquired at the bank, but none were there. He was told 5 per centum was the difference of exchange; but I believe he gave one of the former amounts, to save the land. While in the office, discovering such a watchfulness in certain persons, I asked to look at a map, where I knew real estate lay that would stick to the owner; it was readily shown; near it, on two sides of it, lands had been entered—I knew in one of the cases, by mistake. I put my pencil on ten or a dozen pieces, expressing some astonishment that such lands should be so long passed over, remarking that I had not entered the land for market, but for a settlement; but when my new stock was available, I would likely call. Chapman came up, remarking, the owners of the adjoining lands must share in that. I bound him in honor not to interfere with what I had marked; he wanted me to specify a time he should be bound to wait; I stated, when the banks resumed specie payments, as I could not pay 15 or 20 per centum. We passed off; in about an hour we called to clear his two pieces, and found, as he stated to me, three pieces of what I had noticed taken, scattered through my selection; in examining, I found the northeast of section 28 taken by Dr. Allen, in the midst of my settlement. I thought I had purchased the west half of it in the sales, but was mistaken. I explained the mistake to Dr. Allen in the presence of major Hackley. He (Allen) asked me 100 per cent. I offered him \$100; he at first refused; but major Hackley came out so strong that he finally acceded to my offer. Hackley stated that he, as register, was blamed with speculation in his office, while he had stood aloof, but that Allen and Andrews were speculating to the disadvantage of the old settlers; and that, although governor Call had stated they had a right, he thought it improper, having before them the maps and books: the piece I got of him at \$300; the papers had not been sent on. Chapman further states that the pieces marked "cleared," were abandoned. I told the joke to captain Mooring, and the fellow, no doubt, got wind of a trick, and drew off. Yours, very respectfully,

JACOB ROBINSON.

Col. J. G. Gamble.

P. S. It is hoped the directory will give to this section an independent sufficient branch to do the business of this country this fall; I am persuaded it will be to the interest of the institution.

Tallahassee, May 15, 1838.

DEAR SIR: In reply to your inquiries on the subject of a transaction which occurred at the land office in this place, between Dr. Allen, the receiver, and myself, about the latter part of February last, I will state, first, that I do not desire to be an accuser of that gentleman, yet I cannot deny to you a statement of the facts you allude to. My friend, general John G. Chapman of Maryland, had visited this country for the purpose of making a planting establishment. He had examined several tracts of land, and had reports of many others that were for sale; one of which, belonging to Mr. Keith, lying on the Chupoln river, we thought from description would suit him. He had confided very much to my judgment and advice in the selection he contemplated making, and, being anxious to return home, he left it to me to examine Mr. Keith's land and report on it, which, if done favorably, it was to be considered a purchase between Mr. Keith and himself, all other parts of the bargain having been fully concluded between general Chapman and Mr. Keith. At the time it was convenient for me to go and look at the land, I called on Mr. Keith, then in Tallahassee, to obtain a description of the sections and townships. From his papers I made a small rough map with my pencil, of the land sections 26, 27, 34, and 35, in all of which Mr. Keith's tract run; marking upon the southwest quarter of 27 that it was

"vacant," as Mr. Keith informed me. I then went to the land office, (for the receiver's and register's offices are kept in the same room,) and asked Dr. Allen to get Mr. Andrews, the clerk of the register, to have me a perfect map made out of the township in which this land was situated, (which service he was in the habit of rendering to all who desired it,) denoting the entered and vacant land, and to have it done by the next day, leaving, at the same time, the "rough map," which I had made from Mr. Keith's description of the land, upon which was written in full, in lead pencil, on the southwest quarter of section 27, the word "vacant;" which I had done because Mr. Keith informed me that it was vacant, and was highly essential to the tract, and ought to be entered by general Chapman if he purchased, and, if not, he intended to enter it himself. These remarks of Mr. Keith was the reason why I so particularly designated this piece by the word "vacant," in pencil. When I called at the land office next afternoon to get the map ordered to be made out, (L. A. Thompson was with me, by accident, and witnessed what occurred between Dr. Allen and myself,) it was handed to me with the "rough map" I had left. I observed on the one made for me that the southwest quarter of 27 was marked as entered. I remarked to Dr. Allen that there was an error; that this piece was vacant. He replied, that he expected the map was correct. I replied again that it was not, for I had examined the land office the day before, when I ordered the map made out, and it was then vacant, and, unless since entered, there must be a mistake. He hemmed and hawed, and finally acknowledged that he had entered it. My first impressions, you may imagine, were not of a very pacific character. I felt indignant, and did not hesitate to so express myself. Here some altercation in words took place, which confused the doctor some little. He, however, made the remark, that if general Chapman wanted the land, he should still have it. Without reply, I left doctor Allen, and with Mr. Thompson, who witnessed all that took place, I consulted with regard to the matter. It was agreed that, as (if general Chapman did not take Mr. Keith's land) Mr. Keith's interests would be prejudiced, it would be better to make him acquainted with what had occurred. This I did; and upon consultation with that gentleman, determined to wrest the land from Dr. Allen without conditions. I therefore prepared myself with \$200 in specie, and went to him with a deed prepared by Mr. Thompson, to pay for and obtain a transfer of the land. He received the money, but, instead of signing the deed, altered the entry in his book, and gave me the usual land office receipts in my own name. In twenty minutes after, I deeded it to Mr. Keith, with the understanding that, if general Chapman wanted his land, this piece was to be transferred at cost. My impressions are, that doctor Allen took advantage of my leaving the rough map with him, having upon it the word "vacant," written in pencil; and I came to this conclusion from having had repeated complaints of similar conduct in his office.

I am, very respectfully, your ob't. servant,

JESSE H. WILLIS.

Col. John G. Gamble.

Treasury Department, June 23, 1838.

Sir: Copies of letters from John G. Gamble and John C. McGehee are herewith enclosed; and I have to request that you will furnish such explanations and further evidence as it may be in your power to offer, as well in relation to the charge of Mr. McGehee as to the former complaints preferred by colonel Gamble, at an early day.

I am, very respectfully, your ob't. servant,

LEVI WOODBURY, sec. of the treasury.

Matthew J. Allen, Esq.,

Receiver of public money, Tallahassee, Florida.

Washington City, June 21, 1838.

Sir: I have not been so fortunate as to find you at home or disengaged when I called at the department, and I am obliged to proceed immediately to New York.

The enclosed letter from judge McGehee, in relation to the conduct of the agents of the land office, was received, under cover, last evening; and is handed over to be placed with those previously forwarded.

My letter of 18th April advised that I had been misinformed of the facts in relation to one of the charges made against Mr. Allen in my letter of 21st

February. All the other charges, I presume, are admitted by Mr. Allen; and, if denied, are proved by the evidence forwarded. I repeat what I said in my letter of the 18th April, that I volunteered in this business from a sense of public duty, which must be performed by some one. I had no personal cause of complaint, and no private grief to urge me to the course: nor did I anticipate that I should have had devolved on me the trouble of hunting up the evidence in support of the charges. I thought the investigation would have been made in Florida, where Mr. Allen and the witnesses would have met face to face.

Andrews continues to be the representative of Allen in the office of receiver. He is still clerk of the register. The two offices are kept in the same room; and, in practice, are no longer checks upon each other. Respectfully,

JOHN G. GAMELE.

Hon. Levi Woodbury, secretary of the treasury.

Hickstovon, May 11, 1838.

DEAR SIR: I have just received your letter of the 8th, in relation to the charges against the agents of the land office in Tallahassee, and requesting me to state what I know in relation to the entry of Mr. Wallace's land. I will do so, as nearly as I can recollect.

I think near two years ago, Mr. Wallace, who had purchased an improvement, placed money in the hands of a Mr. Perry to enter an eighth of land for him. Perry applied, with the numbers and other description of the land, at the register's office, and (as Mr. Wallace said) was told that there was not time then to prepare the papers, but that if he would apply in the morning, his business should be attended to; he accordingly applied the following day, and was then told by Mr. Andrews, the register's clerk, that he had entered that land himself.

Some short time afterwards Mr. Wallace applied to me to inquire into it while at Tallahassee, (for I was then on my way). I called at the register's office, and applied to enter the same land, and was promptly told that the land had been entered by Mr. Andrews, the register's clerk. I then asked him some questions in relation to the entry, when he made it, and who informed him of the land, &c.; and became convinced, from his answers that all was not right, and gave him notice that I would continue the investigation until I could be fully satisfied. I immediately informed Mr. Hackley of what had occurred, and my suspicions of his clerk. He promised that it should immediately be looked into. I set out in a few minutes after this for St. Marks, and returned the next day, when Mr. Hackley informed me that it was a mistake of Mr. Andrews; that it was rectified, and that Mr. Wallace had the land. Here the matter ended. I have no reason to suppose that Mr. Hackley knew any thing of this matter until I informed him, and believe he had it corrected.

I am, very respectfully, &c.,

JOHN C. McGEHEE.

Colonel John G. Gamble.

Receiver's Office, Tallahassee, July 12, 1838.

Sir: In your communication of the 23d ultimo, enclosing copies of letters from John G. Gamble and John C. McGehee, you request me to submit such explanations and further evidence as I may be able, with regard to the charge of Mr. McGehee, as also of the former complaints of colonel Gamble. As regards the former, the letter of Mr. McGehee does not even mention my name; and the transactions spoken of by him (according to the dates given by himself) transpired before I entered the land office, viz: in May, 1836. You will find, by reference to my returns, that I did not commence the duties of receiver till the 12th of August, 1836; however, I know nothing concerning it, except that Mr. Andrews says the case is mistaken. With regard to the charges of colonel Gamble, I believe I have answered them all in my former communications, (to which I refer you,) except his statements concerning my subscription to the Union Bank, which, being entirely a private matter, I presumed needed none. I will, however, state the circumstances connected with that transaction. The Union Bank, having determined to increase her capital \$2,000,000, invited subscriptions to the new stock, to be secured by mortgage on real estate and negroes. At the time I subscribed, the subscriptions amounted to about \$9,000,000, (more than four times the amount to be divided among the subscribers;) therefore, to

get what you wanted, you were obliged to subscribe four times that amount. I desired, at that time, to put some lands which I had purchased (at government price) into the bank; the unimproved lands were usually appraised at from five to ten dollars per acre, and the bank was to pay out two-thirds of the valuation to the subscribers. I subscribed, through mistake, *one day* after the time limited, and my subscription was, on that account, thrown out. I have not a dollar of stock in the bank. I am fearful this will be tedious to you; but I could not tell what further evidence you desired, except you referred to this subject.

In conclusion, I will notice an assertion of col. Gamble, in his letter of the 21st ultimo, viz: "that Mr. H. R. W. Andrews still continues representative of Allen in the office of receiver." This is proved wholly false by the enclosed statement of Mr. R. B. Copeland, and I cannot conceive how colonel Gamble should be unacquainted with its falsehood; and I now assert (what I have before stated) that Mr. Andrews never has acted as my clerk, but that, when absent from the office, I have uniformly employed Mr. Copeland as my clerk and agent. I am, respectfully, your obt. serv't.,
M. J. ALLEN, Receiver, &c.

Hon. Levi Woodbury, secretary of the treasury.

Tallahassee, July 12, 1838.

I certify that I have been acting as clerk to the receiver at this place since the 6th of April last; which fact is well known in Tallahassee, and especially at the Union Bank of Florida, of which John G. Gamble is president, and where I have made special deposits of what specie I have received since the date aforesaid, to the credit of M. J. Allen, receiver. R. B. COPELAND.

Receiver's Office, Tallahassee, July 23, 1838.

Sir: There remains of the amount I had deposited (as receiver) in the Union Bank of Florida (at the time of their suspension of specie payments), the sum of \$12,414 63; which, relying on your letter of the 21st of April, I beg leave to request you will draw for, through George Thomas, esq., cashier of the bank of the Metropolis, according to the purport of the letter above alluded to, and the note of Mr. Thomas addressed to you on the 19th of April last; and I would be pleased that that were done immediately, that that matter might be closed.

The treasurer has overdrawn the specie on hand, as shown by my last weekly return, by upwards of \$3,000; in consequence, I presume, of not knowing of the arrangement above alluded to, and my weekly returns of specie subject to draft including that sum in the Union Bank, viz: \$12,414 63. Your attention to this subject will greatly oblige me. I am, very respectfully, sir, your obedient servant,
M. J. ALLEN, Receiver.

Hon. Levi Woodbury,
Secretary of the treasury, Washington city.

Treasury Department, August 4, 1838.

Sir: You are informed, in reply to your letter of the 23d ultimo, that all was drawn on the bank which Mr. Thomas was disposed to pay; and that no unsettled affairs of the bank exist here. The bank at Tallahassee knows and can inform you of the details. The treasurer has been directed not to overdraw at any time; and it is hoped that his drafts will be promptly met by you. I am, very respectfully, your obedient servant,

LEVI WOODBURY, Sec. of the treasury.
M. J. Allen, esq., Receiver of public moneys,
Tallahassee, Florida.

Treasury Department, February 10, 1794.

Sir: The enclosed letter of the 27th of last month, from the collector at Tappahannock, relates to a subject equally delicate and disagreeable. It is my duty to add, that bills have returned protested to the amount of 3,000 dollars.

This conduct, though I trust proceeding from no ill motive in the collector, is of a nature so fatal to the punctual collection of the revenue, and at the same time so vitally injurious to the public credit, that I cannot forbear to submit it as my opinion that the public good requires the superseding of the officer. With perfect respect, &c.

ALEXANDER HAMILTON,

To the president of the United States.

Treasury Department, June 16, 1794.

Sir: It is with regret I inform you that another collector has suffered treasury drafts to return un-

paid, which were drawn upon moneys reported by him to be in his hands—Abraham Archer, esq. of Yorktown. Enclosed are letters of apology on the subject. All the drafts which were at first declined were afterwards paid.

I perceive nothing substantially to distinguish this case from that of the collector of Tappahannock who was lately superseded on a similar account. Nor can I forbear, however painful the task, to submit it as my opinion, in this as in that case, that the good of the public service requires a displacement of the officer. Punctuality in this respect is too indispensable not to be made the invariable condition of continuance in office. With perfect respect, &c.

ALEXANDER HAMILTON.

To the president of the United States.

Treasury Department, February 18, 1795.

The secretary of the treasury has the honor respectfully to submit to the president of the United States certain documents, by which it appears that John Muir, collector for the district of Vienna, in Maryland, has neglected his duty in failing to collect, or to institute in season suits for the recovery of, bonds for duties due to the United States.

The collector has moreover failed to pay certain drafts, drawn on him by the treasurer of the United States, for moneys appearing, by returns to the treasury, to be on hand; and in this respect he is found to be in the same predicament as the collectors of York and Tappahannock who were superseded.

The secretary is firmly of opinion that the good of the public service requires that this officer should be displaced; and, from inquiries which he has made of Mr. Murray, of the house of representatives, he is induced to believe that James Frazier is a fit character to succeed to the office. All which is most respectfully submitted.

OLIVER WOLCOTT, Sec. of the treasury.

To the president of the United States.

[Mr. Allen is indebted to the government twenty-six thousand six hundred and ninety-one dollars and fifty-seven cents, (\$26,691 57.)]

11.—Correspondence with John Spencer, receiver at Fort Wayne.

Treasury Department, April 25, 1836.

Sir: Your letter of the 4th inst., enclosing a return for the month of March, and a quarterly account for the quarter ending on the 31st ult., is received. Quarterly returns or accounts are not required to be made to the secretary of the treasury, but to the commissioner of the general land office, as your instructions from that officer will inform you. The returns required to be made to the secretary of the treasury, as you will perceive from the enclosed circular, are monthly, being duplicates of similar statements rendered to the general land office, and corresponding, in form, to that for March, received with your letter. As these statements for January and February last have not been received at the department, I must claim your attention to the omission, and insist on their transmission, in future, immediately after the close of each month. At the same time, I would also claim your strict attention to the regulations of the department in respect to the periodical deposits of the public money, and to the duty transmitting the usual evidences of such deposits to the secretary of the treasury, as the instructions require. I am, very respectfully, &c.

LEVI WOODBURY, Sec. of the treasury.

Col. John Spencer, receiver of public moneys,
Fort Wayne, Indiana.

Treasury Department, May 23, 1836.

Sir: Since the date of my letter to you of the 25th ult., your returns for the month of April have been received, from which I perceive that the public moneys in your hands on the 30th ult. amounted to the sum of \$247,251 64, which amount is the accumulated receipts of your office since the 1st of January last. You cannot but be aware that the retention of the public moneys in your hands beyond the period of one month, unless the receipts of such month be less than \$10,000, is a violation of your instructions. The object of this letter is, first, to require that the whole balance on hand at the time of the receipt of this letter shall be immediately deposited, and a certificate of such deposit transmitted to the department without delay; second, to inform you that the department cannot

overlook the omission to do so, or your future neglect to deposit monthly, and to transmit your monthly returns, accompanied by the evidence of your deposit, in time to be received at this office within the month next preceding that for which the return is rendered; third, that any neglect or inattention to these requirements, unless satisfactorily accounted for, will require of me, from a sense of official duty, that you be reported to the president, with a recommendation that you be removed from office. I am, very respectfully, &c.

LEVI WOODBURY, Sec. of the treasury.
Col. John Spencer, receiver of public moneys,
Fort Wayne, Indiana.

Treasury Department, July 8, 1836.

Sir: Since my letter to you of the 29th ult., directing an examination to be made into the state of the land office at Fort Wayne, Indiana, the returns of the receiver for the month of May have been received, and exhibiting a balance of money in his hands, at the close of that month, amounting to \$601,350 49. He has transmitted, under date of the 27th ultimo, a certificate of deposit in the "branch state bank of Indiana," made on the 15th of the same month, of \$540,433 09, leaving a balance in his hands of \$60,947 40.

I have to request that you will instruct Mr. West, the examiner referred to in my letter above stated, to make special inquiry into this matter, and report to the department the result. I am, very respectfully, &c.

LEVI WOODBURY, Sec. of the treasury.

Ethan A. Brown, esq.,
Commissioner of the general land office.

Treasury Department, July 8, 1836.

Sir: Your account as receiver of public moneys at Fort Wayne, for the month of May last, with the enclosed certificate of deposit, in the branch state bank of Indiana, for \$540,433 09, has been received, leaving a balance in your hands of \$60,947 40. I have to request to be informed why the whole amount in your hands was not deposited at the same time with the first-mentioned sum. I am, very respectfully, &c.

LEVI WOODBURY, Sec. of the treasury.
John Spencer, receiver, Fort Wayne, Indiana.

Receiver's Office, Fort Wayne, July 29, 1836.

Sir: Yours of the 8th, urging an explanation why the balance of the money on hand was not deposited at the time I made the last deposit, obliges me to state to you, that, owing to the great amount of money that I had with me at that time, (for I had the whole amount due from me to the government at the time I left the office, except the specie that came in after the wagon that hauled the silver had left, which was about one week before I left myself), the cashier of the bank declined receiving in that deposit the eastern money and drafts, viz: on the safety-fund banks of New York, and the Farmers' and Mechanics' Bank of Michigan; which I received, supposing that they were embraced in his list of funds. The eastern funds, I left in the bank at Richmond, with the cashier's promise that they should go in the next deposit. The Michigan paper I sent to Michigan bank; which was deposited there, and the certificate forwarded to the commissioner of the general land office in the last quarterly report.

The bank at Richmond received that deposit with great reluctance, being fearful that the government might draw the funds out before they could make their arrangement. The money is yet in the bank, for the government. I shall leave without delay, to make deposit, having received information that the bank at Indianapolis would receive the deposits, notwithstanding the letter from the president of that bank, which was the cause of my detention from making the deposit immediately after the receipt of your letter directing me to deposit in that bank, instead of that at Richmond.

Copy of a letter from the president of branch bank at Indianapolis, dated July 14, 1836.

Sir: Having understood that the secretary of the treasury has directed you to deposit moneys received at your office for public lands at this branch, I deem it proper that I should apprise you that the directory have it in contemplation to decline for the present receiving any further deposits, believing that we cannot accede to the terms embraced in the late act of congress in relation to the deposits, without too great a sacrifice of interest to this institution.

I am authorised to say to you, the board of directors of this branch, unwilling to add to its responsibility so heavy an amount as would likely be your next payment, have decided not to receive the deposit from that office. Respectfully, yours,
HENRY BATES, president.

John Spencer, receiver.
 Hereafter, I assure you that the deposits will be made, so far as I am concerned, in strict accordance with my instructions. Respectfully, sir, I am your humble servant,
JOHN SPENCER.
Hon. Levi Woodbury, secretary of the treasury.

Branch Bank, Indianapolis, August 17, 1836.
 We have this day received from John Spencer, esq., receiver of public moneys, the amount below named of unbankable money, at a discount as follows:

Large notes on country banks, N. York	\$35,000 00	
1 1/2 per cent. off	525 00	
		\$34,475 00
Michigan, Ohio, Illinois, and N. York, (small)	24,475 00	
2 per cent. off	429 50	
		\$21,045 50
Drafts on Bank of Michigan per cent. off	13,073 69	
1 per cent. off	130 73	
		\$12,942 96

The above amount is included in the receipts given Mr. Spencer on this day for credit Treasurer United States. **THOS. H. SHARP, teller.**
 I certify that the above is a true copy: August 20, 1836.
JOHN M. WILIT,
Clerk in receiver's office, Fort Wayne.

NOTE.—Mr. Spencer offers the above as a proof that he was obliged to make a discount, or sustain a loss, when depositing at Indianapolis.
 I have not time to send a duplicate of the above.

Treasury Department, August 13, 1836.
 Sir: Your letter of the 25th ult., enclosing your monthly return for June, is received. Seeing that the balance in your hands amounts to the sum of \$100,599 32, I must require that the same be transmitted to the bank of deposit forthwith, and request you to explain why the amount has been so long retained in your hands.

No answer to my letter of the 8th ult. has been received. I am, &c.
LEVI WOODBURY, sec. of the treasury.
Receiver of public money, Fort Wayne, Indiana.

Receiver's office, Fort Wayne, August 22, 1836.
 Sir: I have just received yours of the 13th inst., acknowledging the receipt of my letter of the 25th ult., and returns for that month. It also presents the inquiry why the balance of \$100,599 32 was retained so long in hand, and observes that no reply had been received to your letter of the 8th ult.

In answer to the above, I reply, that an answer at some length was written to your letter of the 8th, dated July 29th, which was probably on the way when you wrote on the 13th inst., and would no doubt be received soon after. The amount of funds in the Richmond bank, which I spoke of, was \$52,831 39, and is included in the enclosed certificate of deposit.

My reasons why the balance of \$100,599 32 was so long retained, are as follows: On the 20th of June I returned from depositing at Richmond.—From this time to the 26th I was busied in procuring security to my new bond, according to the requisition contained in the circular from the commissioner of the general land office of 25th May, and which was received on the 4th of June, while I was absent. On the 26th I started for Rockville to have it approved, and returned on the 10th of July; the office was opened on the 11th, and the extraordinary press of business rendered it advisable that I should remain for a few days until the press would be over. While preparing the funds for deposit which had accumulated to a large amount, I received the letter from the president of the branch at Indianapolis, (a copy of which I sent you in my letter of the 29th ult.), refusing the deposits from me. Afterwards, I received another letter accepting them, and, as soon as I could thereafter, I left to make the deposit, the result of which is contained in the enclosed certificate.

I beg leave to repeat the assurance that every attention shall be given to the subject of depositing which its importance and my duty require.
JOHN SPENCER, receiver.
Hon. Levi Woodbury, sec. of the treasury.

Office of the state bank of Indiana, At Fort Wayne, Aug. 22, 1836.

Understanding that reports are in circulation in regard to the course that has been pursued by col. John Spencer, receiver of public moneys in this place, in receiving at a discount uncurrent paper in payment for lands, which are calculated to injure him in his relation to the government, I take this opportunity of stating such facts upon this subject as have come within my knowledge. The situation which I have occupied for some time in this branch bank, the daily intercourse which I have had with the receiver, and the consequent knowledge which I have obtained of the manner in which he has discharged his official duties, lead me to the opinion that the reports alluded to have originated either in misunderstanding or misrepresentation.

That paper not authorised by the cashier of the deposit branches at Richmond and Indianapolis to be received by the receiver has in some instances been taken by him at a small discount, is not denied by col. Spencer himself; but I take pleasure in saying, that in no instance within my knowledge has this been done when the necessary exchanges could have been effected at this bank or with individuals. Owing to the great amount of the sales of the public lands in this district for some months past, and the fact that a large majority of land-buyers have come here unprovided with the right kind of funds, the demand upon us for land-office money has been greater than we could supply. Under these circumstances, if exchanges had not been made by the receiver, many individuals who had come a long distance would have been under the necessity of departing without the lands they had in many instances selected, or travelling, at the risk of losing their selections, at least one hundred miles, over roads the greater part of the year almost impassable, to obtain the right kind of funds. It is under such circumstances, when the purchaser could be accommodated nowhere else, that uncurrent paper has been taken by the receiver at a discount.

I feel very confident that these exchanges have not been made at the desire of col. Spencer. In many instances, within my own knowledge, he has peremptorily refused to make the desired exchanges; and in all instances I doubt not that he has been induced to do it, rather on account of the pressing solicitation of purchasers, than with a view to his own emolument. In some cases, when we could not afford the necessary accommodation in bank, I have suggested to col. Spencer the necessity of his taking, in some instances, at such rate of discount as would satisfy him for the expenses of making the re-exchanges, other than land-office money.

I doubt not that the exchanges alluded to have been made by the receiver with reluctance, and at a small discount; and that if he is at fault in this matter, he has erred in liberality towards land purchasers, and a desire to accommodate them, and not with the intention of advancing his individual interests.

I give the foregoing to be used by col. Spencer as he may deem proper.
H. McCULLOCK, cashier.

Madison, August 31, 1836.

Sir: I am informed that some things are stated recently to the prejudice of col. John Spencer, receiver at Fort Wayne; and I am requested to write you. In doing so, I can only say that I have been gratified in learning that his deposits have been made to your satisfaction; and, if so, I hope that minor matters, if mere irregularities, will be overlooked. He is reputed to be an honest and honorable man, and I do not believe that he has intentionally either done wrong or violated his instructions. It would to some extent produce excitement if he were removed, for he has many warm and influential friends both at Fort Wayne and in Dearborn county, from which he removed to his present residence. Better let it be. With much respect,
WILLIAM HENDRICKS.
Hon. Levi Woodbury, secretary of the treasury.

Treasury department, September 2, 1836.

Sir: I have received the report of Mr. West upon the transactions of the land office under your charge; upon which I beg leave to remark, that the department trusts your deposits will hereafter be promptly made, and that no exchanges whatever of money will take place on any terms, as

they open a door to improper practices and untounded imputations. I am happy to add, that the department can readily see the difficulties in resisting importunities to exchange money and to receive what is not permitted by regulation. It can also duly appreciate your excuses for not making more prompt returns and more frequent deposits; but it trusts that, hereafter, a more rigid conformity to your instructions will be practicable, and will remove all cause of apprehension and complaint. I am, very respectfully, your obedient servant,
LEVI WOODBURY,
sec. of the treasury.

Col. John Spencer, receiver, Fort Wayne.

Treasury department, September 7, 1836.

Sir: Your letter of the 31st ultimo is received, and I am happy to inform you that Mr. Spencer's explanations have been such that he will, probably, continue in office. I am, very respectfully, your obedient servant,
LEVI WOODBURY,
sec. of the treasury.

Hon. William Hendricks, Madison, Indiana.

Receiver's office, Fort Wayne, October 27, 1836.

Sir: This is to inform you that I have forwarded to the deposit bank one hundred and four thousand dollars, in silver, there to remain until I arrive with the gold and paper money.

My democratic friends think that I ought not to leave until after we hold our election for president, on the 7th November, which I have concluded to await; and shall leave on that evening, or the next morning, to deposit, with all the funds on hand up to that time. I shall write you again before I leave. The sales are rapid, mostly paid in gold and silver. My quarterly report will be forwarded by next mail for last quarter, which ought to have been done sooner, only for the want of help in the office. Hereafter, I think I can get my reports off, without much delay, after the close of the month and quarter. I am yours, respectfully,
JOHN SPENCER, receiver.

Hon. Levi Woodbury, secretary of the treasury.

Receiver's office, Fort Wayne, November 8, 1836.

Sir: To-day I leave to deposit all the funds that I have on hand. I shall probably leave them at Lawrenceburg. During my absence, the office will be in the care of John M. Wilt. I shall be gone, probably, about two weeks. Respectfully, your obedient servant,
JOHN SPENCER.
Hon. Levi Woodbury, secretary of the treasury.

Cincinnati, November 28, 1836.

Sir: Herewith you will receive the certificates of my last deposit. I have been much longer on the road than I had expected, owing to the badness of the same. We have had very wet weather, which caused high waters. I am now on my way to the office, and shall write you more fully when I get home. I am yours, respectfully,
JOHN SPENCER,
Receiver of public moneys, Fort Wayne.

Hon. Levi Woodbury, secretary of the treasury.

N. B. I had sent, some time since, \$21,000 to the care of the Commercial Bank, until my arrival; the cashier then informed me that he had placed the same to the credit of the treasurer of the United States, which caused the two receipts of deposit. The charges on my books shall be the same as if all had been made together.
JOHN SPENCER.

Receiver's office, Fort Wayne, January 18, 1837.

Sir: Enclosed I send my certificate of deposit for one hundred and nineteen thousand one hundred and sixty-three dollars and eighteen cents, from branch bank of the state of Indiana, at Lawrenceburg. \$119,163 18. Respectfully yours,
JOHN SPENCER.
Hon. Levi Woodbury, secretary of the treasury.

LIST OF FUNDS.

Scrip, - - - - -	\$1,212 50
Gold, - - - - -	15,698 31
Silver, - - - - -	30,559 67
Cincinnati, - - - - -	4,971 00
Pittsburg, - - - - -	616 00
Kentucky, - - - - -	545 00
Indiana, - - - - -	18,361 00
New York, - - - - -	679 00
Philadelphia, - - - - -	620 00
Baltimore, - - - - -	50 00

The United States in account with John Spencer, receiver of public moneys at Fort Wayne, Indiana.

Dr.
1836. By cash paid into the branch bank of the state of Indiana, at Lawrenceburg, to the credit of the treasurer of the United States, \$119,163 18
Risk in depositing the above amt—distance 200 miles, 238 32
Compensation for travelling —400 miles, at 14 cents 56 00
Military bounty landscrip, 1,212 50
Allen Hamilton, bill for stationery, 167 75
F. P. Tinkham's bill for cabinet work, 80 00
Ames Compton's bill for transporting specie, 600 00
Osborn Thomas' do, 55 00
Erroneous entry by Joseph Lenge, refunded, 50 00
Undercharged for depositing in last month's statement, 10 00
Register's salary and commission, 750 00
Receiver's do. do, 750 00
Balance on hand carried to the credit of the United States in next monthly report, 15,545 19

Cr.
Dec. 1 By this amount remaining on hands, as per last monthly report, \$65,359 47
31 Amount received from individuals in the present month, 73,312 48
\$138,671 95
JOHN SPENCER, receiver.

House of representatives,
Washington city, January 5, 1837.

Sir: I desire to see the report of the examiner of the land office at Fort Wayne, Ia., made by Mr. West last fall, and all the papers connected with and relating to that report and examination, including the letters and correspondence of such officers of the government, and members of congress of either house, as may be on file in the treasury department upon that subject, or in reference to the alleged delinquency of the receiver of public moneys at that place; and as these papers are voluminous, and I could not well examine them satisfactorily in your office, I desire copies of the whole, as above referred to. As the letters and correspondence of gentlemen, the copies of which I seek, are upon a subject of a public nature in reference to a public officer, I have supposed they might be seen, and that it is not improper to ask copies. I would be glad to get those copies as early as may suit your convenience.

I have the honor to be, &c.

J. McCARTY.

Hon. Levi Woodbury.

Treasury Department, January 6, 1837.

Sir: Your favor of yesterday has been received; and I have since looked more fully into the papers and correspondence referred to, and regret to find them so voluminous, and some of them of such a personal character, that it would not comport with the general rules of the department to furnish copies of them, unless to individuals interested or assailed in them, or on a proper call by congress. I will, however, be happy to state to you their substance, or furnish copies of any particular papers you may designate, as in your own opinion affecting your private interests or character, if, on examination, it be found that they do. But if none are of that description, (and I believe none are), it appears to me, on mature reflection and examination of the precedents here in similar cases, that if any public purpose is contemplated by the use of the papers, it is better that the copies should be furnished only upon a public requisition. Allow me to add, sir, that if you or any other gentleman wish to prefer any new charges whatever against the receiver at Fort Wayne, or to have any further examination made into those heretofore explained by him, both the president and this department are ready at any moment, to cause a full inquiry to be made into them, and take there-

on such further steps as the public interest may appear to require.

I am, very respectfully, your obt. serv't,
LEVI WOODBURY, sec'y. of the treasury.
Hon. J. McCarty, house of representatives.

Receiver's office, Fort Wayne, June 20, 1836.

Sir: I have just returned from making a deposit. I was much delayed in getting off, in consequence of the great press of business in the office, not being able to procure the necessary assistance. During the month of May I had to stay in the office. I had much difficulty in procuring a team to transport the silver, which I at last succeeded in getting. It had to go round through Ohio, by the way of Dayton, and was on the road between two and three weeks. I do assure you that it has been impossible to go through on the route, as allowed by the comptroller, with wagons or on horseback, for a considerable part of the time since the office opened on the 7th of March last. The Wabash, Mississinewa, and Salamonee rivers, and some smaller streams, have been so high as to swim my horse. This I had to do when I went on the 1st of June inst. I got the paper-money wet, but not much injured. It would be more convenient to deposit in Dayton, Cincinnati, or Detroit, than at Richmond or Indianapolis. There is no direct road to either of the last named places.

I am now getting the new bond made, and shall leave in two or three days to see the district judge for its approval.

I regret having been so situated as to get the reprimand from the secretary of the treasury that he has given me. I will in a few days be able to get another clerk, and will in future attend strictly to depositing as well as other duties.

I am, very respectfully, sir, your obt. serv't,
JOHN SPENCER, Receiver.
Hon. Levi Woodbury, sec'y. of the treasury.

12.—Correspondence with J. H. Owens, receiver at St. Stephen's, Alabama.

Treasury Department, February 28, 1835.

Sir: It has been intimated to the Department that a practice prevails at some of the land offices of permitting entries and issuing certificates of purchase, without the payment of the purchase-money at the time of the entry. Such a practice being unauthorised and highly reprehensible, I have deemed it proper to make known to you that if it has been tolerated by you, it must immediately cease; and any repetition of it hereafter, coming to the knowledge of the department, will receive prompt and exemplary notice.

I cannot omit the occasion to impress upon you the necessity of a strict attention to, and punctual compliance with, the duties required of you in regard to the prompt deposit of the public moneys, and transmission of your accounts and returns; and to say to you that the performance of those duties must be regarded as paramount to all other in your official station.

I am, &c.,

LEVI WOODBURY, sec'y. of the treasury.

To receivers of public money at Cahaba, Huntsville, Montgomery, St. Stephen's, Augusta, Chocoma, New Orleans, Ouachita, Demopolis, Mardisville, Sparta, Tuscaloosa, Columbus, Washington, Opelousas, and St. Helena.

Treasury Department, April 12, 1836.

Sir: Finding that no attention had been paid to my letter of the 4th February last, reminding you that your returns for the months of November and December had not been received, and apprising you of the course which your continued neglect of this duty would compel me to adopt, it only remains to inform you that if your returns for November, December, January, February and March, are not received by return of mail, I shall report your neglect to the executive for his immediate action.

I am, &c.,

LEVI WOODBURY, sec. of the treasury.
J. H. Owens, esq.
Receiver of public money, St. Stephen's, Ala.

Land office, St. Stephen's, Ala., May 29, 1836.

Sir: I have to acknowledge the receipt of your letter of the 13th ultimo, which did not come into my hands as early as due. I am surprised that you have not received my answer to your communication of February, in which I stated the reasons why my returns were delayed, as well as those of the register. All my accounts were made out at that period, but I suspended their transmission at

the request of the register, on his discovery that, from the maps having been neglected, in many instances, to be properly marked by his predecessors, he had permitted numerous entries of lands which had been previously sold.

As the individuals were known to us, we thought it better to correct such erroneous entries at once, than to make returns of the lands so sold, and thereby subject such purchasers to delay in the receipt of their money, and the department to unnecessary labor. It required longer time than we had any reason to suppose to gain the attention of these individuals. And apart from this fact, independent of the ordinary business of a land office, in consequence of the appreciated value of the lands granted by the Spanish and other foreign governments, and of which the records are kept here, we are daily subjected to great labor, for which no note is taken, and for which the law allows no perquisite. Preparatory for the courts, the attention of the officers of this office is constantly called for by litigants in the investigation of these old claims, in granting orders of survey, in issuing patent certificates, and in the various incidents of this department of our duty, which necessarily demands time for patient and deliberate investigation. Having been honored, too, sir, with the command of a regiment of the military force of this state, I have been twice called on during this season for active and arduous exertion in organizing and furnishing a portion of the men required to march against the savage foe on our border. Having accepted of this command when no requirement was made on me for exertion, I did not deem myself at liberty to withdraw from it when its duties suddenly became of an important and responsible character.

I have received your letter and prepared my accounts, such as you see them, in the interval of a day from the embodying and marching of a detachment from this regiment to their rendezvous in the Creek nation. Nor did I believe that a little delay would be of serious import, as a reference to the bank returns (which I am assured are transmitted to your department), would show the amounts and periods of my deposits. Whatever my own losses or privations may be in the service of the Government, I am fortunate in having the disposition to pay up, without any other thought than that of the propriety of such a course of conduct, all that may be justly due from me. The causes of these delays, however, having been apparently removed, I beg to assure you that every endeavor will be used by both officers to obviate every complaint for the future. I transmit herewith two certificates of deposit, the originals of which I transmitted to you early in April. If at hand on the receipt of this, be pleased to forward the present enclosure to the commissioner of the general land office. I transmit herewith, also, a certificate of deposit of \$30,000, dated 2d May, 1836. I am, very respectfully, your obt. serv't,
J. H. OWEN.

Hon. Levi Woodbury, sec. of the treasury.

Treasury department, September 7, 1836.

Sir: Again it becomes necessary to request your neglect to make your monthly returns for April, May, and July last, and to request your immediate attention to the subject. I am, &c.

LEVI WOODBURY, sec. of the treasury.
Receiver of public money, St. Stephen's, Alabama.

Treasury department, December 19, 1836.

Sir: Again it becomes my unpleasant duty to complain of the neglect to forward your monthly returns to this office, and your quarterly accounts to the commissioner of the general land office, up to the period of your resignation; and to inform you that, if the same are not forthwith transmitted, it will become my unpleasant duty to cause the accounts to be stated, and to direct suits to be instituted on your official bonds for the amount which appears to be due. I am, &c.

LEVI WOODBURY, sec. of the treasury.
J. H. Owens, esq., late receiver of public money, St. Stephen's, Alabama.

[Balance due from Mr. Owens, as late receiver, thirty thousand six hundred and eleven dollars and ninety-seven cents, (\$30,611 97.)

13.—Correspondence with J. W. Stephenson, receiver at Galena.

Treasury department, November 30, 1835.

Sir: Your monthly duplicate returns for the months of August, September, and October, have

not been received. The frequent occasions on which it becomes necessary to notice the neglect of receivers in this respect, suggests a resort to some more effectual remedy than mere complaint. Hence, as a means of enforcing a strict attention to this duty, I shall report any future omission in this respect for the action of the executive, unless satisfactory reasons are assigned for the neglect. The returns in arrear are expected to be transmitted forthwith. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
Receivers of public money,
at Galena, Illinois, and Tallahassee, Florida.

Treasury department, February 4, 1836.
 SIR: Your returns for the month of December have not been received. I regret that there should be any occasion to notice the neglect or accident, (as the case may be), in this important duty; and avail myself of the occasion to inform you that, unless your future returns are received at the department within the month next succeeding that for which the return is rendered, it will place me under the disagreeable necessity of reporting the fact to the executive, in order to comply with the general rule in this class of cases. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
Jas. W. Stephenson, esq.,
Receiver of public money, Galena.

Land office, Galena, February 27, 1836.
 SIR: I am reminded by yours of the — ultimo, which I had the honor to receive by the last mail, of the necessity of punctuality in the transmission of my monthly returns.

Such (since the commencement of cold whether) has been my own indisposition, such the amount of sales, and such the difficulty of obtaining competent assistance, that delinquency in this branch of my duties has been rendered unavoidable. Respectfully, your obedient servant,

JAMES W. STEPHENSON.
Hon. Levi Woodbury, sec. of the treasury.

Treasury department, December 5, 1836.
 SIR: It has been my unpleasant duty to complain of your neglect to transmit your monthly returns with promptness on several occasions; and I regret that it again becomes necessary to notice your neglect in this respect, as also of your omission to deposit the public moneys at the intervals prescribed in the instructions of the department. — I have therefore to require that your returns for September, October, and November last, be immediately forwarded to this office; and that the public moneys in your hands be forthwith transmitted to the designated bank of deposit, and placed to the credit of the treasury. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
Receiver of public money, Galena, Illinois.

Land office, Galena, January 5, 1837.
 SIR: I have just returned from St. Louis, via Vandalia; at which latter point I was some time detained in attention to private business. Your letter of the 5th ultimo is now before me, and I can only regret that my delinquency in forwarding returns should have been so frequently the subject of merited reproof. The only apology I can offer is, that the returns were not in a situation for examination, comparison, &c., at the date of my departure; and further that my trip was unexpectedly prolonged. In future, I shall hope to be more punctual. Respectfully, your obedient servant,

JAMES W. STEPHENSON.
Hon. Levi Woodbury, secretary of the treasury.

Land office, Galena, April 23, 1837.
 SIR: On the 29th ult. I left this place to attend a meeting of the "board of public works" at Vandalia. Previous to my departure an understanding was had between the officers of the Galena branch of the State Bank of Illinois and myself, by which it was stipulated on their part, should my deposit be made with them, and the act meet the displeasure of the secretary, they would immediately place the identical funds to the credit of the United States in the agency of the Commercial Bank of Cincinnati at St. Louis. With guaranty, and the knowledge that the state had recently become a stockholder in the bank, I advised the gentlemen in my office to make the deposit, and forward the certificate immediately. By misunderstanding, however, the certificate was not applied

for (although the funds were deposited) before my return. The board of directors of this branch confidently anticipate the deposits; hence their anxiety to preserve the fund in the country until your department shall have expressed its views on this subject. As, in my conception, the only objection to this course proceeded from the delay consequent on awaiting the acknowledgment of the receipt of the certificate herewith enclosed, I must presume to ask your indulgence should my compliance with their request not receive your sanction. Very respectfully, your obedient servant,

JAMES W. STEPHENSON.
Hon. Levi Woodbury, secretary of the treasury.

Treasury department, May 11, 1837.
 SIR: I return the certificate of deposit transmitted with your letter of the 23d ult. This deposit being authorized, it becomes necessary that you will promptly deposit all the public moneys with which you are chargeable in the agency of the Commercial Bank of St. Louis; and that you will continue to do so until otherwise directed.

No return having been received from you since that for the month of February, I have not the means of knowing the amount of public moneys in your hands at the time of the deposit in question; but, by your return dated the 28th February, I perceive the balance then on hand was \$60,284 46, no part of which appears to have been since deposited. Under these circumstances, it becomes the more imperative that there should be no delay in the transmission of all the moneys in your hands to the designated deposit bank. The selection of the Illinois Bank as a depository of the public moneys is a subject of correspondence, but is not yet complete. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
J. W. Stephenson, esq.,
Receiver of public money, Galena, Illinois.

Land Office, Galena, May 31, 1837.
 SIR: I last evening had the honor to receive your circular of the 12th and letter of the 11th instant, returning my certificate of deposit in the Galena branch of the State Bank of Illinois. The deposit bank at St. Louis having stopped specie payment, as we are advised by the latest intelligence, it becomes necessary, in compliance with your circular of the 12th, that the public moneys on hand be withheld until your department is again heard from on the subject of their disposition. Mine are on special deposit in this bank; and I have now to request that I may be instructed to pay over the amount to my successor in office, who will be advised to receipt for the same. Very respectfully, your obedient servant,

JAMES W. STEPHENSON.
Hon. Levi Woodbury,
Secretary of the treasury, Washington city.

Treasury department, June 20, 1837.
 SIR: The request made in your letter of the 31st ult., to be permitted to pay over to your successor in office the public moneys in your hands, is inadmissible. It is desired, however, that the same should be specially deposited to the credit of the treasurer of the United States, in the agency of the Commercial Bank at St. Louis, in case that agency is still in existence, or, in the event that is not, in the Bank of Missouri, as soon as possible; and that you transmit a certificate of the funds of which such deposit consists to this office. — I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
J. W. Stephenson, esq.,
Receiver of public money, Galena, Illinois.

Treasury department, November 11, 1837.
 SIR: Your monthly return for the month of August last has not been received; and you are requested to transmit a duplicate thereof without delay. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
 [The above circular was addressed to the receivers at Quincy, Illinois; Fayette, Jackson, and Lexington, Mississippi; Green Bay and Monroe, Michigan, July and August; Mineral Point, Michigan; Crawfordsvile Indiana, September; Galena, Illinois, September; Fayetteville, Arkansas, September; Tallahassee, Florida, September.]

[James W. Stephenson stands indebted, as late receiver, the sum of forty-three thousand two hun-

dred and ninety-four dollars and four cents, (\$43,294 04.)]

14.—*Correspondence with S. W. Dickson, receiver at Mount Salus.*
Treasury department, February 7, 1834.

SIR: It has been represented to this department that some of the receivers of public money in Mississippi have been engaged in trading on the bank notes they receive in payment of public lands, by exchanging them for bank notes of inferior value. I hope that there may be some mistake in this business, as it is my duty to state to you that such conduct would be regarded by this department as a gross violation of official duty, and be treated accordingly. But, as such a statement has been made from the most respectable authority, I must ask whether you have engaged in any such use of the public money received by you, and request a prompt answer to this inquiry. — I am, &c.

R. B. TANAY, *secretary of the treasury.*
To the receivers of public money at Augusta, Mount Salus, Washington, Chochevuna, and Columbus.

Land office, Mount Salus, March 7, 1834.
 SIR: I hasten to acknowledge the receipt of your communication of the 7th ult., the contents of which, I must confess, have astonished me. Should the representation made you, of trading in bank bills, or any speculation in money whatever, be charged against me, I unhesitatingly pronounce the same a gross perversion of truth, and stand prepared to disprove the charge as far as any negative is susceptible of proof; and take this opportunity, if such a charge rests against me, from any source whatever, of suggesting my right to the name of its author, that I may have it in my power as well to expose the calumniator as the calumny. If I know myself, I entered on the duties of my office with the expectation of the lawful profits alone of the office, and not of turning the office into a shaving shop. I have, in many instances, exchanged money for accommodation sake alone, but never for money in any under part, which never could affect the interest of the government; and having no reward for the same, you may be well assured I could have no inducement to disparage the value on interest of the government in such exchange; and have often exchanged Tennessee and Alabama money for our own bank bills, where persons were wishing to travel in the direction of those states, and the aforementioned bills would answer their purposes better there, though not so current here: all of which exchanges (some of them in United States paper, and some in state bank-paper) have been done by me without one cent profit, and, as I before said, without one cent loss to the government, and every individual who has been accommodated, or who has been acquainted with any such exchanges, will corroborate the above statement. If such exchange is a fault, I have erred unintentionally, and without the least benefit to myself if it is not a fault, (and I cannot conceive it one), then I am wholly blameless. I am, very respectfully, your obedient servant,

S. W. DICKSON, *receiver.*
Hon. secretary of the treasury.

Land office, Mount Salus, (Miss.) March 7, 1834.
 I hereby certify that the above statement of S. W. Dickson is true, so far as the facts have come to my knowledge; and I further certify that I have known him, several times, to refuse to take a reward for the exchange of money.

T. DUNRALL, *register.*

Treasury department, March 25, 1834.
 SIR: The department having received no monthly returns exhibiting the transactions of the land office of which you are receiver, since your appointment, I have thought it proper to call your immediate attention to this duty, and to say to you that, as a means of enforcing a strict compliance with the regulations of the department in this respect, I shall not hesitate to report the case for the action of the executive, should the omission be continued. I am, &c.

R. B. TANAY, *sec. of the treasury.*
S. W. Dickson, esq.,
receiver of public money, Mount Salus, Miss.

Land office, Mount Salus, April 23, 1834.
 SIR: I hasten to answer your polite communication of 25th ultimo; and to express my great surprise at the circumstance of your not having received our last November return, forwarded to

the commissioner of the general land office 31st January last, as soon as it could be prepared; and on 5th April, the December return was sent off; and immediately thereafter, I forwarded the January returns; and on the 31st January, I sent a certificate of deposit to the treasurer, to the amount of three hundred and fifty-nine thousand eight hundred and eight dollars and five cents, of which I informed the commissioner of the general land office. I sent those certificates in advance of my accounts, to show the immense press of business here, and that they might form an apology for the protracted delay of my accounts; and I would now further remark, that, for several of the first weeks, we had such a concourse attendant on the office, we could not more than attend to the immediate sales of land, with several clerks to assist; and we had to wait until January before we could write up the books, and make out the returns in the office, even in the first month. We forwarded our returns in the cases, on account of the bad roads and weather; I am unable to account for the delay of them on the road. You will please find enclosed copies of the letters I sent, accompanying the returns and certificates before referred to, which I hope will satisfy you of my due attention to the business of which you complain. The extreme ill health of my family for the last month, and even now but little abated, has prevented me from forwarding my quarterly returns earlier; but I assure you, the current business of the office is well attended to, and the remaining returns are now maturing for transmission. Respectfully, your obedient servant,

S. W. DICKSON, receiver.

Hon. R. B. Taney, secretary of the treasury.

Land office, Mount Solus, (Miss.) May 20, 1834.

Sir: I have the honor to inform you I have completed and forwarded you my monthly returns for the quarter ending the last year, as well as an account current for the same quarter; and that I also forward to the commissioner of general land office my quarterly return. I herewith also enclose to you two certificates of deposit to the credit of the treasurer of the United States: the first, for ninety-four thousand two hundred and forty-nine dollars and eighty-three cents; the second, dated 9th May, 1834, for thirty-one thousand seven hundred and twenty-five dollars and forty-one cents; amounting, in all, to one hundred and twenty-five thousand nine hundred and seventy dollars and twenty-four cents; which sum, added to the certificate which I heretofore forwarded the treasurer, (say three hundred and fifty-nine thousand eight hundred and eight dollars and five cents), amount in all, to four hundred and eighty-five thousand five hundred and thirty-three dollars and twenty-nine cents, posted by me since in office. I beg leave to suggest to your consideration, as an apology for my seeming delinquency in the delay of my returns, that innumerable mistake arose in the land entries of the first quarter, which were brought to my office daily for correction. In attempting to rectify such errors, I have produced a discrepancy in my return of sales and my quarterly and monthly returns. In many instances, those land purchasers would apply for, and obtain, a return of their money for lands previously sold and not marked on the maps, after my abstract for those sales would be written up; in some such cases the correction was made on the register, and in the bustle of business, neglected on the abstracts; which, I think, must have produced the errors. These errors required a search into each individual entry, over the immense sales of the two first months, in my book in the office, making a tenfold labor to the ordinary examinations and preparations. I now make my quarterly returns agree with my register, which induces the belief that the mistake has arisen, as before mentioned. I would now suggest, that all the improper entries, producing such endless trouble, were not under my control, and could not originate with me, and many of them not in the register's power to avoid, the maps being, in many instances, improperly marked. And another circumstance well calculated to produce embarrassment, the office was, in all the last quarter of the last year, not only full, but more than full, with eager purchasers. The spirit of speculation produced great fears with all the settlers, lest speculators would purchase around them, and crowd their settlements; and such was the mania, that many applied for, and some actually purchased, lands they had long since paid for; and such uneasiness

prevailed that the register informed me, and I believe the fact to be that many made two, and some three, applications for the same land. Hundreds waited for weeks at the office, which produced a confusion unavoidable by the officers. I must thus particular to show the endless trouble I have had to encounter, in correcting mistakes over which I had no control; and I was informed that the practice had been, in the office, to correct mistakes before the entries were sent up. I was not aware, until recently, that my register of receipts each month should be accompanied by a monthly return to your department, not having seen instructions. I am now maturing, and will in a few days complete, my monthly returns for your department, and forward them, of the first quarter of this year. I do expect, as soon as I can get the business up, to be able to keep my returns up with the business. I have had an extremely sick family for the last eight weeks; but have used every exertion my situation, as such, would afford in the discharge of my official duties. I have charged the sales with the amount sent heretofore in the register of receipts; and charged in the succeeding month the error to balance the account; of which I will inform the commissioner of the general land office. I am, sir, very respectfully, your obedient servant,

S. W. DICKSON, receiver.

Hon. R. B. Taney, sec. of the treasury.

Treasury Department, May 19, 1834.

Sir: Lest the letter of which the enclosed is a duplicate may have miscarried, I have thought it proper to transmit a copy, and again to call your attention to its requirements. I am, &c.

R. B. TANEY, sec. of the treasury.

Receivers of public money,

Augusta, Mount Solus, Columbus, Choctawhatchee.

Treasury Department, May 21, 1834.

Sir: I regret to perceive, from your letter of the 23th ultimo, that the regulations of the department in regard to the transmission of monthly returns and certificates of deposit, have either been overlooked or not understood. Monthly returns, as the enclosed instructions will inform you, are to be made in duplicate; one to be forwarded to the secretary of the treasury, and the other to the general land office.

Certificates of deposit are to be addressed to this office. These, and the prompt and punctual deposit of the public money, are to be regarded as paramount duties, the strict performance of which will be insisted on. I am, &c.

R. B. TANEY, sec. of the treasury.

S. W. Dickson, esq.

Receiver of public money, Mount Solus, Miss.

Treasury Department, November 1, 1834.

Sir: Observing that the sum of money deposited by you on the 30th of September last, is short, by a large amount, of the sum in your hands at that date, it is proper that I should call your attention to that clause of the circular of the 1st of May, 1831, which requires that each deposit shall include all the moneys in your possession, and inform you that the department will hold you to a strict compliance with the regulations in this respect.

I am, &c.

LEVI WOODBURY,

Secretary of the Treasury.

S. W. Dickson, esq.

Receiver of public money, Mount Solus, Miss.

Treasury Department, January 30, 1835.

Sir: Again it becomes my duty to notice your neglect to render your returns for the months of October, November, and December last. I feel the more surprised at the omission, since, by letters from the department, dated 25th of March and 21st of May last, you were given to understand the course which your neglect would oblige the department to adopt. It only remains to say, that if your returns are not promptly and punctually rendered, and the public moneys deposited as the instructions of the department require, I shall be under the painful necessity to recommend to the president that you be removed from office.

I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

S. W. Dickson, esq.,

Receiver of public money, Mount Solus.

Treasury Department, February 4, 1836.

Sir: Your returns for the months of November and December have not been received. I regret that there should be any occasion to notice the ne-

glect or accident (as the case may be) in this important duty; and avail myself of the occasion to inform you that, unless your future returns are received at the department within the month next succeeding that for which the return is rendered, it will place me under the disagreeable necessity of reporting the fact to the executive, in order to comply with the general rule in this class of cases.

I am, &c.

LEVI WOODBURY,

Secretary of the treasury.

To receive at Mount Solus.

Land office, Mount Solus, (Miss.) Feb. 16, 1836.

Sir: I herewith send you my monthly account current for November last; the vouchers are forwarded to the commissioner of the general land office. I very much regret this great delay in my returns, but it has been beyond my control to do otherwise. I have labored under severe indisposition for several weeks, and a part of the time I have been confined to my bed. I was first attacked with erysipelas of the ankle, and during the public sales was compelled to expose myself so much as to endanger the loss of my limb, if not my life; since which time my health has occasionally alternated, but I have never attended to business two days at a time without relapsing.

Another serious inconvenience to the discharge of my duties: my old clerk, in the midst of the press, was compelled to leave me; and I can assure you it was as much as I could effect to keep up the current business, and properly attend to the moneyed concerns of the office. My returns will be brought up as soon as my health will allow. The vicissitudes of my health have been so severe I shall, by this mail, send in my resignation to take place at the end of this quarter.

I would beg leave to mention that, though my vouchers of deposit in Natchez bank are late in their date, yet the money was deposited in the branch bank at Jackson in due time, and my indisposition prevented me from attending to the forwarding the certificates to Natchez; in fact, my bodily infirmity has prevented me from regular attention to the duties of my office.

Most respectfully, your obedient servant,

S. W. DICKSON, receiver.

Hon. Levi Woodbury, sec. of the treasury.

Land office, Mount Solus, (Miss.) March 15, 1836.

Sir: I herewith enclose you my monthly account current for the month of December last, a duplicate of which, with the vouchers, is sent to the commissioner of the general land office.

I beg leave to refer to my quarterly account current, sent to the general land office, showing the true balance on hand at the end of the third quarter, to show the error of \$600 excess, which is charged to be on hand in the October monthly account; the error has also run through the monthly account current of November last, but the quarterly account current of each year corrects the mistake. I have also explained this error to the commissioner of the land office.

You will please make allowance for my very bad health for some months past, as a reason for my delay in my accounts. I have barely been able to keep up the current business of the office, and leave my accounts behind their usual time of settlement. I can assure you the deposits are all regularly made, and the fiscal concerns of the office wholesomely conducted. You must bear with my delay in the accounts. If I had anticipated such continued ill health, I would have resigned before this time. I hope, however, to bring up my accounts, as my health, within a few days, has greatly improved; and I shall spare no pains, as my health will permit, to settle all my accounts as soon as possible after my resignation takes place.

Respectfully, your obedient servant,

S. W. DICKSON, receiver.

Hon. Levi Woodbury, sec. of the treasury.

Treasury Department, September 7, 1836.

Sir: I embrace this occasion to call your attention to the duty required by your instructions, of making monthly duplicate returns of the transactions of your office—one to be transmitted to the commissioner of the general land office, and the other to the secretary of the treasury. I am, &c.

LEVI WOODBURY, sec. of the treasury.

Receiver of public money, Mount Solus, Miss.

Treasury Department, May 25, 1837.

Sir: I regret to be under the necessity of complaining of your neglect to transmit your return

for the month of March last, and of reminding you that greater strictness must be observed in the performance of this duty. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
Receivers of public money, Kaskaskia, Illinois, March and April; Columbus, Mississippi; Mount Salus, Mississippi, February and March.

[S. W. Dickson, late receiver at Mount Salus, is indebted to the United States \$11,231 90, and to the Choctaw school fund \$898 53; making in all twelve thousand one hundred and thirty dollars and forty-three cents, [\$12,130 43].

15.—Correspondence with J. L. Daniel, receiver at Opelousas.

CIRCULAR.

Treasury Department, February 28, 1835.

Sir: It has been intimated to the department that a practice prevails at some of the land offices of permitting entries and issuing certificates of purchase, without the payment of the purchase-money at the time of the entry. Such a practice being unauthorised and highly reprehensible, I have deemed it proper to make known to you, that, if it has been tolerated by you, it must immediately cease; and any repetition of it hereafter, coming to the knowledge of the department, will receive prompt and exemplary notice.

I cannot omit the occasion to impress upon you the necessity of a strict attention to, and punctual compliance with, the duties required of you in regard to the prompt deposit of the public moneys, and transmission of your accounts and returns; and to say to you that the performance of those duties must be regarded as paramount to all other in your official station. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
To receivers of public money at Cahaba, Huntsville, Montgomery, St. Stephen's, Augusta, Choctawhatchee, New Orleans, Ouachita, Demopolis, Merdissville, Sparta, Tuscaloosa, Columbus, Washington, Opelousas, and St. Helena.

Treasury Department, January 29, 1836.

Sir: Finding that no monthly returns of the transactions of your office have been received since your appointment to office, I must claim your immediate attention to this duty. I enclose a blank, showing the form in which they are to be rendered, and request that you will transmit one for each of the months in arrear, and also for each future month, to this office; and, at the same time, a duplicate to the commissioner of the general land office.

Punctuality in the discharge of this duty, and in the transmission of the public moneys to the bank of deposit will be insisted on; and I would therefore commend you to a strict regard to the instructions of the department in these respects. The abstract of the month of December, addressed to this office, is received; but as it is not in the form required, it is as being referred to the land office. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
Receiver of public money, Opelousas, Louisiana.

Receiver's office at Opelousas, La., Sept. 5, 1836.

Sir: Enclosed you have the affidavit of André Martin, esq., who was present on the 2d instant when I offered to deposit, in the office of discount and deposit of the Union Bank of Louisiana at Vermilionville, the sum of \$17,200, all in bills of specie-paying banks in New Orleans, except \$25 gold and silver; and a great quantity of said bills were the bills of the Union bank itself. The cashier of the said office of discount and deposit of the Union Bank of Louisiana gave no other reason why he would not accept the deposit offered by me, but that he was aware that congress, at the late session, had passed a law making it the duty of receivers of public moneys to receive only gold and silver; and moreover, that the government would only receive gold and silver from a deposit bank; and that he would receive nothing else in deposit on account of the government of the United States but gold and silver. I asked him (the cashier) if he had been instructed by the mother bank, and he said no, have brought the money, to wit, \$17,200, all back to Opelousas, and have deposited the same in the office of discount and deposit of the Mechanics' and Traders' Bank of New Orleans at Opelousas, where it will remain until you instruct me that I am to do with it. I have always discovered in the cashier of the branch of the Union Bank at Vermilionville a disposition not to receive the

deposits from this office, and several times he has told me that he would not receive the bills of any of the deposit banks in the state of Mississippi, which I always thought it my duty to receive.

Very respectfully, your obedient servant,
JOHN L. DANIEL, receiver.
Hon. Levi Woodbury, *sec. of the treasury.*
State of Louisiana, Parish of Lafayette.

Vernilionville, September 2, 1836.

Personally appeared before me, the undersigned, parish judge, within and for said parish, André Martin, esq., of said parish, who declared, on oath first had and taken, that he was present on this day, the second day of September aforesaid, at the office of discount and deposit of the Union Bank of Louisiana, established in Vermilionville, in the parish of Lafayette aforesaid, when John L. Daniel, esq., receiver of public moneys at Opelousas, in this state, offered to deposit in said branch of the Union Bank of Louisiana, established at Vermilionville aforesaid, the sum of seventeen thousand two hundred dollars, public moneys belonging to the United States, all in bank bills payable in this state, except twenty-five dollars in gold and silver, and which sum of seventeen thousand two hundred dollars the cashier (Casimer Derbigny) of said branch of the Union Bank of Louisiana at Vermilionville refused to receive on deposit for the government of the United States.

ANDRÉ MARTIN.

Sworn to and subscribed before me, the undersigned, parish judge in and for the parish of Lafayette aforesaid, on the day and year first above written.

THOM. E. BRESHEAR,
Parish judge.

Treasury Department, October 3, 1836.

Sir: I enclose a copy of a letter from M. Gordon, esq., in reference to your complaint against Mr. Derbigny; and have to request further explanations in this matter. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
Receiver of public money, Opelousas, Louisiana.

Receiver's office, Opelousas, (La.) Nov. 6, 1836.

Sir: I have the honor to acknowledge the receipt of your letter of the 3d of last month, enclosing a copy of a letter from Martin Gordon, jr., cashier of the Union Bank of Louisiana. I can only state, in answer, that when I arrived at the branch of the Union Bank at Vermilionville, to deposit the sum of \$17,200, I recited to Mr. Derbigny that part of your circular which referred to the manner the deposits should be made after the 15th of August last, and further remarked to Mr. Derbigny that the certificates could be made out as usual, only stating below how much of the amount was in gold and silver, and how much of the amount was in current bank notes. Mr. Derbigny replied that he cared nothing about the form of the certificate, as he would not receive anything on deposit from the United States but gold and silver; he further stated thus, that, if I was a mind to leave the money in deposit on my own account, he would take a list of the bills, and I could leave it. All the above can be proved by Mr. Martin, and, perhaps by Mr. Voorhees. Since the time I offered to deposit as aforesaid, the directory of the bank at Vermilionville, as well as some of the directors of the mother bank, have been so well convinced of the misconduct of Mr. Derbigny, in regard to the aforesaid deposit, and in regard to others of his duties, that they have told him it would be better for him to resign, as he would certainly be turned out of the office he then held if he did not resign; and he, knowing that he could not much longer hold the same, resigned the office; which is now filled by a very worthy gentleman. I could forward you the certificate of Mr. Martin, confirming what I have above stated, and I could have a part of the same statements confirmed by Mr. Voorhees; and will do so if you require it.

Very respectfully, your obedient servant,
JOHN L. DANIEL, receiver.
Hon. Levi Woodbury, *sec. of the treasury,*
Washington, D. C.

[John L. Daniel is indebted to the government \$7,230 63.]

16.—Correspondence with S. W. Beall, receiver at Green Bay.

Treasury Department, October 8, 1835.

Sir: Lest you may not have received copies of the enclosed circulars, showing the requisitions to

be observed in relation to the receipt and deposit of the public moneys, they are herewith transmitted.

Until otherwise directed, your deposits will be made alternately in the Bank of Michigan, and in the Farmers' and Mechanics' Bank at Detroit.

Commending to your attention a strict regard to the duties enjoined, in respect to the periodical deposit of the public moneys, and to the transmission of your quarterly accounts and monthly returns. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
S. W. Beall, esq.,
Receiver of public money, Green Bay, M. T.

Green Bay, November 15, 1835.

Sir: I have the honor to acknowledge the receipt of your letter of October 8th, together with two circulars, viz: May 1st, 1831, and January 15th, 1834. I have up to this date deposited in the Farmers' and Mechanics' Bank at Detroit, but, as instructed, I shall hereafter deposit alternately in that bank and in the Bank of Michigan.

I have the honor to be, with great respect, your obedient servant,
S. W. BEALL.

Hon. Levi Woodbury, *sec. of the treasury.*

Treasury Department, April 26, 1836.

Sir: After having informed you, in my letter of the 4th of February last, that your continued neglect to transmit your monthly returns, within the month next succeeding that for which they are rendered, would subject me to the painful necessity of reporting the omission to the president, it is with regret that I am again compelled to take notice of a similar neglect. No returns for the months of January, February, and March last, have been received from you. Under these circumstances, I must require that they be rendered forthwith, and inform you that, if they are not received by return of the mail, I shall report your neglect to the executive, with a recommendation that you be dismissed from office. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*
Receiver of public money, Green Bay, M. T.

Green Bay, May 17, 1836.

Sir: I have the honor to acknowledge the receipt of your letter of April 26th, which arrived in the boat which brought me from Detroit.

I am confident that my letter of March 2d, in reply to yours of February 4th, had not been received on the 26th at the department. And in the fear that that, as well as my returns for January, and February, and March, have been lost, I shall prepare and send duplicates by the next mail.

I beg leave to state, that during the past winter it was utterly out of my power to deposit the public money periodically, and at the same time to transmit regularly my returns to the department, signed by myself. During the summer season, no difficulty or omission will occur, and it is probable that the improvements and settlement of the country will have so far advanced by the next winter, that no interruption will happen in the regular discharge of my duties. I have made three trips to Detroit during the past winter, the difficulties of which you of course are unware. And I have written to the honorable Lucius Lyon, of the senate, to call at the department, and make an explanation, which I am sure will be satisfactory. It gives me the greatest pain and uneasiness to find that, in your opinion, I have neglected to perform any part of my duties; and I am impelled to greater exertion to remove that impression by punctuality in future. I have the honor to be, very respectfully, your obedient servant,

S. W. BEALL.

Hon. Levi Woodbury, *sec. of the treasury.*
P. S. My returns for April are forwarded by this mail.

Treasury Department, November 11, 1837.

Sir: Your monthly return for the month of August last has not been received; and you are requested to transmit a duplicate thereof without delay. I am, &c.

LEVI WOODBURY, *sec. of the treasury.*

[The above circular was addressed to the receivers at Quincy, Ill.; Fayette, Jackson, and Lexington, Miss.; Green Bay and Monroe, Michigan; July and August; Mineral Point, Michigan; Crawfordsville, Indiana, September; Galena, Ill., September; Fayetteville, Arkansas, September; Tallahassee, Florida, September.]

[TO BE CONTINUED]

CHRONICLE.

Betting on elections. The following is the law against betting on elections, enacted at the last session of the general assembly of Maryland.

Sec. 1. *Be enacted* by the general assembly of Maryland, That from and after the passage of this act, it shall not be lawful for any person or persons to take any bet or wager on any election or elections to take place in this state, and any person or persons offending against this act, shall be liable to indictment in the county courts of this state, if the offence be committed in any county, and in the Baltimore city court, if the offence be committed in Baltimore city, and on conviction thereof, shall be fined a sum not less than fifty dollars, nor more than five hundred dollars, to be collected as other fines.

Sec. 2. *And be it enacted*, That all fines collected under this act, shall be paid to the treasurer of the western shore, for the benefit of the school fund of the state.

Sec. 3. *And be it enacted*, That every deposit of money hereafter, in any part of the state as a wager or bet upon elections in this state or elsewhere, shall be forfeited and paid over to the levy courts or county commissioners of the county, for the use of primary schools in said county.

The five per cent. loan of the state of Pennsylvania of \$1,200,000, has been taken by some of the Philadelphia banks and large capitalists of that city, at 100 1/3.

From the quarterly report of the fire commissioners of the city of New York, it appears that the number of fires in that city during the three months ending on the 30th ult. was 64. The property destroyed is valued at \$69,186, of which \$34,434 were covered by insurance. Nineteen of the fires were occasioned by incendiaries, and seven by defects in the construction of chimneys, &c.

Eric canal tolls. The Albany Journal states that the Eric canal is yielding a "golden fleece." The following statement shows the amount of tolls received at the collector's offices in Albany, Schenectady, Little Falls and Rome, for the first ten days after the opening of the navigation in 1833 and 1839, with the excess of the latter over the former—amounting to about fifty per cent:

	1833.	1839.	Excess.
Albany,	19,933 41	32,464 61	12,571 17
Schenectady,	2,275 54	5,561 05	1,582 51
Little Falls,	609 96	1,947 17	746 23
Rome,	1,794 42	2,309 93	1,115 51
	\$24,567 36	40,652 75	16,015 42

The Chillicothe Gazette announces the death on the 23th ult. of *Duncan McArthur*, aged 68 years, of his age. He was one of the earliest settlers and most distinguished citizens of Ohio.

Two locomotive engines manufactured by Mr. William Norris, of Philadelphia, have been shipped at that port for Hamburg. They are a pair of those ordered some time since by the Austrian government.

The St. Louis Republican, in an article setting forth the advantages and resources of that city, strongly urges the propriety of building steamboats and engines there, where, it is asserted, they can be constructed as well as in any other city. The number of steamboats built or building for that town is seventeen, and the amount of capital invested in them this spring is \$450,700.

Mr. Charles Griswold, late teller in the Commercial bank of Manchester, Miss., has absconded with a deficit in his cash account of \$1,100. The bank offers a reward of \$500 for his apprehension.

Mr. Benjamin E. Rooby, of Illinois, lost \$3,000 in specie, by the burning of the steamboat Glasgow. His property was worth about \$1,100, and he had 68 fellow passengers, rendering him unmindful of his own property.

Direct importations. Most of our readers will probably be astonished to learn that a quantity of eggs from France, "imported direct," were disposed of in this market, at a rate below what the "domestic" article commands, and affording a handsome profit to the importer. [Charleston Courier.

Circuit court. The cause of the United States vs. W. Steuben Smith, has occupied the attention of the court and jury during the last three days. The defendant was a clerk in the general land office, and was sued by the United States to recover a claim of \$10,933, alleged to be due to the government by the defendant on settlement of his accounts. The defendant claimed of the government a sum of money exceeding the amount sued for by the United States, as commissions for moneys disbursed by him to various persons for account of the government. This cause was very ably conducted by P. S. Key, esq. for the plaintiff, and R. S. Coxe and W. L. Brent, esqs. for the defendant. A great number of witnesses, chiefly clerks in the service of the government, gave testimony for the plaintiff. The case went to the jury without argument from the council, about four o'clock on Saturday afternoon; and, after retiring about two hours, the jury returned a verdict for the plaintiff for the sum of \$7,745 95. [National Intelligencer.

At the charter election in Albany, New York, the Whigs carried three out of four wards of the city.

Western steamboats. The Louisville Price Current of the 20th ult. states that the whole number of steamboats enrolled on the western waters up to that date, was 378. Of these, 130 were built at Pittsburgh; 53 at Cincinnati, and 22 at Wheeling.

Liberality. The people of St. Louis have generously contributed \$1,500 for the relief of the sufferers on board the steamboat *Wm. Glasgow*, recently burnt in the Mississippi.

The arsenal for the south. The secretary of war has determined to complete the grand arsenal of construction for the south at Fayetteville, North Carolina, on the plan originally designed; capt. J. A. J. Bradford has the direction of it. [Southern Patriot.

Pennsylvania improvements. The Harrisburg Reporter of the 26th ult. states that the tolls collected on the Pennsylvania canals and railways for the four weeks ending the 17th ult. amounted to \$144,667 17, being an increase of \$35,562 83 over the corresponding period of last spring.

Gov. Grason, of Maryland, has commuted the sentences which had been passed on the parties, convicted of the assault and battery with intent to kill, made on Messrs. Green, Stewart and Wills.

Commerce. Sir James Marriot, in one of his admiralty cases says: "The spirit of commerce in all countries rising beyond a certain degree, absorbs all public and private interests, and almost every moral and national obligation."

Two young men who had enlisted in the United States army, were recently discharged at New York by judge Wetts, on the ground that they were under twenty-one, and had enlisted without the consent of their parents or guardians.

The lake trade. The Cleveland Intelligencer of the 23d April, notices the clearance from that port for Buffalo, within the preceding 24 hours, of four vessels laden with 14,333 bushels of wheat and 820 barrels of flour.

Steamboat collision. The Natchez Free Trader of the 22d April says: "The steamer *George Collier* was run into on the night of the 18th inst. by steamer *Empor*, 23 miles below Memphis. The Collier was materially injured, having all the larboard deck, a part of the wheel, horse, and nearly all the cabin promenade carried away."

On the 26th ult. Sutherland and seven other prisoners arrested at Montreal from Quebec. It is not known how they will be disposed of, but they themselves anticipate being set at liberty. They were removed to prison from the boat in which they arrived at Montreal.

Benjamin Swan died lately at Woodstock, Vermont, in the 76th year of his age. He held the office of county clerk for 43 years without intermission, and was elected state treasurer for 32 successive years.

Charles P. Cliple has been appointed deputy collector of the port of New York.

The Bangor Whig states that the boom across the Anroostok, was only slightly damaged by the freshet.

Her Britannic majesty's sloop of war *Ringdove*, captain Stewart, 7 days from Bermuda, anchored in Hampton roads on Wednesday, with despatches for the British minister at Washington. Captain Stewart came up in the steam packet *Jewess*, and proceeded to Washington yesterday morning.

It is supposed the census of 1840 will show a population in the United States, of between 17,000,000 and 18,000,000. In 1830, it was 12,866,920.

The last of the swans. The Louisville News Letter says, that a swan measuring *nine feet* between the tips of its wings, was recently shot on the Illinois shore of the Mississippi, opposite St. Louis, and is now in the museum of that city. "This," says the editor of the News Letter, "is the first bird of the species, which wintered in our waters for years." The yearly French explorers make frequent mention of the swan in the accounts they have left behind them of their discoveries in the western valley. The Mississippi, the Illinois and the Ohio, were once frequented by large flocks of this beautiful waterfowl.

The Chinese army. The Canton Register intimates that although the Chinese army nominally amounts to 1,700,000 men, yet, for the most part, it exists only on paper. It says, "if any body might inquire about the actual number of China's warriors, we should request him to divide the above by 100, and the quotient will not be far from the truth." With the exception, however, of the guardians of the frontiers, the whole mighty host consists of men of peace, who are always in garrison and act the part of the thief catchers and fill similar honorable offices."

Methodist conference in New Jersey. This body closed its session day before yesterday, having been together since Wednesday last week. The subject of Manning Force's running for congress last year, was the one which the reverend gentleman frankly declared, with expressions of his sincere regret, that he should not have accepted the nomination, had he been aware, at the time, that a rule existed discountenancing such conduct.

A resolution passed the last morning, declaring that any clergyman who should hereafter become a candi-

date for the legislature or congress, would receive the general disapprobation of the conference. Mr. Force voted for this resolution. We take pleasure in saying that Mr. F.'s department throughout these proceedings was worthy of a Christian.

The rev. Charles Fitman is stationed in this city for the next year.

The next annual conference for this state will be held at Burlington, and commence on the 15th of April, 1840. [Trenton State Gazette, of May 3.

An interesting trial. A trial of deep interest is now in progress in New York. It is an action instituted by the United States against Samuel L. Gouverneur, to recover \$100,540 29, moneys had and received, balance alleged to be due to the United States—the alleged indebtedness having been incurred while the defendant was officiating as post master of the city of New York. B. F. Butler and James H. Hamilton, esqs. appeared on the part of the government, and for the defendant, hon. Samuel L. Southard, hon. C. J. Ingersoll, J. P. Hall and Jesse Oakley, esqs. appeared. [Phil. Enq.

The Alexandria Gazette, states that Lieut. Edwin W. Moore, of the United States navy, has been offered by the government of Texas, the chief command of the Texas navy. We do not know (continues the Gazette) that he has accepted or will accept of the offer, but we do know that he would make there, as he does here, a most valuable and efficient officer. The compliment which has been paid to him is deserved.

The following dividends have been declared by the banks of Philadelphia for the last six months:

Girard bank,	3 1/2 per cent.
Commercial,	4 1/2
Delaware and Merchants,	4
Western,	4
Moyamensing,	3
Mechanics,	6
and 20 per cent. payable in shares.	
Southwark,	5
Kensington,	4 1/2
Manufacturers' and Mechanics,	4
Philadelphia,	4
Farmers' and Mechanics'	4
Penn Township,	6

The legislature of New York terminated its session on Tuesday. None of the internal improvement bills were passed. The nomination of col. Stone, of the N. Y. Commercial, as the agent to go to Europe to procure documents relating to the early history of New York, was rejected by the senate.

A second ship of the Wilmington whaling company's vessel has just returned, after a cruise of forty months, with 1,500 bbls. sperm oil.

A captain Clark was blown into the air, by the recent explosion which occurred in the steamboat Pilot, on the Mississippi, but escaped without injury.

The New Orleans papers acknowledge the receipt of Galveston papers to the 19th ult.

A steamer had lately ascended the Trinity river four hundred miles, and could have gone higher up. The country on its banks is said to be settling rapidly. The soil is favorable to cotton. Lime, sand-stone and coal have been discovered in the upper parts.

In the supreme court, sitting at Boston on Wednesday, Mr. Adams, late cashier of the Fulton bank, was acquitted by the jury, almost without consultation, at the trial of his trial. It was one of the cases of indictment for fraudulently using or taking the funds of a broken bank. His counsel submitted the case without argument, and without calling a single witness in his defence, so trivial were the attempts to prove him guilty. A verdict of not guilty was returned immediately by the jury.

The Detroit Advertiser of the 19th inst. says, that one of the largest cargoes ever sent from that port was shipped the day previous, on board the rock Rocky Mountain. It consisted of six thousand bushels of wheat, five hundred and thirty barrels of flour, and eight hundred staves, making together 69 tons. The rig was of course, bound to the city of the West.

Burning mine. The Pottsville (Pa.) Emporium of Saturday last says: "We regret to state that the jagular vein in Broad mountain, to which we referred some weeks ago, is still on fire, and from personal observation we should presume that the pillars of coal which are left to prop the mines are on fire. The late rains only added fresh fuel, and there is no telling when or where it may end."

Egyptian cotton. The following quantity of cotton of the crop of 1837 was exported from Alexandria during the last six months of 1838, viz:

	Moho cotton.	Sea Island.	Bales.
To Austria, [Trieste]			46,970
France, [Marseilles]			14,544
England,			14,501
	Total,		76,015
			500

On the 1st of January, 1839, there remained in the government stores 70,000 bbls. of the crop of 1836, and 6,971 of that of 1837. The latter produced 18,000 bales, 45,500 of which were of the quality called Moho. The price of this article in the Egyptian markets was, for Moho, per quintal of 100 rotors, 16 talents, and for Sea Island, 15. [Paris Monitor.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 12.—VOL. VI.]

BALTIMORE, MAY 18, 1839.

[VOL. LVI.—WHOLE No. 1,442.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

APPOINTMENT BY THE PRESIDENT. John C. Nicoll, to be judge of the United States for the district of Georgia, in place of Jeremiah Cuyler, deceased.

The president of the United States has officially recognised Frederick Rodewald, esq. as consul of the republic of Hamburg at Baltimore.

THE PUBLIC DOMAIN. The noble stand taken by Mr. Clay, himself a western man, in defence of the common right of the states to an equal distribution of the proceeds of the public land, is, of itself, sufficient to challenge the admiration and gratitude of citizens of the old states. Mr. Clay has, in the following letter, which explains itself, given fresh evidence of his enlarged and disinterested views, and of his stern adherence to principle:

[Nat. Int.]

GENTLEMEN: I have duly received your letter, transmitting certain resolutions adopted by the democratic whig association of the tenth ward of the city of New York, in relation to the public domain; and I request you to make the association my profound acknowledgments for the notice which it has honored my name. I rejoice that the people, in their primary assemblies, and in their proper communities, are directing their attention to this great interest. It is high time it should receive their earnest consideration. Faithfully administered, the public lands may be made powerfully instrumental in the advancement of the prosperity of the present generation, and of their posterity for a long succession of ages.

But they have been in danger of being swept away by pre-emptions, Indian reservations, graduation bills, and, finally, cessions of the common property of all the states to the particular states in which it is situated. And most of these projects, urged under the plausible pretext of benefiting the poor settler, have stimulated the speculator, and tended to aggrandize the speculator to the prejudice both of the honest emigrant and the people of the United States. I have felt to be my duty to oppose these projects; and it is a deplorable evidence of the loose morality which prevails in respect to the public property, that I have been denounced and calumniated for many endeavors to protect and preserve it for the benefit of the states and people of the union.

I share with you, gentlemen, in regret on account of the failure of the bill to distribute the nett proceeds of the public lands, which passed both houses of congress. It was defeated by a high-handed and daring violation of the constitution. If it had gone into operation, there would have been no extraordinary surplus in the treasury, no disturbance of the financial and business concerns of the country by a removal of the deposits, no temptation to those alarming annual appropriations which have been recently made by the federal government, and, I believe, no suspension of specie payments by the banks. Now that the public attention is awakened to this great national resource, I trust that project to which I have adverted will be checked, and that it will be cherished and preserved for the common benefit of all the people of the United States and their posterity.

I request, gentlemen, your acceptance of my thanks for the flattering and friendly manner in which you have communicated the resolutions of the democratic association of the tenth ward, and of the high consideration with which I am your friends and obedient servant,
HENRY CLAY.

Messrs. Wm. Turner and J. Turner Dodge, &c.

UPPER CANADA. The parliament was expected to adjourn on Saturday last. Among the bills passed by the house of assembly was one authorising the receiver general to issue bills of credit, to the amount of £250,000, for carrying on the public works; by another bill the receiver general was authorised to negotiate a loan of one million in England, at three and a half per cent. upon the debentures of the province.

The clergy reserve bill, passed by the assembly would probably be lost in the council. The assembly had thrown out a bill providing for the expenses attendant on the safe keeping of the prisoners taken at Prescott and elsewhere, on the ground that those expenses ought to be defrayed by Great Britain. The following is from the Kingston Chronicle;
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"We understand there has been a letter addressed to the captain of the Telegraph steamer, that he and his boat would be burnt if he continues to visit this port. It is either the production of some designing rogue interested in another boat, or the same trade, or of some mischievous person, for a hoax. We can assure the captain and owners of the Telegraph that their boat is safe in Kingston harbor from any violence, as good laws, justly and promptly administered, can make her, and, moreover, that the commandant, in conjunction with the magistrates, has given orders concerning that boat while she remains here."

A bill has passed the assembly, appropriating £40,000 for payment of the losses sustained by individuals, in the destruction of their property, since the rebellion.

The banks are to resume specie payments on the 1st of August. [Com. Adv.]

MAIN BOUNDARY. In a report of the proceedings in the senate on the Maine boundary question, published in the Globe of the 9th inst. the remarks of Mr. Buchanan, with several others, were copied from the Intelligencer. The following note to the editors of that paper, making some corrections, escaped us at the time:

[Globe.]

Lancaster, March 22, 1839.

To the editors:

GENTLEMEN: There is one error in the sketch of the debate in the senate on the night of the 1st instant, on the subject of the Maine controversy, which appeared in the tri-weekly Intelligencer of Tuesday last, of sufficient importance to justify correction from me. I am made to say in the fourth column of the fourth page, when speaking of the proceedings on our northeastern frontier, that "all this the president looks at boldly and manfully, on an exalted eminence, above the feelings of the country," &c. &c. Now, I certainly never said, nor could have used such an absurd expression. The easiest mode of correction is to state the substance of what I did say, which is as follows:

"It is alleged that a force of four or five thousand men, under the command of sir John Harvey, is concentrating at the mouth of the Aristook, and that he has given notice to the land agent of Maine that unless his men should disperse he would drive them away; and the tardy freemen of that state are rallying to the rescue. All this the president looks at boldly and manfully, with a fixed determination to support Maine against such an unjust attack; but having been placed in a position of exalted eminence by the people of the whole country, where duty requires him to stand above the excited feelings so natural to the single state directly interested in the contest, and to view the question in his bearings upon the whole union, he says that if sir John Harvey should withdraw his forces, he will not, in that event, feel himself bound to send the forces of the United States to the support of Maine, should she determine to settle the controversy for herself by arms."

I might make some other corrections, such as that I did not say that the boundary question "had been a vexed question ever since the treaty of 1783," and that "this territory had never been considered for a moment, from 1783 till now, as a part of Maine;" having endeavored to prove, and I think successfully, in a report to the senate on a former occasion, that it did not even begin to be a question at all, until the conferences which preceded the treaty of Ghent; but I forbear to trouble you further.

I make these corrections in no spirit of complaint against the reporter, on the contrary, considering the lateness of the hour and the length of the debate, his sketch is more accurate than could have been reasonably expected. Yours, very respectfully,
JAMES BUCHANAN.

MONUMENT AT NORTH POINT. At a meeting of the "Maryland Cadets," held on the 17th inst. the following preamble and resolution were unanimously adopted:

Whereas, we have been informed that the monument heretofore erected at North Point for the purpose of marking the site of the battle ground of 1814, and for commemorating that event, is in a state of dilapidation—and believing, as we do, that

it is incumbent upon the citizens of Baltimore, and will be a pleasing duty to them to erect upon that spot a monument of a size and durability worthy of the place, and of the city of which it has been truly said, "She gives graves to her invaders and monuments to her defenders,"—and believing also that no portion of her citizens could take the lead in this matter with more propriety than the citizen soldiers of Baltimore—the successors of that patriotic band, who, upon that ground so gallantly met and repulsed the invading foe in 1814.

Therefore be it resolved, by the "Maryland Cadets," That we respectfully suggest to all our fellow soldiers of the city of Baltimore the propriety of taking immediate measures for erecting a monument upon the battle ground at North Point, and for the purpose of maturing plans for that object, each volunteer company in the city, be, and they are hereby requested to appoint five delegates, who with the field officers of the city are invited to meet in convention on Monday, the 8th of July next—and if practicable, we further suggest that the corner stone of the proposed monument be laid in due form on the 12th of September next, the twenty-fifth anniversary of the battle.

Resolved, That the following persons be and they are hereby appointed delegates to the proposed convention from the "Maryland Cadets," Levi Painstock, Archer Ropes, Joseph B. Williams, Joseph C. Manning, William Hope.

Resolved, That the editors of the several papers in the city be requested to publish the foregoing preamble and resolutions.

AUGUSTUS NEWMAN, chairman.

Charles A. Grinnell, secretary.

TAXES IN ILLINOIS. A writer in the Jacksonville Standard makes out the following table of the taxes of a property holder of that town, whose house and lot is worth \$1,000, and whose personal property is worth \$500.

State tax on the value of his house and lot,	\$2 00
Do. on his personal property,	1 00
County tax upon the value of house and lot,	5 00
Do. on his personal property,	2 50
Tax to support paupers on house and lot,	1 00
Do. on his personal property,	50
Road tax, estimating labor at its value,	7 50
Corporation tax on house and lot, value up,	7 50

\$26 50

This phrase, *value up*, supposes to give a fictitious value to the house and lot, by raising it to \$1,500 for the purpose of increasing the revenue. In Peoria, according to the register, the taxes of a town resident with the same amount of property, would be:

State tax on house and lot,	\$2 00
Do. on personal property,	1 00
County tax on house lot, 1-5 per cent.	2 00
Do. on personal property, do.	1 00
Road tax, 3 days, 1 25 per day,	3 75
Corporation tax on house and lot, 1 per cent.	2 50
	\$13 25

EXECUTION OF MARSAUD. The following letter has been furnished to the editors of the Philadelphia Pennsylvania:

Bordeaux, March 24, 1839. Captain Marsaud, who murdered the captain and part of the crew, and took command of the French ship Alexandre, (which vessel was seized at Newport, Rhode Island, some time since, and sent under the command of an officer from on board a French man-of-war to Bordeaux), has been tried, found guilty and executed at Bordeaux for the above crime. A young man, his second officer, has also been tried and found guilty, but, on account of his age, has been recommended to mercy. The execution of Marsaud took place three hours after the passing of his sentence. Before his death he made a full confession of all his crimes. He said that seven men were thrown overboard by his order, and that the mate of the ship impudently begged of him only one half hour's time in order that he might write to, and take a last farewell of, his mother, and offered him (Marsaud) the sum of 30,000 francs for said half hour, but that he unmercifully denied it to him.

It is very much wondered at, in Bordeaux, why it was that the French authorities in the United States experienced so much difficulty from the American magistrates in having such a monster given up. It is also stated that four of the piratical crew who had a hand in the above mutiny and murders are still in the United States, and that all the entreaties of the commander of the French man-of-war *Bergere* could not induce the Americans to give them up.

NEW YORK CITY COUNCIL. On Tuesday the newly elected mayor and city council of New York were inducted into office. Both boards of the old council met in the forenoon, when the oath was administered by the late mayor to his successor. Alderman Williams, of the twelfth ward, was chosen president of the board of aldermen, and assistant alderman Jarvis, of the same ward, was elected to the chair of the board of assistants. In the old board of aldermen, the vote thanks to the president was offered by alderman Jeremiah, who made the following remarks on moving in:

Alderman Jeremiah rose and said that he wished to express the pleasure which he felt, upon looking back upon the year, and considering the happy manner in which the duties of the chairman had been performed, and that the vote of thanks which he would propose, was not the cold formality with which he might offer such a tribute to any man who had presided over public deliberations for a year, but the genuine expression of his satisfaction. He then offered the following resolutions:

Resolved, That in closing the labors of the present political year, the members of this board have cause for peculiar felicitation in view of the harmony which has characterized their deliberations, and which, in the midst of the excitement consequent upon a nearly equal division of political power, has not, in any manifest degree, interfered with the discharge of public duty.

Resolved, That in discharging the delicate and frequently difficult duties of the presiding officer of this board, Egbert Benson, esq. has merited, and hereby receives, the unanimous thanks of the members, for his impartiality and ability, and for that high regard for the public interests, which has so eminently distinguished him.

A large number of persons were present to witness the ceremonies.

LATEST INDIAN NEWS.

From the Tallahassee Star, May 3.

Once more we are compelled to darken our columns with the atrocities of the murdering and wretched Seminole. All has been quiet for some time past, but it was only the fearful calm which precedes the storm.

Lieutenant Hulbert was a native of New York, and a graduate of West Point. We sincerely mourn the loss of these valuable young officers of our army.

The following letter from capt. Peyton we publish *verbatim*:

St. Mari's, May 7, 1839.

Sir: I have this moment returned from Deadman's Bay, and have to communicate to you the melancholy intelligence of the murder of lieutenant Hulbert and private O'Driscoll, of the 6th infantry, by the Seminoles.

The express rider from Fort Frank Brooke and Fort Andrews did not arrive in season, and lieutenant Hulbert, with ten men, went out from the place on the 3d of May, to ascertain the reason.—About half way between the two posts, the command was halted, and lieutenant H. with O'Driscoll, of (F) company, went on in advance, intending to pass the night at Fort Frank Brooke.

They were both shot by a party of Indians at the Fourteen Mile creek, probably while watering their horses. O'Driscoll's horse ran into Fort Frank Brooke, slightly wounded, and gave the first news there.

Four balls were shot through lieutenant H., but neither he nor the soldier were scalped. Both bodies were interred on the 4th ultimo, at Deadman's Bay. The express rider has not yet been found, and but little doubt is entertained of his death.—Very respectfully, your obedient servant,

R. H. PEYTON,

Captain and assistant quartermaster.

Col. W. Davenport, first infantry, commanding.

From the news received from Tampa, it would appear that the Indians are determined not to treat with a view to emigration. They have heard that the land which government had assigned them west of the Mississippi cannot be found on their arrival—that country is no longer theirs, and they are naturally angry, and resolved to remain where they are at all hazards. The chief of the Tallahassee said at Tampa that, if the soldiers were sent after them, they would fight until their

powder and lead was gone, and then with bows and arrows. He would not agree to hold council with general Macomb, for he was certain the whites had two faces; he said he spoke the sentiments of all the Indians north of Tampa Bay, and that any Indian who attempted hereafter to come in to the whites, would be killed. On the night of the 22d of April, about one hundred hostiles went into Tampa, and took away some thirty friendly Indians, who were waiting to emigrate. During the night the Tallahassee chief held a long talk with a Spaniard, named Jeanne Mantes De Oca, who speaks the Indian language well, and communicated to him what we have narrated above. [Star.]

VERY LATE FROM THE PACIFIC.

By the arrival of the ship *Natchez*, capt. Hayes, in the very short passage of sixty-eight days from Valparaiso, the editor of the New York Gazette has been put in possession of Valparaiso papers to the 1st of February; he is also indebted to a mercantile friend for the annexed extract from a letter of the 2d of March.

Valparaiso, March 2, 1839.

"A few days since we had a report from an outpost in Peru that a battle had been fought, in which the Chilians were victorious, but it required confirmation. Last evening the Boxer arrived from Callao with Lima dates to the 5th ultimo, stating that an action had taken place at Yungay, on the 20th January, between the Chilean and Peruvian armies of about 5,000 men each, in which the latter were totally destroyed; so completely had been the defeat that our Lima friends consider the confederation at an end. General Santa Cruz escaped with some of his officers, and has gone to Bolivia for the purpose of raising another army; but he is so fallen we think he cannot rise. The castles of his favorite, general Pizarro, who has in from 1,500 men, well provisioned, it is said, for five or six months. The Chilians were daily expected in Lima. Admitting that Santa Cruz has lost Peru, we still fear it will be the scene of civil strife for some time to come, for already the party now coming in are quarrelling among themselves. The foreign property had been taken out of the castles, and deposited on board vessels in the bay of Callao, ready to be entered at Chorillos, should that port be opened during the siege of the castles, which will probably take place. Thus stand affairs in Peru at our last dates; no business, of course, was doing, nor would there be until affairs were settled.

"The United States ship North Carolina, commodore Ballard, and the United States schooner Enterprise, will sail for Rio de Janeiro and the U. States on the 15th of March, and the sloop of war *Albatross* for the coast of Mexico 10th of March. The ship *Angelica* arrived from Europe, and sailed for Callao 18th February. The Henry Lee, from Boston, arrived 21st January."

The following is the official account of the battle fought at Yungay, between the Chilean and Peruvian armies:

"Colonel D. Pedro Urriola, commanding the battalion Colchagua, which took a distinguished part in the battle of Yungay, has arrived here, the bearer of communications which announce a most glorious triumph of the arms of Chili. Col. Urriola left the field of battle ten hours after the victory.

"Three thousand four hundred prisoners, 2,600 killed, the whole park of artillery, the commissariat with more than \$90,000, the equipments, horses, &c. of the protector's army, are the fruits of this victory. Generals Moran and Urduinea were killed, the first in the battle of the 6th. Generals Herrera, Guinos, Bermudes, Otero and Armaza, the latter the bravest, were mortally wounded. Santa Cruz escaped with twenty men in the direction of Junin. It is believed that his intention was to flee, and embark at Pisco, but a company of Chilean carbiners with horsemen, who had been kept in reserve, followed rapidly to overtake him. The pretended protector abandoned the field an hour before the close of the battle.

"General Lafuente would march to Huacho with two squadrons of cavalry and two Peruvian battalions, and would be in Lima and Callao on the 26th and 28th January. General Gamara would march on the 22d January for Junin and the south of Peru, with a division of the restoring army; and the general-in-chief would follow with the remainder, leaving Gen. Lafuente the chief military in the north of Peru.

"The news appears also to have been a naval engagement, of which the following account is translated:

"The naval combat of Casma has terminated in a manner equally happy to the arms of Chili. Four vessels armed by general Santa Cruz attacked the division of commandant Simpson, consisting of the corvettes *Confederation* and *Valparaiso* and the

barque Santa Cruz, which were completely defeated, with much damage, and the loss of the brigantine *Arequipeno*, with a crew of 70 men. The enemy's vessels were the *Edmond*, of 20 guns, a barque with 18, the *Arequipeno*, of 9 guns; and a golette with 2 swivel guns."

Correspondence of the Journal of Commerce.

Valparaiso, March 2, 1839.

We have just received advices from Lima of the total defeat of the army of general Santa Cruz, at Yungay, on the 20th January. Santa Cruz escaped with only a few men, and arrived at Lima on the 24th. He has garrisoned the castle of Callao with 1,300 men under the command of gen. Moran and supplied them with three months' provisions. He again left Lima on the 28th for the south, with the purpose of re-organizing a new army. We think, however, in this he will fail, as his resources are completely exhausted. We consider the confederation at an end. The probability is, there will be a revolution in Bolivia.

Extract of a letter dated Valparaiso, March 3, 1839.

Just imagine the astonishment here at the recent news from Peru—the Chili army entirely victorious—Santa Cruz's boasted one cut up and prisoners, with four of his generals, himself a fugitive, with a few men! How different a result from that predicted by his proclamations and the letters of all the foreigners—and the whole gained by the Chili infantry.—To be sure, Santa Cruz charges one of his colonels with treachery, for which he was shot down on the spot the moment it was discovered. Santa Cruz's previous advices to Garcia del Rio, which reached Lima on the eve of the North Carolina's departure for this place, and which was all we knew here until this last intelligence reached us, were, that he had accepted the Chilians from Huancabamba, and had accepted their retreat to the coast, and they were now his. Using "Talleyrand's words," it was then "*le commencement du fin*" of Chili restoration. It will prove truly the commencement of his end, and I hardly think he will be able to hold up his head again, morally or physically. The "confederation" is done, to all intents and purposes. Santa Cruz has left for Cuzco to bring down another army—Moran, in the mean time, charged with the castles and 1,200 men, and *Virgil*, prefect of Lima, 1,500 men. The latter's orders, it is said, are, that, if the Chili army approach Lima, he is to retire under the castles to await the return of the protector, who will be down to support him in three months. In the mean time, instead of marching upon Lima, the governor here told me yesterday that Buines, Gamarrá, and Castillo are in march for the interior via Junja, and have no intention of going to Lima; that they write they intend following up Santa Cruz, so that he will not be able to get up a army before they have gained the whole country, and this, in my opinion, is decisive policy. Two thousand men are now ready to be embarked and sent to any point Buines may direct them to, and every thing here promises the greatest success in this administration's views. This last success has prostrated all opposition—national pride is gratified—and the government relieved from a most painful situation.

DREADFUL STEAMBOAT ACCIDENT.

From the N. O. True American of May 7.

The steamboat *George Collier*, which lay at the wharf opposite the custom house to undergo repairs for some time past, left this city on Saturday evening last, between five and six o'clock, for St. Louis. When near the mouth of Red river, about 80 miles below Natchez, at half past 1 o'clock, A. M., a serious accident occurred, which cost so many lives, and was so destructive of human life. The piston rod, which works in the cylinder, and by which the engine is propelled, being attached by a key or bolt which passes through the tea head, gave away at the rent which received the bolt, and being relieved from the immense weight against which it had to struggle, was driven through the cylinder head, and gave free room for the steam to escape. The aft doors of the deck-room were closed, consequently the effects of the steam were unavoidable upon the *locum tenentes*. The stands were thrown from under two boilers, but the concussion was not severely experienced on the boat. The most of those killed and injured were in the berths, on the deck all of the boilers. So soon as the accident occurred, many rushed forward unconsciously in the face of the danger, and in falling the boats were instantly perished, or lived to linger a few hours in indistinguishable misery.

It is supposed that between forty and fifty persons were scalded. The clerk of the *Collier* rates them at forty-four, consisting of deck passengers and part of the crew who had retired or were stationed on watch.

We crossed over yesterday to see the Collier and examine the extent of her damage. No explosion seems to have taken place, but the immense force of the sudden rupture of the piston at the key, thereby disengaging the whole propelling power from the machinery by which the boat was moved, impelled from the screws the cylinder head, and derailed the boiler stands, thereby causing a current of heated vapor to escape, which was fatal to all who came in contact with and were exposed to it.

We have scarcely ever seen a more heart rending spectacle than the dreadfully scalded yet eking out their few brief hours of maddening misery, who are yet on board the Collier, and where every attention and kindness is paid them that could be expected, and which may tend to lessen their agony. There are aged mothers, with faces and hands and necks, and every portion that could come in contact with the hot air, dreadfully blistered and presenting a horrid spectacle, calling for the lost ones whom they will see no more and forever. There were strong stalwart men, calling aloud in their misery for their great protector to relieve them. How noble did the fortitude of some of the females appear! The fair locks had been curled and crisped, and the bright and lustrous eyes had been quenched, or the irritation had closed up the swelled lids and shut out the world's light. What must have been the agony—the flesh falling from the red lips—themselves becoming of a sudden soft and ready to fall and leave the "face divine" a horrid spectacle.

We cannot conceive how the accident might have been anticipated. We do not remember to have heard of one of a similar kind. The steamer George Washington came down about an hour and a half after the accident, and towed her down.—Every assistance in his power was promptly rendered by capt. Quarrier of the Washington, than whom there is not a more aimable, attentive, high minded and honorable officer on the western waters. We take pleasure in according to capt. Quarrier his just deserts. Below will be found a list of the passengers, who have died and those who were scalded. The accident occurred near "Duniza Bend."

NAMES OF THOSE WHO DIED.	
T. J. Spaulding, fireman,	of St. Charles, Mo.
Chas. Brooks, deck passenger,	residence unknown.
Wm. Blake do.	of Boston Mass.
Crispen Herring do.	Germany.
Mrs. E. Welsh, } do.	New Orleans.
& two children, }	
John O'Brien and wife, deck do.	New Orleans.
Seldon J. Brockqua, do.	Poland, Ky.
John Ideda, do.	France.
David J. Rose, do.	New Orleans.
Dederick Groe, do.	Germany.
Dederick Croe, do.	Boston, Mass.
Joseph B. Rousseil, do.	Boston, Mass.
Joseph Lawrence, do.	Park co. Ind'ia.
Peter Smith, do.	New Orleans.
Charlotte Fletcher and brother,	deck passengers.
England, do.	

Six prisoners whose names are unknown.

LIST OF SCALDED.	
—Husselmaozer, deck pass'r.	of Germany, badly.
Mrs. Francis Herring, do.	of Germany, badly.
Francis Buan and wife, do. do.	unknown, slightly.
Francis Srenuelly, do. do.	St. Louis do.
Thomas Butler, do. do.	unknown, do.
Isaac Bany, do. do.	do. do.
Alfred Davies, deck hand, do.	do. do.
John Browne, fireman, do.	badly.
James McDonald, do. do.	do. do.
Five children of Adam Woolridge on board—	Some of them badly scalded.
Slave of Thomas Johnson on board,	slightly scalded.
Isaac Ideda, deck passenger of France,	badly scalded.

THE BRAGANZA CASE.

The Journal of Commerce gives the following report of the case:
 Robert Moore examined—In July and August last, I was 2nd mate of the brig Braganza; she sailed from Philadelphia on the 7th of July; Arnel F. Turley was captain, Thomas Vanderslice was 1st mate, and I was 2nd mate; there were four able seamen and a boy, who had shipped as an ordinary seaman. Cornelius Wilhelmus and Joseph Ver Bruggen, the prisoners in court, were part of the crew; they were known as Bill and Joe; there was another man known as Harry, who shipped at Philadelphia, under the name of John Adams; there was also a man named Hans Knewdson, and a boy who was called Tom; I did not then know his proper name. He is now in court and is called by the name of James Davy; there was a colored cook named Thomas Brown; these nine men composed the

officers and crew. Mr. Deihl, the owner of the brig, and Mrs. Deihl and the captain's wife, were passengers.

On Saturday night the 5th of August, I left the deck a quarter after 12 o'clock, and the chief mate Vanderslice took charge of it. I can't say positively what season it was on deck, but I know it was Vanderslice's watch then; and Hantz and Joe belonged to his watch, and Adams and Wilhelmus belonged to my watch. I don't know if the seamen of my watch remained on deck. The eldest of the prisoners is Wilhelmus, and the other is Joe Ver Brugger.

When I left the deck I retired to my berth in the state room of the cabin. The captain and his wife were in bed in the starboard berth, and the owner and his wife in the larboard berth. The state room in which I slept was farther forward than the berths in the cabin. I fell asleep until about two o'clock, when I was awake by a cry of murder on the deck; I thought the voice crying murder was that of the chief mate, and I believe so still; I heard the cry twice repeated after I awoke, and I then heard a scuffle; I leaped out of bed and went into the cabin and found the captain and Mr. Deihl getting into it; I went straight on deck the captain having just preceded me; he was not then armed to my knowledge. I was at the bottom of the steps and he was at the top going up; on reaching the deck I saw a person lying on deck with his head hanging down the companion way: It was a bright night, but the person was so covered with blood that I did not know him until he spoke to me, and I then recognized him to be Vanderslice. The whole crew were on deck when I went up. As soon as I came on deck I found Joe (Ver Bruggen) engaged with the captain, and it appeared that the men of my watch, Bill and Adams had not then engaged in the scuffle; but they did so immediately. I found Joe fighting with a pump brake in his hand, and Wilhelmus had a sheath knife in his hand; Hantz or Adams had no weapons in their hands. I took a belaying pin in my hands and defended myself, and seeing Joe engaged with the captain, I struck him, and I believe I also struck Hantz who attempted to catch hold of me. We then scuffled together and he tripped me and I fell, and while down Joe (Ver Bruggen) struck me with the hand spike, and Harry (Adams) attempted to stab me; and in making the attempt cut off part of his own fingers. While the others were thus engaged with me, the two prisoners were engaged with the captain, who ran down the cabin for some weapon of defence. In the meantime Wilhelmus and Adams went and opened the gangway, which left an open place in the bulwarks so that a person could be easily thrown over. Hantz and I were still scuffling, and two of them, Wilhelmus and Adams took hold of me and attempted to launch me into the sea, and in the scuffle Hantz and I went overboard together. Neither of us however touched the water; we both of us caught hold of the guy line and got back. Some of the crew threw a rope to Hantz, and Joe (Ver Bruggen) seeing me holding on, took a hand spike and struck me with it so as to fracture my arm. The captain had in the meantime come on deck with a cutlass which attracted Ver Bruggen's attention, and he left me and I got on deck in an extremely exhausted condition and badly wounded, and in that state I crawled down to the cabin, where I saw Vanderslice lying at the bottom of the stair case. While I was crawling down I saw the captain held down on the deck by the two prisoners, to whom he was begging for mercy, saying "spare me for the sake of my poor wife and I will forgive you every thing you have done." As soon as I got into the cabin they spiked down the companion way which prevented any person from coming up from the cabin to assist the captain. I continued to hear the captain's cries for mercy during two or three minutes, and then every thing was still. After that I heard some thing fall on deck and the cries were resumed, and in a few minutes I heard a splashing in the water, and heard a cry from the captain who was floating on the sea, and who said, "oh! my God I am dying." The brig was not then going more than two knots an hour. I saw the captain in the water from the cabin window, and saw him fall astern of the vessel. While looking through the window I saw him endeavoring to swim, and heard him utter the same words repeatedly, and that was the last I heard of him. The vessel had passed away from him before he sunk. We were kept confined in the cabin and I did not come on deck until the 7th day after. Every day we communicated with the crew through the cabin windows, and when I came on deck we found Wilhelmus had the command of the vessel.

In our communications with the crew while we were confined in the cabin, they told us that they must put us out of the way in order to prevent them-

selves being detected. When speaking to us on the subject they asked us for several things in the cabin which we refused to give, until we knew what they would do with us. They did not intimate to us what they intended to do with the vessel until a few hours previous to our leaving her. In a few hours after they killed the captain, they changed the course of the vessel, and in a few days after, they told us they were bound to the British channel.

We had requested them to let us on deck two or three days before they did, and they declined, but did not give their reasons. In the course of our communications they required us to give them the fire arms which were in the cabin, and there being no ammunition we consented to throw them overboard, and did so through a cabin window. They also required us to give up some of the nautical instruments, and money, and threatened if we did not do so, to exclude all light and air from us, and they put a plank across the deck lights the first morning to prevent light from coming in. On the morning of the 2d day they told us we had not given them all the specie on board, and if we did not give it up they would fire on way to make us. On the same morning they endeavored to suffocate us by burning something close to the bulkhead of the cabin. I hallooed to them and promised them that if they took away the smoke I would see if there was any more property in the cabin and give it to them, and they then removed the fire. Mr. and Mrs. Deihl were the first persons who went on deck when we were let out of the cabin. On that morning they told us they could see a sail from the cross trees, and that if we wished to save our lives, this was the time, and they said they would give us the jolly boat. In about three hours after they said this, we were let on deck. Joe was then at the wheel, and the other four men were standing round the companion-way. Each of them, except the boy, had either a knife or hatchet in his hand. Wilhelmus represented himself as captain, we asked for the long boat, which they at first refused, but afterwards gave it to us, and allowed the cook and Mr. and Mrs. Deihl and Mrs. Turley and I to go away in her. We left the mate languishing of his wounds, and too weak to be removed. We left the brig at two o'clock in the afternoon, and she steered N. N. E. and we steered S. S. E. and were picked up next day by a brig bound to Greenock in Scotland.

I arrived here 26th of October last, and never saw the prisoners since I left the vessel until this morning.

Mr. Deihl, owner of the Braganza, was next examined and gave substantially the same account of occurrences of the last witness. Mr. Deihl found part of his property which the mutineers took from him, in custody of the United States marshal of this city, to whom it had been sent by the authorities where the prisoners were arrested.

James Davy, examined.—I am a native of England, 18 years old, a shipper of a boy on board the Braganza at Philadelphia, on the 8th or 8th of July, and I do not certain which. I was on board when she left Philadelphia, and was out about 30 days when the mutiny commenced. On the night of the mutiny I was at the wheel from 12 to 2 o'clock, when it was taken by J. Ver Bruggen. I then went forward and laid down behind a hen coop to sleep, it being then very fine weather. I was roused from my sleep by some person screaming out, who I believe was the first mate, and on looking about I saw a general scuffle going on, but could not tell exactly what part each person was taking in it; but I saw Adams and Ver Bruggen fighting against the 2nd mate, and the two others against the captain. I never saw the first mate at all at that time. The gangway then went overboard, and I saw Ver Bruggen and the 2nd mate, and John Adams had a handspike striking at the 2nd mate, to prevent him going upon board; he was then holding on to the rigging to get on board; Joseph Ver Bruggen and Wilhelmus then threw down the captain, and Ver Bruggen knelt on his neck, while Wilhelmus went to fasten the fore hatches.—I was at this time standing at the hen coop, screaming out; and Cornelius Wilhelmus came and told me to look after the steward, and not let him break out. I continued crying and he kicked me. Joseph Ver Bruggen, Cornelius Wilhelmus and Adams were the three I saw throwing the captain overboard. The 2nd mate had by this time got on deck. When the captain was thrown overboard, he caught hold of the main-chains; while they went and fastened the companion way. By the time they had done that, the captain had climbed over the bulwark and got on the deck, and fell down on it.—When the captain fell on deck, Wilhelmus took a stick and gave me two or three times with it on the head, and Wilhelmus and Adams then threw him overboard, and he again caught hold of the main chains, but was too weak to climb up, and begged them to drag him in and said he would not think of what passed. Wilhelmus

then went forward and got the cook's axe and struck at the spot from whence the captain's voice came, but I could not see the captain's person, from the position where I then stood. Some person also threw a stick at him, but I am not positive which of them did it. I then heard the captain exclaim, "O Mary, dear Mary, I'm dying!" and I saw no more of him.

The crew then hauled down the stern sails and put them in the sky light of the cabin. Wilhelm told me to go aloft and send down the studding sails, which I did. Cornelius Wilhelm afterwards acted as captain and Hantz as mate. Sometimes one of them gave me orders and sometimes another. That morning when we were at breakfast Cornelius Wilhelm told how he struck the captain with the handle of the axe when he held the main chain to prevent himself falling into the sea; Ver Bruggen also told how he had struck the chief mate with a hatchet, and that when the captain was coming up the companion way he struck at him with the hatchet; but the captain avoided the blow, and returned back to the cabin and got his cutlass and came up, and struck Ver Bruggen in the arm and cut him and made him let go the hatchet.

After the long boat had left the vessel, the mutineers threw the first mate overboard, although he was still alive. John Adams, one of the mutineers hanged himself in prison at EmLen, the second day after he was arrested.

After the mutineers had set the people adrift in the long boat they steered for the British channel and continued their course until they reached a small island near Hanover, where they ran the ship ashore and abandoned her and went on to Emden, in the king of Hanover's dominions, where the report of the piracy had already reached through the English newspapers, in consequence of which the prisoners were arrested and sent here for trial.

Thomas Brown, a colored man, who was cook on board the *Braganza*, was next examined, but his evidence added nothing to what had been already adduced.

Hans Knewdson, who has been also indicted for the same offence, was then brought into court to give evidence at the request of the prisoners but declined doing so.

No further evidence was offered and the case went to the jury about 10 o'clock this morning, and they returned a verdict of guilty.

CANADA.

From the Globe.

We publish below an interesting correspondence in relation to an outrage committed on the American flag in the Welland canal, in Canada.

It is gratifying to find the British authorities so prompt in disavowing the insult and injury, and making leaders at the same time of full indemnity.

A useful lesson is thus taught to many of the defamers of American government, as it seems manifest that some lawless and violent people exist on the Canada side, and sometimes commit aggressions on our peaceful commerce and citizens even across the border. Less taunting remarks should be used both in Canada and England in regard to the ability of our officers entirely to prevent every kind of excitement or outbreak on so extended a frontier. The English and Canadians, who cannot prevent such attacks as that on the *Stephen Girard*, even within the limits of Canada, and with a powerful military to aid the civil authorities, should not, from their glass houses, throw stones at the democracy of this country for "inability in preserving order." They will find the great mass of our people as ready as themselves to acknowledge and redress manifest wrongs, when not able to prevent them amidst such numerous and extensive difficulties as exist on the Canadian frontier, aggravated as they always have been by foreign agitators and refugees from Canada itself.

Custom house, Cleveland, Ohio, April 29, 1839.

Sir: On Monday, the 22d inst. a very gross outrage was committed on the American schooner "*Stephen Girard*," captain J. C. Huginin, while in the Welland canal, on her passage from Oswego to Cleveland. The vessel was surrounded by about one hundred and fifty of the Canadian militia, who were soon to be disbanded. They forcibly boarded her vessel, cut the balyards, for the purpose of bringing down the American colors, which in the attempt to pull them down, were entangled in the cross-trees. They forced the captain to send one of his men aloft to bring the colors down. He yielded to the violence of the mob, who seized upon his colors, and after having waived them in derision, tore them into pieces. These militia men next attempted a destruction of the vessel, which fortunately es-

caped from the canal into Lake Erie, amidst a pelting of stones by the mob, and with the loss of her jolly boat, which they destroyed.

I am happy to inform you that the evil effects of this transaction, so outrageous, and so calculated to prevent our further commerce through the Welland canal, have been fortunately obviated by the Canadian authorities, in the immediate arrest and confinement of the militia men composing the mob, and by a course of measures to punish them with the utmost rigor of the law.

Captain Huginin was immediately followed by a letter from lieutenant colonel Baldwin, commanding the battalion to which the militia men were attached, expressing the regrets of himself and the other officers of that battalion, on account of this transaction; that the offenders were arrested, and had been put in confinement, and would be punished; that indemnity would be rendered for the injury sustained, and that a repetition of a similar offence would be strictly guarded against.

In addition to this, I forward you the letter of R. A. Tucker, esq. provincial secretary of the province of Upper Canada, (having retained a copy), in relation to this subject, together with a copy of my reply. I have the honor to be, with great respect, your obedient servant,

SAMUEL STARKWEATHER,

Collector of customs.

Hon. Levi Woodbury, secretary of the treasury.

Government house, Toronto, April 25, 1839.

Sir: An account has just reached the lieutenant governor, that a gross insult was offered by some militia men, on Monday last, to the master of the American schooner "*Stephen Girard*," of Oswego, while that vessel was lying at port Colborne, on her way to Cleveland. No official report of this reprehensible proceeding has yet been received; but by a letter from the collector of port Colborne to a director of the Welland canal, it would appear that some militia men, in a state of intoxication, boarded the vessel, cut the pennant balyards, and, by threatening language, compelled the master to throw them on shore. They also endeavored to impede the progress of the "*Stephen Girard*" through the canal; and in this attempt her jolly boat was materially injured.

His excellency trusts that it can be hardly necessary for him to express the great concern he feels on this occasion; nor is it his wish to palliate an offence, the commission of which has excited his highest displeasure.

He hopes, however, that you will do every thing in your power to allay that angry feeling to which such an outrage is calculated to give rise, and by the publication of a true statement of the facts of the case, to divert it of that false coloring with which it will probably at first be represented. It will, likewise, perhaps be regarded by you as a part of your duty to direct the attention of your countrymen to those lawless and cruel aggressions on this province which have provoked an act of a retaliatory character from a few drunken soldiers; and his excellency doubts not but that every proper means will be employed by the public functionaries at Cleveland to compose and tranquilize the public mind. In the same spirit he authorizes me to assure you that the perpetrators of outrage shall be visited with the severest punishment our laws will permit; and that such effectual means shall immediately be adopted to prevent its recurrence, as will enable your vessels to pass through our canals without the slightest danger of interruption or annoyance of any kind.

For your further satisfaction on this point, his excellency has directed an intelligent officer to proceed instantly to Cleveland to afford every explanation that can reasonably be required on the subject of my present communication. I have only to add that it is the particular desire of the lieutenant governor that the master of the "*Stephen Girard*" should come here to substantiate the charges against the militia men, who are now under confinement, and that he may rely on experiencing protection and kind treatment from us. I have the honor to be, sir, your most obedient humble servant,

R. A. TUCKER, provincial secretary.

S. Starkweather, esp. collector of customs, Cleveland.

Custom house, Cleveland, (O.) April 29, 1839.

Sir: I have the honor to acknowledge the receipt of your letter of the 24th inst. by Lieut. Jones, special messenger of lieutenant governor Arthur, relating the outrage lately committed by some Canadian militia men on the master of the American schooner "*Stephen Girard*," while passing through the Welland canal, on her passage from Oswego to Cleveland. In relation to the same affair, letters had been previously received in this place, addressed to capt. Huginin, the master of the vessel, by J. Black,

collector at Port Colborne, and by Lt. col. Baldwin commanding the battalion to which these militia men were attached, expressing the indignation of the officers of that battalion at the outrage referred to, and giving assurance that full indemnity would be rendered for the injuries sustained; and that the offenders would be signally punished, and a repetition of any similar offence strictly guarded against.

These letters were published in our newspapers, together with a true account of the transaction, and had the effect immediately to tranquilize the public mind, and to allay fears as to any future disturbance of our commerce on the Welland canal, which, I am happy to say will not receive the slightest interruption growing out of that unfortunate affair.

The extreme displeasure manifested by the lieutenant governor of your province in relation to this matter, and his solicitude and his extraordinary efforts to bring the offenders to speedy justice, afford the most gratifying evidence that, however, great may have been the provocations which the recent lawless aggressions of some of our citizens have produced, the Canadian authorities are determined to suppress all attempts at retaliation, and to afford the most ample protection to the peaceable intercourse of our citizens with the people of your province.

Captain Huginin, in obedience to the wishes of his excellency governor Arthur, will proceed without delay to Toronto, to appear as a witness on the trial of the militia men who committed the outrage referred to. I have the honor to be, very respectfully your obedient servant,

SAMUEL STARKWEATHER,

Collector of customs.

To R. A. Tucker, esq. provincial secretary.

THE WAVE.

It is gratifying to perceive what a single vessel belonging to the war department, manned and conducted by her officers with zeal and energy, has accomplished.

U. S. schooner Wave,

St. Augustine, April 20, 1839.

Sir: I have the honor to report to you the arrival of the *Wave* at this place, from an examination of the eastern coast of Florida, with the result of her operations on this coast, under your order of July 1838.

The barges *Shocco* and *Emmett*, with which this vessel was furnished, commenced their operations within the Florida reef on the 2d September last; and with the aid of the sloop *Panther*, (chartered with the approbation of general Taylor, and now succeeded by the schooner *Osage*), it is believed that the *Wave's* force has penetrated every inlet and indentation of a southern coast of Florida susceptible of approach in boats. These continuous expeditions, if they have not resulted in the capture of any of the illicit traffickers with the hostile Indians, have been eminently successful in driving them from the coast. A suspicious vessel has not been inside of the Florida keys since November last, and but one since the object of the *Wave's* visit to the coast was known. Connected with the suppression of this traffic, the *Wave* has been enabled to render important service to the interests of navigation, in determining accurately doubtful points of the Florida coast, as well as the position of the western portion of it, which had never before been subjected to the examination of the surveyor. The enterprize of the Messrs. Blunt, of New York, placed at my disposal the means to effect this.

In connection with these duties, the discharge of others of a more pleasing character devolved upon us. A party of twenty fellow beings, who, amidst the horrors of the tempest, had been cast on the eastern coast of Florida, were rescued from the doom which awaited them from the Indians, and transported to Key West. They were the crews and passengers of the steamer *Wilmington* and the Spanish brig *Triumfante*. Assistance was likewise rendered to the following vessels in distress:

The brig *Bogota*, bound to Key West from New Orleans, knocked her rudder off on Carysford reef; hauled it for her, and sent her to sea.

Found the wreck of the brig *Alna*, captain Thomas, of Portland, Maine, on the eastern coast, about twenty-five miles north of Cape Florida, in possession of a small party of Indians. Her crew had been murdered, with the exception of two. We killed three and wounded two of the Indians in their flight, and destroyed three canoes. Found the bodies of two of the brig's crew, and burnt her.

The brig *Exit*, from Baltimore for New Orleans, via St. Marks, was ashore on Sonabro reef in October; assisted her to get off, and saw her safe through the reef.

The steamer *Wilmington*, ashore fifty miles north of Cape Florida, was a total loss; saved the crew and passengers, thirty in number, with their personal effects, and landed them in Key West.

Saved the crew and passengers, forty in number, with their personal effects, of the Spanish brig *Triumfante*, ashore sixty miles north of Cape Florida. Took from her sixty muskets, fifteen hundred pounds of lead, two hundred and eighty bales of cotton and moveables appertaining to her equipment, transported them to Key West, and burnt the vessel. In January, found the United States schooner *Jeannette* inside the reef, having beaten over Pickle's reef, furnished her a pilot and such assistance as was required to take her to sea.

Such, sir, is the result of the Wave's operations in this coast up to the present date; and, if a self-encouraging perseverance and untiring energy insure success, then have the officers and crew I have the honor to command effected all that could be anticipated from so small a force. To them, through you, sir, I would take this occasion to tender my sincere thanks for the cheerful and able manner in which they have executed every order and service required of them.

The Wave will sail to-morrow for the reef, examining the route, the eastern coast. She will leave the Outer bar on the western coast, and be replaced by her on this. The revenue cutter *Camell*, lieutenant commander N. C. Coste, placed under my orders in December last, is retained within the reef, where, with the boats, she can be most advantageously employed. This vessel is so far advanced that her commander reports her wholly unready for sea service or duty on the coast. Very respectfully, sir, I have the honor to be,

JOHN J. McLAUGHLIN, *lieut. comd.*
of the hon. J. R. Poinsett, secretary of war, Washington city.

IRISHMEN AND SONS OF IRISHMEN.

At a numerous and respectable meeting of Irishmen and sons of Irishmen, held on Wednesday evening, the third of April, at Ryan's "Democratic Head Quarters," Chestnut street, alderman John Innes was called upon to preside, and Mathew Carey, Bernard Duke, col. W. H. Elsegood were appointed vice presidents; and Stephen Edward Rice, John C. Doyle, and Wm. Young were appointed secretaries.

The meeting was opened by the call for it being ad from the chair, from which it appeared that the object of the meeting was to consider whether the liberal, generous and enlightened sentiments recently expressed by Gov. Seward toward emigrants of all nations, did not demand some expression of gratitude towards their author. To exhibit the sentiments entertained by one of the most pure and enlightened of our public men, the chairman read a paper from a committee of naturalized citizens, in which, to James Madison, then president of the United States, and his answer. The opinions and feelings manifested in this correspondence were so entirely in accordance with those of the meeting, that they unanimously adopted the following resolution:

Resolved, That the chairman be requested to furnish a committee with a copy of both letters for publication.

Several gentlemen having addressed the meeting, the following resolution was adopted:

Resolved, That a committee of five be now appointed to prepare a preamble and resolutions for the consideration of the meeting. The following committee was appointed: Philip Banks, Stephen E. Rice, John C. Doyle, John Killion and doctor Young. The committee retired, and, after some time, made the following report:

Whereas, This meeting having heard with affectionate respect and cordial gratitude, the language used by governor Seward to the legislature of the state of New York, in which, with peculiar elegance and energy, he recommends that emigrants from every country, who come to the U. States to make it their home, shall not only be welcomed and naturalized according to law, without regard to the race of their fathers, or their religious creed, but that they shall, in truth, in fact, and in good faith, be admitted into the American family, as members of one and indivisible, with the native born citizens of the republic; and, whereas such sentiments claim our highest approbation, and call upon "Irishmen and the sons of Irishmen" to make known how sensibly they feel, and how fully they appreciate the character of the statesman who not only entertains, but desires to carry into full operation such an enlightened and liberal course of public policy; wherefore, be it, and it hereby is

Resolved, That a committee be appointed to consider of the most suitable and appropriate manner of conveying to his excellency governor Seward some testimonial of our esteem and gratitude.

The report of the committee being accepted, and the resolution proposed being unanimously adopted,

the following resolution was adopted in the same spirit of unanimity:

Resolved, That a committee of five be appointed, to whom the above report and resolution shall be referred, with instructions to devise some plan to carry it into effect, and to report to an adjourned meeting to be held at this place on Monday evening next, at half past 7 o'clock, and that they be vested with discretionary powers in their call for the adjourned meeting, to publish such parts of the proceedings of this meeting as they shall think proper.

Whereupon, the chairman appointed, as the committee, Philip Banks, Stephen E. Rice, John C. Doyle, John Killion and Dr. Young, which appointment was approved by the meeting, which directed that Alderman Binns should be chairman of the committee.

The chairman having left the chair, and vice president Bernard Duke having been called to it, the meeting, on motion of Mr. Abbott, unanimously adopted the following resolution:

Resolved, That the sincere and cordial thanks of the meeting, and they hereby are, given to alderman John Binns for the ability and impartiality with which he has discharged the various duties of chairman of this assembly.

Monday evening, April 5.—The meeting was organized by the call of alderman Binns to the chair. The committee appointed at the last meeting being called upon for their report, it was read from the chair, as follows:

The committee to whom was referred the report of a committee made to a meeting of "Irishmen and the sons of Irishmen," held at Ryan's Democratic Head Quarters, on Wednesday evening, the 3d of April instant, have had the matter referred to them under their consideration, and respectfully tender the following report:

That it would be entirely in accordance with the acknowledged generous spirit and grateful hearts of the Irish people, for that portion of them which have become citizens of the United States, to make known to governor Seward the sentiments they entertain towards him for his recent official announcement of his anxious desire that emigrants from all nations, who come to the United States to make it their home, shall be received kindly, treated with affectionate regard, and not only be entitled to all the rights, privileges and immunities of native-born citizens, but that, in truth and in practice, they shall be regarded as one and indivisible—and, further, the committee think it would be well for this meeting of "Irishmen and the sons of Irishmen" to accompany the expression of such feelings and opinions with a suitable piece of plate, with a suitable inscription, to be for us and our posterity, and to governor Seward and his posterity, a perpetual memorial of our grateful feelings and of his generous sentiments; wherefore, be it

Resolved, That a committee of seven be appointed to carry into full effect the recommendation which has just been read, and to make known their proceedings at a future meeting to be called by them at this place.

Whereupon, the following committee were appointed: Mathew Carey, Robert Patterson, S. E. Rice, J. C. Doyle, John Killion, Philip Banks and Dr. Young, to which was added the chairman of the meeting.

Resolved, That the same committee be appointed to receive subscriptions for the purchase of a piece of plate to be presented to Gov. Seward, with a suitable inscription, to be a lasting memorial of the grateful feelings of "Irishmen and the sons of Irishmen," and a perpetual evidence of the generous and enlightened sentiments of an American statesman.

After some appropriate explanatory remarks from Mr. John C. Doyle, he offered the following resolution, which was seconded by Mr. Philip Banks, who, in the course of his remarks, gave an account of the origin of the call for the meeting on the 3d instant. After several other persons had addressed the meeting, the resolution was put and carried unanimously.

Resolved, That our expression of the approbation we entertain in the sentiments expressed in the message of governor Seward, is not made known from any wish to have any influence on the pending charter election in the city of New York, or from a desire at all to bias public opinion, but simply to publish the grateful effusion of the hearts of Irishmen of all political parties for the manly stand taken in their behalf by this truly patriotic governor.

Stephen E. Rice, esq. after some pertinent remarks, moved the following resolution, which was adopted without a dissenting voice:

Resolved, That the thanks of this meeting are justly due, and are hereby tendered to the editors of

the World, the Philadelphia Gazette, Herald and Sentinel, United States Gazette, Pennsylvania, American Sentinel, Evening Star, and such other editors as have had the kindness not only to publish the calls for the meetings, but to accompany them with expressions of kindness to us and to our countrymen.

It was then proposed that the proceedings of this meeting, and that of the meeting on the 3d inst. be published. This resolution give rise to much speaking without much difference of opinion, and was finally unanimously adopted, with instructions to the committee that they should not publish until after the New York charter election. By order of the meeting, JOHN BINNS, *Chairman*.

Stephen E. Rice,
John C. Doyle,
Wm. Young, } secretaries.

It is rather late to present the above as news, but as the proceedings recorded, have been misconceived by some, and misrepresented by others, it has seemed due to the gentlemen, that we should make a record not only of the acts of the meeting, but the subjoined letter from governor Seward of New York, to one of the officers:

Albany April 24th, 1839.

Stephen Edward Rice, esq.

DEAR SIR: Your kind letter of the 20th inst. has been received. I have no language to express the feelings which have been called forth by the demonstration of kindness towards me by adopted citizens in Philadelphia. It seems to me that there is enough of national interest, of national ambition, and of national pride in this country, to enable us to banish all sectional feelings, and all hereditary prejudices, and enough of philanthropy involved in the success of our form of government, to rally all our fellow citizens, whatever may be their birth or lineage, around our democratic institutions. These institutions ought to be regarded not merely as designed to secure the "largest liberty" to the greatest number of our own citizens, but as the means of extending throughout the world the knowledge of the inalienable right of man to self-government, and of the means by which that inestimable right may be established and secured. I feel that I cannot err in inculcating philanthropy even broader than patriotism, and a love of liberty as comprehensive as human society.

With grateful acknowledgments of the kindness expressed in your letter, I remain, very respectfully, your obedient servant,

WILLIAM H. SEWARD.

VETO MESSAGE OF THE GOVERNOR OF PENNSYLVANIA.

To the senate and house of representatives of the commonwealth of Pennsylvania.

GENTLEMEN: The bill entitled "an act making appropriations to certain turnpikes, state roads, &c. within this commonwealth, and for other purposes," has been presented to me for executive approbation; but as I cannot give that approbation to this bill, consistently with my own sense of duty, I return it to the house of representatives, in which it originated, with my objections.

It makes large appropriations to the payment of the debts of several incorporated companies; to the building of bridges; the improvement of streams; the repair of various turnpike roads; and the building a hall in the city of Lancaster—many or all of which objects might be perfectly proper and right, had the commonwealth a superabundance of funds. But at a time when we are laboring under an existing state debt of upwards of thirty millions of dollars, it does not appear to me that it would be either prudent or proper to borrow money, or tax the people to raise funds to give away, with so profuse a hand, on improvements, many of which are secondary at least, in character and general importance. If it were even advisable to increase the state debt for this purpose, under any circumstances, the present is not a propitious time, as there is difficulty in procuring money for existing responsibilities on favorable terms, and that difficulty would no doubt be increased, by increasing the amount required.

[Here follows a list of the appropriations.] The primary object avowed by all departments of the government in the commencement of our system of internal improvements, was to secure to the commercial empire a due portion of the increasing western trade or commerce, and to develop the immense mineral resources of this commonwealth, distributed throughout the coal and iron fields in such exhaustless abundance, and the agricultural productions of her fertile valleys in her interior, northern and western countries. To carry this design into operation, the main lines between Philadelphia and Pittsburgh, and the lakes, were

first undertaken, and the coal and iron fields of the north and northwest penetrated by the Susquehanna canals.

The immediate tributaries of the main lines, opening into rich mineral deposits, of course form a part of the system, and are necessary to its entire completion. To secure the trade of the western states, and of the northwestern portion of New York, was also an essential object of the founders of our improvement system.

Experience clearly demonstrates the wisdom and sound policy of the undertaking. Had all the energy and means of the commonwealth been devoted to the vigorous prosecution of this system in its original simplicity, the state would now be reaping the full fruits of her expenditures, and the public debt would not have been swelled to its present enormous amount. Influenced, however, by unfortunate causes and counsels, the legislation of the state has recently tended to distract the attention, and divide the means of the public, by the prosecution of various undertakings unconnected with the main lines, and, in many instances, wholly for the benefit of private companies; thus placing the public means under their unlimited control, when the faith of the commonwealth was already pledged to apply its resources to the completion of its own works, and to the payment of its own liabilities. It is manifest at a glance, that just so far as the original system has been departed from, so far has the system itself been retarded, and the public money been squandered upon unproductive objects. I do not mean to say these objects may not have been of great value to particular sections and particular individuals; but the public at large had not the same interest in them, nor could their commencement, or even completion, materially contribute to the prosecution of the main design. I rank them, accordingly, among that class of secondary improvements, which should not be undertaken by the commonwealth, while others of much greater importance remain unfinished and unprofitable.

It has only been within the last few years, that this infraction of the internal improvement system has been carried to the greatest extent. The drains upon the treasury of the commonwealth, through a thousand unseen channels, have frittered down her resources, crippled her energies and involved her in the most inextricable difficulties. To a person not intimately acquainted with the facts, it would be a question not easily to solve from an examination of the recent appropriation bills, whether the main lines of our improvements were presented on account of their own intrinsic importance, or merely as pretexts for lavishing upon numberless other subordinate objects, millions of dollars of the money of the people. In some instances, as in that of the bill under consideration, the appropriations to secondary objects have been made first, while the appropriations to the main lines have thus far failed entirely. It will be but one step further in the departure from the original system, to drop the main lines altogether, and henceforth disperse the treasure of the commonwealth among incorporated companies, local prejudices, local interests and expert bargaining to secure in the general scramble, the largest share of the public money.

It is far from my intention to attribute to any of these motives, or to the influence of any of these causes, the formation of the present bill. I am speaking of the direct tendency of this course of legislation—to what consequences it must inevitably lead, not to what result it has already reached in its progressive influence on the legislation of the commonwealth.

Unless a radical change of my opinion should take place, I can never yield my sanction to the predominance of this innovation on our internal improvement system. I conceive it to be at open variance with judicious economy, sound policy and enlightened legislation.

Thus viewing it, I should be recreant to my duty were I to sanction this bill. No man can be more reluctant than I am to exert the veto power. I shall never do it on light or trivial occasions; still less shall I claim to set up my opinion in opposition to that of the two houses of assembly; but when the completion of the main lines of improvement and the interest of the people are all involved in a measure, I cannot hesitate in the adoption of my course.

It is highly desirable, no doubt, to those concerned, that the debts of all turnpike companies, and, in fact, all other companies in the commonwealth, should be paid. But the question is, at this time, shall we borrow money to pay them, when it requires the joint exertion of every branch of the government to sustain its credit, which has been already stretched to its utmost limit to satisfy existing liabilities, and to defray the expenses incident to the management of public affairs? I cannot be-

lieve the people of Pennsylvania are prepared to answer this question in the affirmative. If I have misconceived my duty, or misunderstood the public sentiment, it is a gratifying consideration that an ample remedy is provided by the constitution.—Claiming only the merit of rectitude of intention, I cheerfully commit this bill to the action of the legislature, and to the final judgment of the people, satisfied that, on this, as on all other subjects, they are the best judges of their own interests, and of the fidelity of their public servants.

Although not necessarily connected with the main subject of this communication, it seems to me not to be improper to call the attention of the legislature again to the means of increasing the credit of the state, and of rendering it at all times more certainly available. During the existence of our present currency, mainly composed as it is of paper, fluctuations in our pecuniary affairs to a greater or less degree, are perhaps unavoidable.—Apprehensions of this state of things, frequently operate to deter capitalists from advancing money to the state when required for public purposes. It is believed that the evil would be principally removed, if provision were made by law, for paying the loan holders the interest on the loans, at all times, in gold or silver, or in equivalent funds, at their own discretion.

This would be right and just, because the money loaned to the commonwealth was of the same kind, and the interest on it should be paid in a medium as valuable to the creditors as the original advancement. I respectfully suggest to the legislature the propriety of inquiring into the subject, and of adopting such measures as are compatible with sound policy and enlightened justice. No occasion should be spared, either on the part of the executive or of the legislature, to impart to the credit and standing of this great commonwealth all the strength and stability to which they are entitled by her native resources, and the industry, enterprise, and integrity of her citizens. DAVID R. PORTER.
Executive Chamber, May 9, 1839.

SWARTWOUT DEFALCATIONS.

Report of the committee of investigation, chosen by ballot, by the house of representatives, January 17 and 19, 1839, on the subject of the defalcations of Samuel Swartwout and others, and the correctness of the returns of collectors and receivers of the public money; also, the report of the minority of the committee.

[CONCLUDED FROM PAGE 175.]

PART V.

FACTS CONNECTED WITH THE FOREGOING DEFALCATIONS, AND DEEMED MATERIAL TO DEVELOPE THEIR TRUE CHARACTER.

It may well be supposed by the house, that, in the course of an investigation involving so large a mass of testimony, both written and oral, and from the despatch incident to their labors, the committee have discovered numerous facts of deep interest to the house and country, which they have been unable to embody for presentation to the house under either of the general divisions of this report which have preceded, and although such facts have a direct and kindred relation to the subject of defalcations of public officers and their returns. Some of them will now be briefly adverted to.

The committee have found that both the late and present collectors at the port of New York have been in the receipt of large annual incomes, amounting, according to the testimony, from \$5,000 to \$15,000, from storage of dutiable merchandise in the public store-houses while the duties on such merchandise are being computed.

The public stores at New York thus used, are divided into two classes by the collector: one, devoted to the merchandise under appraisement; the other, to merchandise not ordered to appraisement, nor permitted to be taken by the importer, and being still in the keeping of the law officers, to secure duties. The former are called appraisers' public stores, and are rented at the public expense. No storage is charged on merchandise deposited in them, but their whole management is at the expense of the government. The other stores are called general order stores; and on these, perquisites, amounting to the sums before named, annually, in the shape of storage, cartage, and labor, are charged and received by the collector, who takes upon himself the payment of the incidental rent, retaining to himself the entire surplus. Of this large and profitable class of income, neither the late nor present collector has made any return whatever to the treasury, notwithstanding the requisitions of law appear imperatively to require

it. By the act of May 7, 1832, section 9, establishing the compensation of custom-house officers, it is expressly enacted "that, whenever the emoluments of the collector of the customs at New York shall exceed four thousand dollars in any one year, after deducting the necessary expenses incident to his office in the same year, the excess shall, in every such case, be paid into the treasury for the use of the United States." By section 11 of the same act, section 9 is so limited as not to extend to fines, penalties, or forfeitures, or the distribution thereof; and by section 18, compensation to collectors for superintending light-houses, in addition to the before-named salary, is provided.

In the opinion of the committee, the emoluments of the collector at New York, arising from public store-houses, which are necessarily at all times under the charge of sworn officers paid out of the public treasury, are, for no sound reason, to be distinguished from any other emoluments of his office, for which he is required to account to the treasury. And why the collector has been or should be permitted, by virtue of his office as collector, to regard as an unofficial expense the rents of any number of public stores, and, under this pretext, to make them the sources of profitable speculation, while the superintendence of the whole is at all times necessarily conducted at the expense of government, and by subordinates paid by government, is to the committee wholly incomprehensible, and believed to be not only an evasion, but a positive violation of the provisions, as well as obvious intent of law.

The books of storage, cartage, and incidental expenses of the public stores, are not kept so as to exhibit the truth, or any record true, as to the extent of emoluments thus annually arising to the collector; and, from the testimony of the principal storekeeper, both in relation to these perquisites under the former and present collector, as also from the testimony of Mr. Hoyt himself, the committee are of opinion that the design of this loose manner in this portion of the accounts of the custom-house is to escape the possibility of full and minute investigation into the extent of moneys thus withheld from the public treasury, and lest its importance might justly be appreciated. The subpoenaed testimony of *Stdney Wetmore*, public storekeeper, examined by *Mr. Wise*, will elucidate these positions:

Question 3. Will you please state the amount of storage charged under the late and present collectors, and the amount of rent and expenses paid by these collectors respectively, for each quarter since you have been in office?

Answer. I cannot state the amount paid to the late collector correctly, as he often drew the amount from my hands collected daily, and part of the time paid rents himself, and part I paid by his order. So that he can only tell what are the net proceeds received from the stores during his term of office. The amount of net proceeds received by the present collector for the three quarters he has been in office, I think is about \$2,500.

Question 4. Is there no regular book or account kept of amounts received for storage?

Answer. I keep a cash book of the gross amount of storage, cartage, and labor received; but which does not show the amount paid out for expenses nor does it distinguish what part is received for goods sent on private storage at request of the merchant, or what accrued on goods sent on general order.

Question 5. Are you not the only proper officer charged with keeping the accounts of storage; and what is your gross estimate of amount received by Mr. Swartwout per annum for storage?

Answer. I am the only officer charged with the keeping of the storage account. Mr. Swartwout received some of the stores; of course I cannot say what should be deducted from the gross amounts for rent of them; but from all the mean I have of knowing and judging of this business, should say the net amount, after deducting rent and expenses, and exclusive of Mr. Swartwout's stores, might average, yearly, between \$5,000 and \$10,000. The business, as I before have stated, is very variable, owing to the quantity and manner in which goods have arrived. Mr. Swartwout's storehouses were worth probably \$3,000 per annum. This would make the entire net perquisite \$5,000 per annum. I have known, during five years, the net perquisites on storage to be as low as \$2,000 per annum, and to vary from that to \$10,000 per annum, in one instance. Hence, put the gross average at \$5,000 per annum.

Jesse Hoyt, collector, examined by Mr. Wise.

Question 3. Do you account to government for the profit of these stores, other than appraisers' stores? If not, to whose use are the perquisites of storage, over and above rent and expenses, appropriated?

Answer. I do not account to government for any excess over rent and expenses. This profit, I understand, has been, from the organization of the present tariff system down to the present time, considered as belonging to the collector. It is a private storage business of no expense to the government, and it has never claimed the profit.—The person holding the office of collector leases the stores and pays the expenses, and charges the storage to those who use the stores; and the rate of storage is that established by the chamber of commerce, as this witness has always understood.—This profit, witness believes, has always been for the use of the person holding the office of collector.

Question 4. Does the collector or the government pay the officers who attend to storage?

Answer. In answer to this question, this witness says that the law requires that all goods imported are to be landed and taken care of by "officers of the customs," until duties are paid or secured. To each of the public stores there are a sufficient number of inspectors (sworn officers) to attend to the receiving and delivering of the goods from the public stores. There are two or three of such officers to each store, depending upon the size; and in some cases there may be four of such inspectors to a store. These inspectors are called off for other duties, when the case requires, and are also responsible for other duties when their services are demanded. These officers receive their daily pay, as inspectors, from the government money. They do not, as witness understands, do any labor; but merely keep an account of goods received and delivered. The laborers are paid by the person holding the office of collector, who receives the storage.

Another development of fact made by the committee in pursuing the inquiry in regard to the disposition made of public moneys by Messrs. Swartwout and Price, and other public officers, is deemed by the committee deserving of being presented to the special attention of the house. How far it may have entered into the defalcations of the late collector and district attorney, as an incipient impulse in breaking down the true estimate by the public officer of his relations to community and to government, is left to the judgment of the house upon the facts reported. But of its direct tendency to reduce public office to the degraded character of merchandise, to be bought and sold to subordinates by a regulated annual stipend, and to demoralize and prepare the mind of incumbents of office for acts of peculation and plunder upon the public revenues, there is no doubt remaining in the judgment of the committee. The system of a regular taxation of public officers connected with and deriving patronage from the custom house at New York, by a tariff proportioned to such patronage in each case, for the support of party elections, is now alluded to. Instead, however, of attempting to characterize this system in the terms merited, the committee will attempt only to present a summary of the testimony taken upon the subject, referring for more minute details to the pages of the committee's journal.

Arent S. De Pryster was sworn as a witness.

In his first answer, he testified that he had held the situation of weigher in the custom house about five years.

In reply to the 3d question, he returned the following answer:

"The weighers were called on to pay fifteen dollars each for the support of the election; and when I declined, Mr. Vanderpoel, the deputy surveyor, observed, that I ought to consider whether my \$1,500 per annum was not worth paying fifteen dollars for. Under the impression that it was the price of my situation, I paid it. The above occurred during the last spring election for charter officers. During my holding office, for about five years, I was occasionally called on; but always declined, until within the last two years."

In his fourth answer, he said his office of weigher was held under the United States, and paid laterly out of the treasury; formerly, a commission was allowed on the amount of goods weighed. In his fifth answer, he said he knew only by hearsay as to whether the salaries of other subordinate offi-

cers were thus assessed for the use of party purposes; and adds, "but I saw many of the weighers pay the tax of fifteen dollars."

The money thus collected, he testified "was intended to be used to support the election of persons attached to the present administration." The person who collected the tax from him was Mr. Vanderpoel, who "at that time held the office of deputy surveyor. He did not recollect the amount of his salary. He believed he now holds the office of appraiser." He (Mr. Vanderpoel) had a list of the names of the officers from whom he collected the tax. The last payment of \$15 made by the witness, referred to in his 3d answer, was made "since the last collector (Mr. Hoyt) came into office." The witness had been removed by Mr. Hoyt, but had never condescended to ask the reasons, &c.

David S. Lyon was sworn as a witness. In answer to the first question, he said: "I was the first deputy collector of the port of New York during the whole time Samuel Swartwout was collector."

In answer to the 21st question, he said: "I have frequently been called on to contribute to political objects while I was deputy collector, as an officer of the custom house. The amount was from twenty to one hundred dollars. The tax was *pro rata*, according to salary. It bore a proportion of from one to six per cent. I frequently paid a part of the amount. When it was too high, and more than I could afford, I urged them to reduce it. In one instance, when I was assessed twenty dollars, Mr. Swartwout told the collector of the tax that ten dollars was enough for me to pay. For a few years back I have not paid any thing to the general committee, because I could not afford to pay the amount assessed, and because I could not conscientiously longer sustain the party. The collectors of the Tammany Hall general committee, one of whom was John Decker, called on me several times. William Tyack once or twice called on me to collect the amount with which I was assessed; he was not the regular collector, but was one of the general committee. I believe that nearly all the officers of the custom house, in doors and out, and the clerks, were similarly taxed, and generally paid what they were assessed. It was assessed by the general committee of Tammany Hall, and for the support of the party denominated the Tammany Hall party. If the individual did not pay the amount he was taxed with, the collector would remark, you will be reported to the general committee—and every body well understood that proscription would follow. The collector of the general committee has an alphabetical book, which contains the names of persons taxed, and the amount each individual is required to pay."

This witness had ceased to be deputy collector, and was so notified by the present collector when Mr. Swartwout's term of office expired. Thus, by these two ex-officers of the customs, was it proved that, during the term of Mr. Swartwout, and of the present collector, (Mr. Hoyt), both, had this *pro rata* tax been assessed upon the salaries of officers of the government.

Abraham B. Vanderpoel, a person now incumbent in office, was sworn as a witness. He said: "I was appointed to the office of inspector of the customs in May, 1829, at \$1,095 per year, and held such until 1836, when I was appointed deputy surveyor, at \$1,500 per year, and March, 1835, appointed appraiser at \$2,000 per year."

Mr. Wise then propounded the 2d question to the witness, and certain occurrences took place in the committee, which were unanimously ordered to be stated on the journal, thus:

"Mr. Wise propounded to the witness, Abraham B. Vanderpoel, the following question, to wit: Question 2d. 'Do you know whether the officers of the custom house have ever been called on to contribute sums of money to party and political objects? What officers have been so called upon; by whom; for what amount; with or without regard to their salaries of office; when did they contribute; if they refused, was any intimation given that their refusal might occasion their removal; what amount has so been contributed or collected; and for the support of what party, at any one election?'"

"The witness took the interrogatory without objection to propounding the same, and proceeded to write his answer thereon on the paper attached to the question, and had written the following, to wit: 'I have known officers attached to the custom house to have been called on for—' when Mr. Owens, member of the committee, interposed, and informed the witness that he was not bound to an-

swer any interrogatory relating to his private affairs; and, thereupon, Mr. Foster, another member of the committee, objected to propounding the interrogatory. The witness here commenced to tear off what he had written before objection was made to the interrogatory. Mr. Wise prevented him from doing so by forbidding the act. Mr. Foster insisted that the witness had the right to tear off what he had written, and that it was not his answer until it was complete and handed in, and he asked the witness whether it was his answer, and he replied 'it was not; and the committee having decided that the interrogatory should be propounded, the said question by Mr. Wise was again handed to the witness, and he returned the following: 'I decline to answer the 2d question.' The witness was then permitted to retire."

John Decker was sworn as a witness. In answer to the 3d question he said: "I have been collector for the democratic republican party in this city. It is not an official appointment, and I have made no collections for this year; nor have I been discharged from said appointment." In answer to the 4th question, whether he had ever collected any sum or sums of money from William M. Price, whilst he was district attorney of the United States, for the democratic republican party of New York, he said: "All the collections I ever made for the democratic republican party were strictly confidential; I therefore respectfully decline answering the question." In answer to the 17th question, he said he was the collector of the democratic republican party for five or six years previous to 1838. By the 19th question, he was asked whether, during the time he was collector of the democratic republican party in the city of New York, and since, he had known William M. Price to pay or contribute any sum or sums of money to political and party objects, he answered: "I cannot answer that question without violating confidence." In answer to the 20th question, he said: "He had never known William M. Price to contribute, at any one time, or at different times, to carry an election for the democratic republican party in the city of New York \$500, nor half of that sum." He was then asked how much less he had known him to contribute. He declined to answer. He was asked whose confidence he would violate by answering the 19th question. He answered: "The confidence of the finance committee of the general democratic republican committee." In answer to the 26th question, he said that Mr. Vanderpoel was a member of one of these committees in 1838; and, in answer to other questions, that other officers of the custom house had been members of these committees during the past four years; that Price's contributions had not amounted, to his knowledge, to \$500; that there were other collectors beside himself; the members of the finance committee were all collectors; that he declined answering how often he had collected from Mr. Price; that his instructions from the finance committee were, that he should not inform any person from whom or how much he collected from any person; and that these instructions were the reason why he declined to answer several questions of the committee, in as far as he thought it would be a violation of confidence.

Thus, though it was very apparent from the testimony of this witness that Mr. Price had contributed something to party and political objects, yet what amount he had paid to the seven or eight collectors of his party for such objects, whilst he was an officer of the government and a defaulter, could not be ascertained by reason of the *secrecy* enjoined upon these collectors by the general or finance committee of the party.

The committee further report, under the head of general facts material to characterize the late defalcations at New York, that the following testimony shows, 1st. *The whole amount of specie collected at the custom house of New York during the entire period of the suspension of specie payments, was less than the sum of \$150,000, and of that sum but \$70,000 was carried to the credit of the treasurer of the United States;* 2d. That, during the suspension of specie payments, the treasury department had to send from Washington city to the collector at New York *drafts for specie to pay debentures and expenses of his office;* 3. That Mr. Swartwout, during the suspension of specie payments, notoriously received a large portion of the revenue collected at New York *in bank notes* which were not allowed by the department to be carried to the credit of the treasurer of the U. States; and 4th. That this receipt of bank notes not carried to the credit of the treasurer

of the U. States, must be regarded as an important cause tending to aid Mr. Swartwout, in abstracting the public money; and 5th. That the bonds contained in the list of Phillips, in document 13, the receipts of which Mr. Swartwout never debited himself with as paid during the first quarter of 1837, and which constitute the chief item of his defalcation, were never suspended either by the order of the secretary of the treasury or by the act of congress of October, 1837, and were actually paid before the suspension of specie payments; and thus the excuse of the department for not detecting the defalcation of Mr. Swartwout's bond account, founded upon the confusion arising from the suspension of the payment of duty bonds, utterly fails. The testimony is as follows:

Joshua Phillips was sworn as a witness.

Examined by Mr. Wise.

Question 1. Were the bonds included in the list kept by you and contained in document 13, herewith handed, and chiefly payable in the 1st and 2d quarters of 1837, paid to Mr. Swartwout?

Answer. All the bonds included in the list kept by me, and contained in document No. 13, were paid to Mr. Swartwout.

Question 2. Were the bonds included in the amount of difference between the sum of that list of bonds, \$597,331 63, and the sum of \$646,754 83, (the alleged deficit of Mr. Swartwout), paid to him, and, if not, to whom?

Answer. The money for all bonds collected were, in each and every instance, paid over to Mr. Swartwout, and the above difference was paid to him.

Question 3. Were those bonds paid at maturity?

Answer. In consequence of the business of the custom house having got behindhand, the bonds were not made up (by ascertaining the amount of each, &c.) in time to be sent to bank for collection, and they were collected at the custom house; and, generally, the bonds contained in list of document 13 were paid after maturity.

Question 4. How long, generally, after they were due, and in what months of 1837, were they paid?

Answer. The bonds were paid, generally, from ten to twenty days after they became due, and in the months of January, February, March, April and May, 1837. All were paid previous to the suspension of specie payments.

Question 5. Was the payment of any of these bonds suspended by the order of the treasury department in May, 1837, until congress was assembled in the September following?

Answer. None of the bonds contained in said list were suspended by any order from the treasury department.

Question 6. In what kind of money did Mr. Swartwout receive the amounts of bonds and customs after the suspension of specie payments?

Answer. For some time after the suspension of specie payments by the banks, Mr. Swartwout directed the cashier's department to receive the notes of the banks in this city in payment for bonds and customs; and that course was pursued until the issue of treasury drafts, and, occasionally, during the whole time that Mr. Swartwout remained in office.

Question 7. What amount did Mr. Swartwout receive in bank notes?

Answer. Previous to the issue of treasury drafts, the whole amount collected was received in bank notes. The particular amount I cannot state. The amount of specie received during the suspension was about \$500,000, and of that amount \$70,000 was transferred by Mr. Swartwout to the treasurer of the United States.

Question 8. Was not the whole amount of bonds included in your list of bonds received by Mr. Swartwout in 1837 paid to him in bank notes?

Answer. The whole amount was paid in bank notes.

Question 9. Were these bank notes, after the suspension of specie payments in May, allowed by the department to be paid by Mr. Swartwout to the credit of the treasurer of the United States?

Answer. After the suspension of specie payments I am not aware of any money being transferred to the credit of the treasurer of the United States, except \$70,000 in specie.

Question 10. Please state, categorically, whether the department authorised, or in any way, directly or indirectly, permitted or prohibited the credit of bank notes, during the suspension of specie payments by Mr. Swartwout to the treasurer of the United States?

Answer. I do not know that the department authorised, or in any way permitted or prohibited,

directly or indirectly, the credit of bank notes during the suspension of specie payments to the treasurer of the United States further than (if my memory is correct) Mr. Swartwout having told me, some time after the suspension, that he had received a letter from Washington directing him not to receive any money on account of the U. States, except of that description authorised by law.

Question 11. Did not Mr. Swartwout, soon after the suspension of specie payments, pay a visit to Washington to obtain from the department an arrangement as to the kind of money in which customs should be received?

Answer. Mr. Swartwout did, soon after the suspension, visit Washington, and his object was to make an arrangement as to the kind of money he might receive for customs.

Question 12. Upon his return to New York, did he not, at a public meeting of merchants, and at all times after his visit to Washington, publicly and privately, announce that he would receive bank notes in payment of customs.

Answer. Upon his return to New York Mr. Swartwout did, at a public meeting of merchants, declare that he would receive bank notes in payment of customs; and upon every occasion when applied to by persons as to the description of money he would receive, his answer was, that he would take bank notes, and that he had told them at Washington that he would take the responsibility.

Question 13. Was it not notorious in New York that Mr. Swartwout was receiving bank notes in payment of customs?

Answer. It was.

Question 14. The treasury department, knowing the amount of protested treasury drafts received at the custom house in New York, and the amount of specie paid there during the suspension of specie payments, must it not have known that Mr. Swartwout was receiving bank notes, and must it not have had the means of knowing the amount of bank notes he received?

Answer. I do not think that the treasury department was aware of the total amount of specie received, as no regular returns were made of it.— They knew the amount of protested treasury drafts received. Inquiry was made from Washington as to what amount in specie could be placed by the collector to the credit of the treasury of the U. States, and in three instances the amount of \$70,000 was so placed; and I believe it may have been known at Washington that he was in the habit of receiving bank notes.

Question 15. Was not the hon. Levi Woodbury, secretary of the treasury, at the custom house in New York during the summer of 1838, before Mr. Swartwout sailed for England? If so, during what month?

Answer. I saw a person, during the summer of 1838, (the month I do not know), at the custom house, and I was told it was the hon. Levi Woodbury. I had never seen him before that time. I do not know whether it was before or after Mr. Swartwout sailed for England.

Question 21. Does the statement contained in your letter of November 9th, 1838, to H. D. Gilpin, solicitor, as contained in doc. 13, showing the mode of collecting bonds through the banks, apply to the bonds contained in your list of bonds taken by Mr. Swartwout, and not accounted for by him to the United States?

Answer. The statement contained in my letter of November 9, 1838, to H. D. Gilpin, solicitor of the treasury, showing the mode of collecting bonds through the bank, does not apply to the bonds contained in list taken by Mr. Swartwout, and not accounted for by him to the U. States.— These bonds were all collected through the custom house, and were never placed in bank. It is possible that a few of them might have been put in bank for collection and returned to the custom house, and afterwards paid there; but the amount, if any, was very small.

Question 23. Which were the banks the notes of which generally Mr. Swartwout received during the suspension in 1837?

Answer. The notes of all the banks in the city of New York were received generally by Mr. Swartwout during the suspension in 1837, except those of the Dry Dock Bank.

Question 24. Have not all these banks since resumed specie payments; and if their notes, received by Mr. Swartwout in 1837, had, after it was known that they were received by him, been

ordered by the department to be paid by him to the credit of the treasurer of the United States, and been so paid by him, would the United States have lost a dollar upon bonds so received by him in bank notes?

Answer. All the banks in the city of New York have resumed specie payments; and had Mr. Swartwout, after it was known he was receiving bank notes, been ordered by the department to transfer the notes so received, the United States would not have lost a cent in bank notes received by him, if he had made the transfer so ordered.

Mr. Ogden examined by Mr. Wise.
Question 42. Were the bonds included in the list of bonds kept by Phillips, and contained in doc. 13, paid to Mr. Swartwout?

Answer. These bonds were all paid to Mr. Swartwout.

Question 43. Were the bonds which were due and payable in the 1st and 2d quarters of 1837 paid at maturity?

Answer. I believe they were all paid at maturity, with some exceptions, which were sent to Mr. Price for prosecution.

Question 44. Was their payment suspended or affected by the order of the treasury department in May, 1837?

Answer. The payment of these bonds was not affected by the order of the treasury department in May, 1837.

Question 45. What kind of money did Mr. Swartwout receive for customs after the suspension of specie payments?

Answer. Mr. Swartwout received in payment treasury notes, banks notes, checks on the banks, and gold and silver; the principal part in bank notes and checks, and treasury notes when they were below par. The amount of gold and silver was very small, it never exceeded \$7,000 any day, and seldom amounted to that sum; generally two to four thousand dollars. The whole amount of our receipts in specie during the suspension of the banks, was about one hundred and fifty thousand dollars. More than two-thirds of our receipts were in bank notes and checks.

Question 46. Were the amounts received in bank notes by Mr. Swartwout, during the suspension of specie payments, placed to the credit of the treasurer of the United States?

Answer. The amounts of bank notes received by Mr. Swartwout were not passed by him to the credit of the treasurer of the United States.

Question 47. Must the department not have known then, from his quarterly accounts showing the whole amount received by him, and the amount placed to the credit of the treasurer of the U. States, that he was receiving a large proportion of the customs in bank notes, which were not allowed to be carried to the credit of the treasurer?

Answer. Certainly, had they examined his quarterly account, they could have ascertained the amount received by him, as well as they could have become acquainted with the amount of receipts in bank notes which were not carried to the credit of the treasurer.

Question 48. Whilst the quarterly accounts of Mr. Swartwout for 1837 showed that large balances were in his hands, did not the treasury department repeatedly, during the suspension of specie payments, send to Mr. Swartwout drafts for specie to pay debentures and expenses of his officers, &c.?

Answer. During the above period large balances were in Mr. Swartwout's hands, and the government passed heavy drafts upon him for specie, which he was unable to pay in specie; in fact, we had to apply to the treasury department for specie to pay debentures and the current expenses of our office.

In addition to the foregoing testimony of Messrs. Phillips and Ogden, the cashier and assistant cashier at the custom house at New York, under Mr. Swartwout, the committee submit the following correspondence between Mr. Woodbury and Mr. Swartwout:

May 10, 1837.

Sir: Owing to the heavy run which was made throughout Monday and Tuesday upon the banks of this city, they all came to the determination last evening of suspending specie payments for the present, the deposit banks being included in the number. As soon as the deposit banks opened this morning, I called upon the presidents and cashiers to confer with them in relation to this measure, and have been advised by the Manhattan Company and Bank of America to continue to receive the notes of the city banks as usual.

On looking over the "circular to collectors and receivers of public money and to the deposit banks," I find the instructions so positive that I prefer suspending receipts for bonds, in this office, which may be returned from the banks, until I can receive your further instructions. In this decision I am sustained by the opinion of the district attorney. Many persons have tendered bank notes for their bonds, which fell due some days since, but I have declined receiving them until I hear from you. In order that I may receive the earliest information from you, I shall send this letter by the "express mail." I am, &c.

S. SWARTWOUT.

Hon. Levi Woodbury.

P. S. The National Bank refuses to receive the notes of the Mechanics' Bank in consequence of the large balance due them.

To collectors of the customs.

Treasury Department, May 12, 1837.

If the bank where you deposit should suspend specie payments, you will yourself collect and keep safely in your own hands the public money for all duties at your port, until further directions are given to you by this department how to deposit, transfer, or pay it. You must, of course, continue to adhere to the existing laws of congress, and the former instructions of the treasury, in respect to the kind of money receivable for customs; and by which it is understood to be your duty to require payments to be made in specie, or the notes of specie paying banks that are at par.

LEVI WOODBURY, sec. of the treasury.

Treasury Department, May 19, 1837.

SIR: This department has, with much surprise, seen several representations in the daily press concerning certain declarations made by you at a recent public meeting in New York city, as to the course you intended to pursue in future in collecting the public revenue.

The importance of the subject, and the nature of these representations, render it my unpleasant duty to call your immediate attention to them.

Some of the accounts of what took place represent you as saying, in substance, that, as the orders of the treasury could not be complied with, you, on your own responsibility, would dispense with them; while others state that you understood a discretion had been left to you by the executive on this subject; and that, in the exercise of such discretion, you should not conform to the instructions of the department, either by collecting the money yourself, which fell due for duties, or by collecting it in such kind of money as the laws require. Other representations convey the idea that, if you pursued such a course the government would make no objection to it.

Under a belief that in these reports as to your remarks and determination on this subject, some unfortunate errors must have occurred, or that you must have imbibed very incorrect opinions concerning the views entertained by the department, it becomes proper on the present occasion to repeat, in explicit terms, the real character and extent of those views.

1. The order as to the mode of collecting bonds by yourself, rather than through the banks, and in specie or its equivalent, was, in the last report, in accordance with the course which you reported to this department for its approval on the suspension of payment by the banks. The order was the same in substance, in all respects, at your port, as that adopted at all other ports in the United States, where no banks paid specie on demand for their notes, and where, in that event, the express language of the deposit act of June, 1836, imperatively required their discontinuance as public depositories; and other laws virtually forbid the receipt of their notes for duties.

2. But, in the wide-spread calamity which had recently fallen on the commercial world, and, through it, upon those banking institutions, in common with others which were depositories of the public money, it was evident that our finances must become embarrassed through the previous embarrassments of others, and that great care and efforts must be exercised to meet faithfully the current public engagements. At the same time, it was desirable that every indulgence and forbearance should be exercised, and were intended by the president and this department to be liberally exercised towards the public debtors, which those engagements would permit.

3. Accordingly, in order to mitigate the evils which pressed so heavily on the merchants, this department, with the sanction of the president, at once authorised a postponement to be granted, in all suitable cases, of the payment of duty bonds, as well before as after suit; and subsequently, as new events justified, permitted it to be extended till after the commencement of the next session of congress.

The department likewise empowered the collectors to receive for duties the drafts of the treasurer, in favor of the public creditors, which might not be paid in specie to the holders by the banks on which they were drawn.

Outstanding debenture bonds are also receivable in the same way; and, to afford the opportunity to procure still further aid and relief, if it shall be deemed proper by congress, that body has been specially convened by the president at the earliest convenient day.

After all these mitigating measures, neither the president nor this department saw any further indulgence which could be given consistent with the acts of congress, and which it was within our powers to bestow, limited and regulated as those powers are by various express laws.

It was, and still is, hoped that the merchants would, till congress assembled, cheerfully incur the diminished sacrifices, in respect to the payment of some of the duties, which their liabilities and business might render necessary; and that the officers connected with the customs would feel a pride, as well as zeal, in encouraging them to uphold the laws faithfully, and neither countenance nor permit any departures from them.

The executive possesses no authority to delegate to you, nor has it intended to delegate, any discretion to disregard those laws in any particular, or to act contrary to the instructions of the department which had been issued in conformity to them; nor can it sanction the exercise of any such discretion on the part of any of the officers of the customs.

It would seem better that the duties, whether due on bonds or in cash, when the goods are entered, and which the merchants may be unable, if not postponed, to pay in any of the legal modes before pointed out, till the early day on which congress convenes, should go entirely unpaid from inability to meet them legally, than be collected or discharged in a manner that is not sanctioned either by the acts of congress or our duty to the government.

The department is willing to make liberal allowances for acts growing out of the sympathy naturally felt for the embarrassments of the commercial community, and the strong desire to contribute to their relief; but you must be sensible that the newspaper accounts which have already appeared, are calculated to convey the idea that the president and this department are disposed to overlook, or even to approve, the unauthorised course which it is said you propose to adopt; and it is possible that, from your full knowledge of the sincerity and extent of the anxious desire of the president and of this department to afford relief, you may have entertained the impression that such would be the case.

It therefore becomes my duty instantly to inform you that all such impressions are erroneous, and it is hoped that many of the considerations before stated will have occurred to you; and that, under their influence, you will continue to discharge your duties in the manner pointed out in the acts of congress and the instructions of this department. I am, sir, very respectfully, your obedient servant,

LEVI WOODBURY, sec. of the treasury.

Samuel Swartwout, esq., collector of New York.

May 22, 1837.

SIR: I have the honor to acknowledge the receipt of your letter of the 19th inst., and beg leave to state, that I regret that you should have believed the various reports of the newspapers, in regard to the language said to have been made use of on the 7th inst. I will give you the precise words made use of by me, and leave you to judge whether there was any impropriety in them. Several gentlemen called upon me to request that I would meet the merchants at their exchange, and inform them of the result of my visit to Washington. I did so; and when there, it was stated, that immediately on the receipt of your communication of the 12th instant, I set out for Washington; that when I arrived there, I waited upon the secretary of the treasury,

and expressed to him my apprehensions that the order could not be carried out, and begged to know whether some expedient could not be adopted to relieve the merchants from specie payments; that the secretary showed me the law, read it, and observed that it was imperative, and could not be disregarded; that upon this I went to see the president, who gave me the same assurances, expressing, at the same time, his deep sympathy for the merchants who were so unfortunately situated; that as no relief could be offered through the authority of government, I had offered to act without his orders, provided I was permitted in any way so to do, and that I would throw myself upon the people and congress for my justification; but that this proposition was promptly disapproved by you. In conclusion, I remarked, that notwithstanding the government could not authorise any deviation from the law, I was perfectly willing to take such responsibility, and that I believed the people and congress would bear me out in it.—This same declaration was made in your and the president's hearing, without exciting your alarm in the least at the time.

In renewing it here, I did not mean to be understood as having acted on it, or assumed it; but simply expressed my belief, in case it should be done, and I was willing to run the hazard, that I, or any other person so doing, would be fully sustained by congress. The expression, therefore, of such a belief was not criminal, although to carry it out might have been; but this I did not do. The instructions contained in your letter of the 12th inst., and in subsequent orders, have been strictly carried into effect. Not a dollar for bonds, or cash duties, has been received at this office, since Mr. Ogden received your letter of the 14th instant, in any thing but specie. I have not authorised or countenanced a deviation from it. There has not then been any violation of the orders of the department. The most unpleasant circumstance connected with this affair, is the impression that I may have authorised the supposition that you or the president had, by innuendo or intimation of any kind, induced me to assume this responsibility.—This is impossible. I may be imprudent, overzealous, or incautious; but I beg you and the president to believe that I am incapable of duplicity or falsehood. I could not, in the most remote degree, have done so. I never dreamed of such a thing, and never could have entertained the idea, or in the slightest degree have intimated it to others. I will detain you no longer than to request that hereafter, when any thing is published in the newspapers reflecting upon this office, you will do me the favor to believe that we are acting for the best, and have no intention of disregarding the directions of the government. S. SWARTWOUT.

Hon. Levi Woodbury, secretary of the treasury.

In conclusion, the committee cannot forbear remarking, that during their whole investigation they have not found the case to which the laws, as they already exist, do not apply, or in which they are defective. The permanent provisions of the laws constitute every necessary check upon collectors, receivers, and disbursers of public money; and the checks which, by law, have been, and may be, created in the discretion of the executive, have only to be attended to, and applied by those whose duty it is to superintend the execution of the laws, to ensure faithfulness, and detect delinquencies or defalcations in public officers.

Indeed, in all the new recommendations which have been proposed by the president or the secretary of the treasury, the committee have found either what already exists, or what might always have been prescribed and enforced in the form of treasury regulations, and what, if enforced, would have prevented the late defalcations; and these new recommendations can, indeed, be regarded in no other light than as so many proofs of what regulations, in respect to the late defaulting collectors, receivers, &c., have been hitherto wholly neglected by the present executive and heads of departments.

The committee hereto append the journal of their proceedings, and submit it to the house as a part of this report.

PART VI.

MR. HOPKINS'S SPECIAL CONCURRENCE IN THE REPORT OF THE COMMITTEE, APPENDED THERETO BY VOTE OF THE COMMITTEE.

I have had the requisite time for scrutinizing the report of the committee with that care and

attention which its length and importance deserve, and which I could have desired; and I should have preferred, for this reason, to have presented the journal of the committee, without comment, to the house of representatives. But, as conflicting opinions prevail in the committee, and are to be submitted to the country in the shape of formal reports, I consider it my duty to say that I concur with the committee in all the conclusions at which they have arrived, so far as those conclusions apply to the extent and character of the defalcations of Samuel Swartwout and William M. Price.

I should be faithful to my duty, and do violence to the most conscientious convictions of my judgment, if I did not also declare my entire concurrence in those conclusions of the committee which relate to the conduct of the late naval officer of the custom house at New York; to the late and present solicitor of the treasury; to the secretary and accounting officers of the treasury department, including the late comptroller of that department; and, in that part of the report which reviews the conduct of J. Hoyt, the present collector of the customs at the port of New York.

G. W. HOPKINS, member of the committee.

REPORT OF THE MINORITY.

Mr. OWENS, from the minority of the committee herein mentioned, submitted the following:

25th congress, 3d session.

Congress of the United States,

In the house of representatives, Jan. 17, 1839.

Resolved, That the communication from the president of the United States of the 8th of December, 1838, relating to the defalcation of the late collector of the port of New York, (except so much as relates to the modification of the revenue laws), be referred to a select committee of nine members, to be appointed by the house, by ballot, whose duty it shall be to inquire into the causes and extent of the late defalcations of the custom-house at New York and other places; the length of time they have existed; the correctness of the returns which have been made by the collectors, naval and other officers, and the deposit banks, respectively; and all such facts connected with said defalcations as may be deemed material to develop their true character.

Be it further resolved, That said committee be required to inquire into, and make report of, any defalcations among the collectors, receivers, and disbursers of the public money, which may now exist; who are the defaulters; the amount of defalcations; the length of time they have existed, and the causes which led to them; and that said committee have power to send for persons and papers.

The minority of the committee, appointed under the above resolutions of the house of representatives, beg leave to report:

That the committee entered on the duties assigned them soon after the passage of the resolutions. At their first meeting and organization in the city of Washington, a resolution was offered in these words:

Resolved, That the president of the United States be requested to cause this committee to be furnished by the proper executive department with a table showing the defalcations which have occurred among the collectors, receivers, and disbursers of public money, and other public officers, since the 4th day of March, 1829; the names of the defaulters; the amount of each defalcation; when each case occurred; the length of time each case has existed; what steps have been taken by the proper departments or officers to prosecute the defaulter, and to secure the United States in each case; and what defaulters are retained in the same offices in which they became defaulters, or have been appointed to other offices.—

which, in the opinion of two of the undersigned, (the third not being then present), was unauthorized by the terms or the spirit of the resolutions of the house, which are confined to the late defalcations, and could not be construed to include defalcations as far back as the 4th March, 1829, which had been heretofore reported to congress by the secretary of the treasury, and no action had thereon by the house. Under this view of the subject, and believing it to be the first step to give a *liberal construction* to the power delegated, (and which opinion was confirmed by subsequent events), one of the undersigned deemed it a duty he owed to the house to offer an amendment, in these words: "Strike out the words 'defalcations

which have occurred among the collectors, receivers, and disbursers of public money, and other public officers, since the 4th day of March, 1829,' and insert the words, 'the late defalcations in the custom-house at New York and other places, and any other defalcations prior to 1838, and not heretofore reported by the departments to congress and the country.'" The amendment was rejected, and the original resolution adopted.

The committee being impressed with the belief that the great object of the house in raising the committee was to investigate the causes and extent of the defalcations at the custom-house at New York, deemed it proper to adjourn to that city, where the defalcations had arisen, the witnesses or actors in the same resided, and the documentary evidence was to be found. In pursuance of this determination, the committee assembled, on the 24th January, in the city of New York, and, without loss of time, engaged in the arduous duties of the investigation. At the suggestion of one of the members, whether the committee were to carry on their investigation open to the public at large, it appeared to be tacitly agreed that such a course was calculated to embarrass the committee, as they had no power to suppress disorder, in case any should arise; but no intimation was given that the proceedings of the committee should be secret. In the mean time, paragraphs appeared in the newspapers of New York, stating the committee sat with closed doors. It was evident also, from the wide and extended range of the investigation, that many persons were likely to be implicated, both officers of the government and private citizens. The undersigned believed that the committee, though a select committee, was not a *secret committee*; that the house, when it passed the resolution, never intended the proceedings of the committee to be kept secret; that justice required prompt and early notice should be given all persons accused; that the charge should be made in a public manner, the accused confronted with the accuser, and that secret inquiries were unknown to the constitution, and alien to the practice and feelings of the American people. The minority of the committee entertaining these sentiments, and not knowing the views of the majority upon this interesting subject of secrecy; and finding (though other persons were excluded) two or three witnesses at one and the same time were admitted into the committee-room, thereby subjecting the proceedings of the committee to misrepresentation, and the action of individual members to suspicion and calumny, deemed it proper to bring the subject before the committee in a substantive form, and to call for a distinct expression of opinion, by proposing the following resolutions:

Whereas all proceedings of an inquisitorial character, and conducted in secret, are at variance with the principles of republican government and abhorrent to the feelings of the American people:

And, as justice demands that all persons, whether they be officers of the government or private citizens, who, in the course of this investigation, may be implicated or charged with official misconduct, or being concerned in aiding or abetting such misconduct, should have immediate and prompt notice of the charge, so that, if innocent, they may repel it; and that, whatever may be the nature of the charge, it is but reasonable and just that the same be publicly brought forward and publicly answered:

And, as the members of the committee have no reason to desire to disguise or conceal from public view all or any of its actings and doings in the exercise of the delicate and responsible commission imposed on them: to the intent, therefore, of having no misunderstanding on this subject,

Be it resolved, That it is the opinion of this committee that, though a select committee appointed by the house of representatives of the United States, it is not a *secret committee*; that, though invested with the power of inquiry as contained in the resolutions of the house, that power ought to be exercised in an open and public manner, and should be not only free from any direct charge of concealment, but from the remotest suspicion of it.

And be it further resolved, That all the proceedings of this committee shall be open and public, as being the mode, in the opinion of this committee, best calculated to attain the ends of justice, to satisfy the just expectations of the people, and to protect the rights and privileges of American citizens.

Which, after an amendment offered, were all finally laid on the table, to the astonishment and mortification of the undersigned, and, no doubt, to the surprise of the people of the United States.

Under these extraordinary circumstances, the proceedings of the committee being secret or public, according to the judgment, discretion, or caprice of witnesses or members of the committee, the investigation was carried on. Numerous witnesses were examined as to the extent of the defalcation.

The undersigned will not go into a detailed statement of the heads or items, such as forfeitures, penalties, bonds, &c., upon which Swartwout based his speculations, but refer the house to the journal of the committee. They will simply remark, that the *bond item* gave the facility and laid the foundation of the principal part of the defalcation. These speculations commenced at an early period of Swartwout's official life, and went on, increased and increasing, until its close. The artful management with which it was concealed will attract attention. One occurrence referred to in the testimony is not the least remarkable in this extraordinary affair. When Swartwout, in 1834, was renominated by the then president of the United States, the nomination was referred, as usual, by the senate to a committee, which committee was composed of a majority opposed to the then administration. In the investigation of Swartwout's accounts before that committee, suspicion arose that he was in default. Mr. Shultz, the then auditor of the custom-house, a witness examined by this committee, was called upon by the committee of the senate to aid them in the examination and to give them information in regard to Swartwout's accounts; and after, it is presumed, a thorough investigation, the committee reported favorably to the senate, and the appointment was confirmed by the then existing senate, composed of a majority of senators opposed to the administration; though there was at this time a defalcation to a considerable amount known to Mr. Shultz, but not communicated to the committee of the senate, as will be seen by reference to the following questions and answers:

Question 26. Did you know, when you were before the committee of the senate in 1834, that Mr. Swartwout had not paid over to the cashier the sum of more than \$30,000 received by him for forfeitures?

Answer. I knew that Mr. Swartwout had at that time more than \$30,000 for forfeitures which he had not paid over to the cashier.

Question 27. Did you inform the committee of the senate, or any officer of the treasury department, that Mr. Swartwout had not paid over the money received by him for forfeitures; and, if not, why?

Answer. I did not, because I did not think it my duty.

Question 33. Why did you not regard it as your duty to inform the secretary of the treasury, or the committee of the senate, that Mr. Swartwout had not paid over the money received from the marshal for forfeitures?

Answer. Because we clerks of the custom-house consider ourselves as in the service of the collector, and not in the service of the United States. The "collection law" does not seem to regard the clerks of the collector as in the service of the United States, as the markers and weighers, &c., who are appointed by the treasury department. We have always thought ourselves the private assistants of the collector. It was my duty to render the accounts truly, and credit the United States truly, as I did; but not to inquire into the private transactions of the collector.

These answers afford a valuable instance of custom-house morality and patriotism.

That the defalcations should have been so long concealed from the department and the public, though at first a matter of surprise, will create no great astonishment when Mr. Shultz's testimony is considered.

The manner of keeping the accounts in the custom-house was calculated to effect the object of concealment. The auditor of the custom-house and the naval officer, intended as checks upon the collector, were kept in total ignorance as to the true state of the accounts; and, as the treasury department depended on their statements, it was equally ignorant.

Two of the witnesses, Ogden and Phillips, cashier and assistant cashier of the custom-house, say,

they frequently made no entry at all in the cash-book, of moneys abstracted by Swartwout for his private expenses. When bonds were paid, no credit was given for them. The cash-book being in the possession of these individuals, they furnished such statements to the auditor as suited their purposes, and concealed the accurate and true state of the account.

Some effort was made in the course of the investigation, to show that Swartwout always made to the department at Washington true and accurate statements of the aggregate amount of his accounts, and thereby drawing an inference, that if they had been carefully examined the defalcations could soon have been detected. The undersigned are of opinion such is not the fact, and that it was scarcely possible, under any circumstances, to make the detection in any other manner than by the personal inspection of the bonds and the books of the custom-house. On this branch of the subject we beg leave to refer to the testimony of Mr. Woodbury and the first auditor at Washington, as contained in the journal.

Mr. Fleming, the auditor at that time, and now auditor of the custom-house, (a very respectable and intelligent witness), testifies that he had suspicions in June, 1837, that there was a deficiency in the bond account; he communicated the suspicion to Mr. Phillips, the assistant cashier, who answered him in a very laconic manner, "that credit was given in the cash-book for all the bonds that were paid; the rest were in suspense." He also states, that though the accounts of Swartwout transmitted to the department at Washington contained a true and accurate statement of the aggregate amounts, there was a deficiency and concealment of the true cash balance, as was afterwards discovered by the examination of the cash-books of the custom-house, in a sum exceeding six hundred thousand dollars. In this manner the fraud was carried on and kept secret. Mr. Fleming also states, that but for the suspension of the payment of the bonds, and specie payments by the banks, the frauds could not have been carried on without exciting suspicion and leading to detection.

Great credit is undoubtedly due to the present collector and auditor of the custom-house for making the discovery as early as it was made. The urgency of the former to have his accounts settled, and prepared for transmission to Washington, in a great degree produced and hastened the development. But for this circumstance, the combination and conspiracy existing in the custom-house to defraud the government, would have had the effect to conceal it a much longer time.

It may be confidently asserted, that under the existing laws, and, indeed, under any safeguards that may be established to protect the public purse, without honor and integrity in the public officer it may and will be plundered, and the fact concealed for a considerable time without the possibility of discovery.

The business of the custom-house at New York is so various and complicated, that, under the provision of the act of Congress, the collector is allowed three months after the expiration of each quarter to make his returns; frequently, from necessity, this time has been extended to four months; two or three months are consumed in the auditor and comptroller's offices at Washington in auditing and settling these accounts. Until this is done, the defalcations cannot be certainly known; so that they may be concealed from five to seven months, and that under the operation of the law.

By reference to the journal, it will be seen that there is some discrepancy in the testimony on the subject of the extent of the loss. Most of the witnesses agree that the amount of defalcation corresponds with the statements heretofore made by the officers of the government who were sent to New York, at or immediately after the same was made known, and whose reports have been submitted to the house.

The witness (Mr. Shultz) before alluded to, former auditor of the custom-house, and who for a long period of time filled that station, reduces by his testimony the amount in a considerable degree. The house has before seen what reliance should be placed on the evidence of Mr. Shultz. As additional evidence of the confidence to be given him, the journal is referred to, where Mr. Shultz states that the weekly returns made to the secretary of the treasury under the regulation of the department included the items *forfeitures and penalties*, and which, in his opinion, would have

enabled the secretary in fifteen minutes to have detected the defalcations, so far as those items are concerned, though testified to with great confidence, and with an apparent knowledge of the fact, is totally disproved by the chief clerk of the treasury department, and the documentary evidence derived from that department, to wit, the weekly returns themselves. Mr. Schultz is also a very aged man, infirm in body and mind, and, like most old persons, better able to give a clear and distinct account of transactions of long standing than recent occurrences. But, whatever may be the accurate amount, the ostensible sum total, established by unquestionable testimony, is very large. The actual or real amount, however, lost to the government, concerning which no information can be obtained, it is impossible to say, and can be only a subject of conjecture.

One fact brought forth by the investigation is of a remarkable character and deserves notice. Mr. Thompson, the cashier of the bank of America, (then one of the deposit banks), states that checks of different amounts, some for very large sums, were indiscriminately drawn by Swartwout or his deputies, and paid by the bank. This practice, dangerous at all times to the government and the collector, was peculiarly hazardous under the administration of the late collector, whose business habits did not qualify him for a strict scrutiny into the fiscal affairs of his office. By it, an opportunity was afforded and temptation given to speculation in the custom-house.

The causes which combined to produce the defalcation are various:

The first was the unfortunate appointment by the president and confirmation by the senate, for two successive terms, of a man like Swartwout, who, from habits and pursuits, was totally disqualified to discharge the duties of collector at New York; a port the most important in the Union, and where one-half if not two-thirds of the revenue of the government is collected.

The second was the disposition of Swartwout to engage in large and hazardous speculations—a passion the most lasting in its excitement, and most disposed to increase by the food it feeds on; and in an officer of the government intrusted with large sums of money, the most dangerous in its operation upon him as an individual, as well as the government.

There is much testimony on this head. Some of the witnesses best qualified to judge—the brokers of New York—state, in technical language, he was a *great operator* in stocks in Wall street; like all business of this description, it was liable to great fluctuations, Swartwout sometimes winning, at others losing large sums of money. The evidence as to actual loss or gain is by no means satisfactory.

The third cause which contributed, in some degree, was the want of a regular and periodical examination of the bond account in the auditor's office in Washington. One of the witnesses, and a clerk in that bureau, says the bond account, prior to the defalcation, had not been examined since 1832. Before that time it had been the practice in the office. Why it was abandoned he knew not, unless from an opinion it was not necessary, or that there was not a sufficient number of clerks in the office to discharge the duties, at all times very onerous; there being, at a moderate calculation, not less than 30,000 bonds taken in a year in New York alone. But whatever may have produced the abandonment of the practice, it was calculated to lead his successor in office into error; that successor would naturally follow the practice existing at the time in his bureau, as the one adopted from experience, and found to answer the public exigencies. No blame can, therefore, be attributed to the present first auditor, he having been, previous to these occurrences, but a short time in office, and, of course, not well qualified to judge of the practical utility in this particular branch of his duty. On this subject we beg leave to refer to his testimony as contained in the journal.

The fourth cause was the non-execution of Swartwout's official bond for a great length of time after his last appointment in 1834. The bond bears date in 1834, but remained in the custom-house unexecuted until 1837, when it was certified by the district attorney of New York, Mr. Price, and the comptroller at Washington. For nearly three years no bond of the collector of New York, the principal port in the Union, was in the comptroller's office; and the collector was left to carry on

the great fiscal operations of the custom-house without any security, except that based upon his own responsibility. As to the sufficiency of the security afforded the government by the bond when executed, that is a subject not susceptible of positive proof, until tested by legal decision, and must remain a matter of speculation and opinion.

Should the security in the bond be hereafter found insufficient, it will be attributable to Price, the district attorney of the city of New York, where the sureties resided, and who, before he certified the bond, did make, or ought to have made, the necessary inquiries as to their pecuniary responsibility.

The bond, though executed at so late a period, will protect the government as far as the amount extends; a large part of the defalcation having taken place after its execution, and therefore embraced by it.

It is true, little security will be afforded by it to the government, when the penal sum contained in the bond is compared with the large amount of the defalcation; and had a regular account of the bonds been kept in the auditor's office, there is very strong and conclusive testimony to show it would have neither prevented nor detected the defalcation.

The bond of Swartwout not being executed and deposited in the office, nor any entry of his appointment as collector made by the comptroller of 1834, was such a want of official diligence as no one could have supposed or anticipated, and could not have excited any suspicion in the mind of his immediate successor (not the present acting comptroller, who came into office after the discovery of these defalcations), so as to induce him to order an examination; he took it for granted the usual course had been pursued in relation to Swartwout's appointment and bond. The neglect, therefore, of the former auditor and comptroller, in these particulars, is strange and unaccountable.

The only excuse for it is to be found in the fact, that, a short time anterior to these occurrences, and long before, the heads of these bureaus were two aged men, incapable, from physical and mental infirmities, to discharge the duties imposed on them with the diligence and strict supervising attention that these important offices demanded.

The evidence on the journal on this subject is very strong. The retention of aged persons in office who have grown old in the service of the state, is an evil incident to all governments, and more particularly to our democratic one. To dismiss an officer under such circumstances, is a harsh measure, and well calculated to shock the feelings and enlist the sympathies of the people; to retain him when incapable of performing his functions, is dangerous to the security of the public treasure, and injurious to the best interests of the people. Better would it be to let the civil officers of government, who have faithfully discharged their duty for many years, retire at a certain designated period of life upon a pension, than to have them remain in office but the shadows of themselves. Upon the principle of economy alone, so dear to the American people, the course suggested would be highly advantageous to the country.

The fifth cause was the irregular and loose manner in which the whole business of the custom house was conducted, (and which has been adverted to before in this report); and from the fact that the naval officer who, under the laws, was intended as a check upon the collector, has not, in the execution of his functions, supervised the accounts with that care and diligence the importance of the subject demanded.

The sixth cause is to be found in a practice grown up of late years—the keeping by the collector what is termed a "suspense account," under which head he retains large sums of money to meet protests and suits upon duties overpaid, &c., and which, for his own security, he is in a great measure compelled to retain; the courts of justice having determined in such cases that he is personally liable. Whether these decisions are founded on true and just principles of national policy, the undersigned will not undertake to decide; but they may be permitted to remark, the sooner there is some legislative action on this subject, the better for the country and the collectors.

The seventh cause was the convulsion and total derangement produced in the business of the custom house by the suspension of the payment of bonds by the government, and the suspension of

specie payments by the banks. The amount of bonds operated upon by these causes are contained in the answers of Mr. Woodbury, in these words:

Question 37. What amount of bonds were due, or running to maturity, a short time before, at the time, and during the time, of the convulsion produced by the suspension of specie payments by the banks, and coming under the instructions of the solicitor of the treasury, in May, 1837?

Answer. In reply, I would state, that the amount of bonds falling due between the 1st of May and the 1st of October, 1837, in the United States, was, probably from five to six millions. I have not examined to see the exact amount; but of those, some were put in suit, and neither paid nor postponed under the instructions of the solicitor, in May, 1837, and others were paid without suit or postponement: so that the amount postponed under these instructions was estimated to be not far from four millions of dollars.

Question —. What amount of bonds came under the provisions of the acts of congress of 1837: the one produced by the fire in New York, and the other produced by the suspension of specie payments by the banks?

Answer. In reply, I state, that the postponements actually made under the two acts in October, as to former bonds and merchandise on which cash duties had accrued, are estimated to have been from four to four and a half millions. The amount coming within the operation of relief asked and granted on account of the fire, is supposed to have been about \$1,063,000.

As also to the following question:

Question 1. Please state, should a combination exist between the district attorney and the collector to defraud the government, by placing bonds which have actually been paid in his weekly account, transmitted to your department, under the head of *bonds suspended*, or *bonds in suit*, if there are any means in your power, as secretary of the treasury, to make the detection, except by personal inspection and examination of the bonds at New York?

Mr. Woodbury answers in the negative, and gives his reasons *in extenso*, as will be seen by reference to the journal.

The suspension of specie payments by the banks, so sudden and unexpected, at a period of profound peace, and under the appearance of great national prosperity, was well calculated not only to derange the business of the custom-house of New York, but did convulse the whole trade of this country, and, in its consequences, affected that of those states or kingdoms with whom we had commercial relations. A contingency so extraordinary could not have been anticipated; and, consequently, there were no existing laws to protect the government from its beneficial effects.

By rendering the acts of congress in relation to the safe-keeping of the public money a dead letter, it made the banks cease to be depositories of the public money; took away the authority of the department to receive their paper in payment of public dues; and, from necessity, threw the payment of the bonds into the custom-house, and into the hands of Swartwout and his agents, *uncontrolled by any legislative provision*, or any other safeguards that otherwise would have been provided to protect the public purse.

It may be, and no doubt will be, said, that notwithstanding this act of the banks, if their paper had been received by the government, and the bonds still paid in the banks, the loss, or a greater part of it, would not have been sustained. The undersigned will not undertake to decide what would have been its ultimate effect.

The legality and propriety of such a measure, as an act of the government, is submitted to the good sense and intelligence of the American people; the reason for the secretary of the treasury not adopting it, is to be found in the acts of congress, and the practice of the government founded thereon, which prohibit the officers of the revenue receiving in payment any thing but gold or silver, or its equivalent. The secretary of the treasury was not warranted by law to receive the paper of these banks; if he had done so, he would have been liable to impeachment; and, from the known temper of the times, would, in all probability, have been impeached. If authority to receive such paper had been given, it would have been not only a violation of the laws of the land, but disreputable to the office and degrading to the country; it would have had a tendency to give official countenance to this act of the banks, so

unjust and highly injurious to the interests of the people, and calculated to fix a stain on the national character. If an option had been left him, he could not, as a public officer, and a patriotic man, have hesitated in looking to, and holding on in this great emergency, to the individual responsibility of the bondsman, rather than receive the paper of banks which had taken the law into their own hands; had legislated for themselves, and themselves alone; and had violated the obligations of their charters and the faith pledged to the public. This cause, therefore, opened a field for those engaged in the frauds and peculations, by placing the money of the people in the hands of Swartwout and his subordinates, *uncontrolled by law*, and was seized upon to carry on a most daring system of robbery and plunder.

By reference to the testimony, it will be seen the large defalcation occurred on the bond account, and in the first and second quarters of 1837, a short time prior to and subsequent to the suspension of specie payments by the banks. The bond account, however, had been deranged, no doubt, in a very considerable degree, before 1837, by the renewal of bonds under the acts of congress, occasioned by the fire in New York, and advantage taken of it.

The *eightth cause*, and one of the principal, was a combination of unprincipled men, officers in the custom-house, to defraud the government and plunder the people. Without this combination Swartwout could not have concealed his frauds a day, certainly not a week. That men of former good character and standing in society should have entered into the conspiracy, aiding and abetting Swartwout in his peculations of the public purse, is a subject not only of deep mortification, but a national disgrace.

It is a deplorable and remarkable instance of the corruption of the times in which we live. It becomes still more remarkable from the fact, that one of the men (Phillips, the assistant cashier of the custom-house) so aiding Swartwout in his peculations, when examined as a witness, and the question was propounded to him by a member of the committee, "Why, knowing as he did that Swartwout was defrauding the government, he did not give information to the treasury department?" answered, with great coolness and composure, in conformity with the *custom-house practice* and the *reason given for it by Mr. Shultz*, "that he was the clerk of Mr. Swartwout, and did not like to disclose the secrets of his employer;" apparently considering as a virtue his fidelity to a public officer, who, with the witness's co-operation and active agency, was defrauding the people. These developments, and the inferences naturally drawn from them, must irresistibly lead the house to the conclusion that the safety of the public money imperiously demands that no officer of the custom-house connected with its fiscal concerns should be appointed by the collector himself, but should receive the appointment from the government, and give his sole allegiance to the country.

Other causes not known may, and no doubt did, contribute to produce the defalcations. The subject-matter, however, both in relation to the extent and the causes of the defalcation, is still involved in some uncertainty. The character of the testimony is more than doubtful. Some of the witnesses, and those best acquainted with the facts, were active agents, if not participators, in the frauds; the fountain, therefore, from which we derive our information, or the greater portion of it, is impure and defiled. No reflecting man, acquainted with the operations of the human heart and the springs of human action, will or can place much reliance in testimony thus characterized and stamped with the impress of fraud and profligacy. Each man, and the house collectively, will give credence to it according to the degree of credulity he or they may possess; and, at last, a great deal must depend, like the mysteries of our holy religion, upon the faith of the individual searching for truth.

The disposition Swartwout made of these enormous sums abstracted from the public coffers is an enigma not easily solved. The evidence furnishes no clue to it. The inconsiderable sum left in the hands of Ogden, and the value of the real estate in different parts of the union, form but a very inconsiderable item on the credit side of the account; and some of the witnesses say Swartwout is now a needy man. That he should have been possessed of so little property, can only be accounted for on philosophical principles and the

natural operation of the human mind. Money thus acquired is not long retained; it is soon dissipated in extravagancies that leave no trace behind them. Much credit is due to Mr. Hoyt, the present collector of New York, and the solicitor of the treasury, through whose instrumentality the money in Ogden's hands, and the security afforded by the real estate, were obtained. The money, as Ogden testifies, was intended by Swartwout for other purposes, and would have been so applied, but for the sudden arrival and unexpected and vigorous application of the solicitor of the treasury to him, as agent of Swartwout, to pay the same to the United States.

During the progress of the investigation, and before it had closed, in relation to Swartwout, a member of the committee submitted the following resolution:

Resolved, That Mr. Hoyt, the collector, be required to furnish this committee with all letters to and from the treasury department and the collector of the customs at New York; and, also, all orders and instructions from the treasury department to said collector since the 1st day of January, 1837, up to the *present day*, and the answers of said collector, if any, to said orders and instructions, not already furnished to this committee.

This resolution afforded another instance of the construction given by the majority of the committee to the authority contained in the resolution of the house, and opened a wide field of inquiry, never anticipated by the house or the country. One of the undersigned, therefore, moved the following amendment:

"*Provided*, The said letters, orders, and instructions have reference to the late defalcations embraced in the inquiry of this committee."

The amendment was rejected, and the resolution adopted. Satisfied it never was the intention of the house by its resolution to authorise the committee to go into the investigation of the actings and doings of all and every collector and disburser of the public money, *charged or not charged* with defalcations; and believing that, if such was the intention of the house, it had no constitutional power to invest the committee with such authority, for, though the house, in the exercise of its high parliamentary power, has frequently raised committees to examine into alleged frauds, it has never undertaken, by its *sole authority*, to appoint a committee as a fishing committee to travel through the country and collect materials for the accusation of the officers of the government. So far from this, the undersigned have always believed, in this free country, regulated by law, the acceptance of an office by an individual does not deprive him of the rights of a citizen; and before he can be called upon by the action of the *house of representatives alone* to defend himself, he must be charged with some offence—that, however expedient and proper it may be to supervise the conduct of public officers, *charged or not charged* with official misconduct, so far as the latter are concerned, it cannot be done but by a legislative act, passed in the forms provided by the constitution.

Freedom consists in being governed by known laws, and not by the discretion or caprice of either branch of congress. The officer of the government, against whom no charge is made, however innocent, must be blind indeed if he does not see, his sensibility must be blunted if he does not feel, that the *inquiry alone* casts a shade of suspicion on his character; that, in public opinion, he is more than half condemned by the act of the house. Such proceedings, if tolerated, are calculated to degrade the officer in his own esteem, and in that of the public; and the inevitable consequence is to drive from the service of the state every honorable man.

To allow either house of congress, by its action alone, to direct its scrutiny into the conduct of this or that particular officer, without charge, allegation, or suggestion of misconduct, would be to usurp an authority not recognised by the constitution, and liable, in high party times, to great abuse. It would be an arbitrary exercise of power of no ordinary character—similar to the *sic volo* of the Roman lady. It would be the concentrated essence of despotism.

For the purpose of testing this great principle, and ascertaining the sense of the committee on it, one of the undersigned submitted the following resolution:

Whereas doubts appear to exist as to the power conferred on this committee by the resolution of the house of representatives; and, as it is im-

portant that a distinct expression of opinion should be given on the subject, for the information of the house under whose authority we act, and the people of the United States:

Be it resolved, That it is the deliberate opinion of this committee, that the authority conferred on them by the resolution aforesaid, is limited in its character; that it is confined to the investigation of the late defalcations, and to the actings and doings of the officers of the government therein contained, against whom any charge is made, or suspicion of misconduct rests; but, that they are not authorised, by virtue of the said resolution, to call upon all or any of the officers aforesaid, to exhibit their books, papers, accounts, and correspondence, unless some foundation is laid for the inquiry by a distinct charge, general rumor, or the suggestion of some member of the committee, upon his responsibility, that there is cause to believe there is misconduct in the management of the office; that any other practice would be dangerous to the rights of individuals, arbitrary in its character, and in direct conflict with the genius and principles of our republican government. The committee, so far from considering such a power was ever intended to be conferred on them, are of opinion that the exercise of such an unlimited authority by the house of representatives alone would be a violation of the constitution, and the common principles of justice.

Which was rejected.

At a subsequent meeting of the committee, when the reading of the journal was in progress, the mover of the resolution proposed to amend it, by striking out the last sentence and substituting the following:

"The committee, so far from considering any other power was intended to be conferred, are of opinion that the delegation, by the house of representatives alone, of an unlimited authority to call on all officers, without restriction, would be a violation of the spirit of the constitution and the principles of common justice."

It is evident the object of the mover was not to change the nature of the proposition, but to express in more distinct language the idea intended to be conveyed. This reasonable request was inexorably refused, and the proposition itself not allowed to be inserted on the journal. It is submitted without further commentary, to the calm judgment of the house, and to the intelligence of the people—the latter "being seldom wrong in their opinions, in their sentiments never."

By the rejection of that resolution, and the course pursued by the majority of the committee, it was manifest, to a common observer, the case of Swartwout and Price was to be partially, at least, abandoned, and a new field of discovery opened and entered upon. The undersigned, fully impressed with this idea, deemed it a duty they owed to the house and the country to have a distinct expression of opinion by the committee on the subject of the defalcations of Swartwout and Price, constituting, as the undersigned supposed, the principal object of the house in raising the committee.

For this purpose one of the undersigned submitted the following resolution:

Whereas, under the resolutions of the house of representatives, one of the great objects was the investigation into the causes of the defalcations of Swartwout and Price; and as the visit of the committee to New York was to attain that object, (the persons and papers being there to enable them to make the necessary examination into the said causes); and as the public mind has been greatly excited on the subject, and looks to this committee for a thorough investigation into the actings and doings of the persons above mentioned:

Be it resolved, That this committee will proceed, with all despatch, to investigate the case of Swartwout, in which they have made considerable progress; and, when that is complete and ended, they will take up the case of Price and give that a thorough investigation.

Which resolution was laid on the table.

The call, under the resolution before alluded to, was made on Mr. Hoyt, the present collector, for papers and documents in relation to his official conduct. He responded in a written communication, and, among other matters, asked if the committee considered him as a defaulter, and embraced in the resolution of the house of representatives. The replication was by a resolution in the following words:

R-solved, That, in response to the letter of Mr. Hoyt, of the 25th instant, the chairman be instructed

to call upon him again to furnish this committee with all letters not heretofore furnished from the several officers of the treasury department to the late and present collector at New York, and from said collectors to said officers of the treasury department, since the 1st day of January, 1837, up to the 17th day of January, 1839; and also with all orders and instructions from said officers to said collectors, and the answers of said collectors thereto, if any, not heretofore furnished, since the 1st day of January, 1837, up to the 17th day of January, 1839.

And be it further resolved, That this committee cannot recognise any authority or right whatever in any collector, receiver, or disburser of the public money, to call upon "the committee," or "any of its members," to prefer or to disavow a charge of his "being a defaulter," before such officer sends "the correspondence" of "his office," when required, under the authority of the house of representatives, "to send for persons and papers," to enable its committee "to inquire into, and make report of, any defalcations among collectors, receivers, and disbursers of the public money, which may now exist." Nor can this committee, or "any of its members," report whether Mr. Hoyt is or is not now a defaulter, until, by examination of the "persons and papers" for which it has sent and will send, it shall discover "who are the defaulters; the amount of defalcations; the length of time they have existed; and the causes which led to them." And when the committee shall have found the facts embraced by these inquiries, closed its investigation; it will make report thereon to the house of representatives.

By this resolution, the house will perceive the opinion entertained by the majority of the committee as to the extent of their power, and the mode and manner of carrying it into execution.

The doctrine here avowed is, that an officer of government, against whom no charge is made of defalcation, and no suspicion expressed, is called upon to exhibit the papers of his office, not in compliance with the requisition of existing laws, but *ipse dixit* of a committee, professing to act under the order of the house of representatives alone, and who say to him "they cannot report whether he is or is not now a defaulter, until, by examination of the 'persons and papers' for which it has sent, and will send, it shall discover who are the defaulters."

If the political doctrine contained in the resolution is the doctrine of the house of representatives, it is important it should be known to the people. If it be wrong, they will put their mark of disapprobation on it, if it be right, they will give it the sanction of their opinion. But, until they do give it that sanction, the undersigned will consider the doctrine at variance with every principle of liberty and individual right.

Mr. Hoyt complied with the resolution, and furnished the papers; but demanded of the committee, as an act of justice and matter of right, that they would go into a thorough investigation of his official conduct, prior to their departure from New York. The house will see hereafter what attention was paid to this reasonable request. During the investigation, a practice was pursued in the examination of two, and sometimes a greater number of witnesses, at one and the same time, embarrassing to the committee, and calculated to produce great confusion; also, a practice of allowing interrogatories to be given to witnesses, with the privilege of answering them at their leisure, and out of the committee room. The injurious effect of the latter practice was strongly exemplified by permission given, under resolution, to David S. Lyon, (who was afterwards proved to be a dismissed officer of the customs, and stood in relation of a public prosecutor of Jesse Hoyt, the collector), to take the question or questions home with him, to be answered next morning.

The resolution is in these words:

Moved that David S. Lyon, a witness duly sworn, and now in attendance, and who states that he is in ill health, and unable longer to attend the committee this evening, be permitted to take away with him the first interrogatory propounded by Mr. Wise; and that he be allowed to draw up his answer thereto in writing, and bring the same to the committee, for their consideration, at the meeting to-morrow morning.

These practices, so novel and unprecedented, in the opinion of the undersigned, and so likely injuriously to affect the rights of all persons implicated in the investigation, it was deemed necessary to check, if possible, by a direct vote of the committee. One of the undersigned moved the following resolutions:

Resolved, That the practice adopted by the committee, of examining two witnesses at the same time, is

calculated to defeat the object of this investigation and just expectations of the country, as well as to produce great embarrassment and inconvenience to the members, and particularly when, under the rule of examination, one member is compelled to examine two witnesses at the same time; and whereas the injurious effect of this practice is strongly exemplified by the examination at the same time, and in the presence of each other, of two witnesses, to wit, Henry Ogden and Joshua Phillips, cashier and assistant cashier, attached to the custom house, and called upon to testify to the actings and doings of the cashier department: be it, therefore,

Resolved, That, hereafter, one witness alone shall be admitted into the committee room, whose examination shall be complete and ended before the introduction of another.

The other resolution was in the words following:

Whereas the practice of permitting witnesses to prepare their answers to interrogatories out of the committee room, and not in the presence of the committee, upon their suggestion of ill health, *real or affected*, is dangerous in its character, and injurious to the rights of those implicated, as the *conduct and manner* of witnesses in giving their testimony are almost as important as the *matter*; and as the intention of the house of representatives, from whom we derive our power, was to have a fair, honest, and impartial investigation:

Be it resolved, That all and every witness, in the course of this investigation, shall be sworn and examined in the committee room, and in the presence of the committee.

The first was rejected, a substitute being offered and adopted, as will be seen by reference to the journal—the latter laid upon the table. These acts need no further observation. We give the text; the commentary can be applied by others.

While on this branch of the subject, there was another practice adopted by the committee, which, in the opinion of the undersigned, affected the private rights of individuals; inquiries, not as to defalcations, but the disposition by officers of the government of their own money for party or political purposes; as will be seen by a question to, and answer of, *De Peyster*, also a dismissed officer of the customs.

Question 3. While you were connected with the custom house, do you know whether or not the officers of the customs were called upon to pay any part of their salaries, or any assessment or tax thereon, for party or political purposes? If yes, state whether you have ever, and when you have made any such payment; and state the motive upon which such payments were made.

Answer. The weighers were called on to pay fifteen dollars each for the support of the election; and when I declined, Mr. Vanderpoel, the deputy surveyor, observed, that I ought to consider whether my \$1,500 per annum was not worth paying fifteen dollars for. Under the impression that it was the price for my attention, I paid it. The above occurred during the last year's election for charter officers. During my holding office, for about five years, I was occasionally called on, but always declined until within the last two years.

In the pursuit of this object, an occurrence took place in the committee room, which was deemed of sufficient importance to be spread upon the journal. The statement is in these words:

Resolved, That the following facts be entered on the journal:

Mr. Wise propounded to the witness, Abraham B. Vanderpoel, the following question, to wit:

Question 2. Do you know whether the officers of the custom house have ever been called on to contribute sums of money to party and political objects; what officers have been so called on; by whom; for what amount, with or without regard to their salaries of office; when did they contribute; if they refused, was any intimation given that their refusal might occasion their removal, and what amount has been so contributed or collected, and for the support of what party, at any one election?

The witness took the interrogatory, without objection to propounding the same, and proceeded to write his answer thereon on the paper attached to the question; and had written the following, to wit:

"I have known officers attached to the custom-house to have been called on for"—when Mr. Owens, member of the committee, interposed, and informed the witness that he was not bound to answer any interrogatory relating to his private affairs; and, thereupon, Mr. Foster, another member of the committee, objected to propounding the interrogatory. The witness here commenced to tear off what he had written before objection was made to the interrogatory. Mr. Wise prevented him from doing so, by forbidding the act. Mr. Foster insisted that the witness had the right to tear off

what he had written, and that it was not his answer until it was complete and handed in; and he asked the witness whether it was his answer, and he replied "it was not;" and the committee having decided that the interrogatory should be propounded, the said question by Mr. Wise was again handed to the witness, and he returned the following: "I decline to answer the 2d question." The witness was then permitted to retire.

If the information given to the witness of his rights stood in need of justification or precedent, it is contained in the following statement of facts which had previously occurred in the committee room:

Mr. Owens propounded to Mr. Joseph the fifth question.

The witness wrote his answer in the following words, to wit:

"He owed us a very large sum of money on account of these stock operations, as the revulsion of 1837 had occasioned a very great loss on the stocks we had, and which were sold after our failure by the parties who had them under hypothecation;" and handed the foregoing answer to Mr. Owens, who, after reading it, told the witness he had not answered the question fully, not having stated the amount of Swartwout's indebtedness. Whereupon, the witness replied, "that he would not wish to state that, as he had not his counsel here, and the amount was yet to be settled between him and Mr. Swartwout."

Mr. Wise then observed, in the hearing of the witness, that, as a judge in this case, he felt it to be his duty to say to the witness that he had a right to decline answering a question relating to his private affairs. The witness, after some conversation between Mr. Owens, Mr. Foster and Mr. Wise, took back his answer, and added the following words:

"As to the amount, I do not think it necessary to state it, as it is a matter of account between Mr. Swartwout and ourselves, and has to be adjusted when we come to a settlement with him."

The subject is calculated to attract the public eye, and produce reflection. It affords a remarkable instance of the course pursued by the majority of the committee; the respect observed to the rights and privileges of witnesses under examination before a committee regulated by no known laws, but governed by the dictates of an arbitrary discretion.

In the opinion of the undersigned, the question propounded the witness had relation to his private affairs. The witness, Vanderpoel, answered it in part, but as soon as he was informed of his rights and obligations as a witness, he refused to complete it, and said it was not his answer, and wished to destroy it; it was, nevertheless, retained, as appears by the statements above referred to. The whole proceeding carries along with it, its own commentary, and, without further observation, it is submitted to the house and the country.

Whether a committee of this house, appointed under its extraordinary and discretionary parliamentary power, *undefined and undefinable*, is authorized to go into the investigation of the private affairs of officers of the general government in relation to their actings and doings as citizens of the state in which they reside, and having reference to their domestic elections, (the question is general, and De Peyster refers to the charter elections), is a subject of grave consideration. It assumes an attitude that places it beyond the reach of mere party movements. It strikes at cardinal principles dear to the American people. It is the assumption of a power not warranted by the limited constitution under which the general government lives, breathes and has its being. The doctrine of state rights is a mere mockery to the understanding if this principle is warranted and acted upon. Admit it, and the acceptance of office under the general government *ipso facto* denationalizes the individual as a citizen of New York. The right of inquiry involves the right to pass laws. If congress can say the officer shall not have the right to use his money for one purpose, they may say he shall not use it for another. They may say he shall not attend the polls; and, putting the cap-stone to this political pillar, they may say he shall not vote at any election. Sanction this principle, and you have a consolidated government in all its forms.

This doctrine, like others akin to it, may be maintained by specious argument and ingenuity; but the people of this country, as they have heretofore done in all proceedings affecting their lives, their property, or political rights, will not be guided by the refinements of learning, but consult their understanding, and be governed by the plain dictates of common sense. The evidence on the subject of money spent for party purposes, has reference to the time of Swartwout as collector. The general conclusion derived from it, that the prac-

tice is not confined to one party, but pervades all parties in New York. That it is the general, if not universal practice, the best evidence is afforded by the witness David S. Lyon, who, according to his own admission, belonged to both parties, and is well qualified to testify to the fact.

That the payment was not compulsory, but voluntary, is evident from the answer of De Peyster, who says, for three years out of five he contributed nothing. And there is no evidence he was prosecuted by Swartwout.

With a view of putting a stop to such inquiries, and to enable witnesses, particularly ignorant men, to know their rights and obligations, one of the undersigned offered the following resolution:

Resolved, That every witness, upon being called to testify, shall be informed by the chairman that he is not obliged to answer any question upon his private affairs, or the private affairs of others.

Which was rejected.

The examination of this witness, David S. Lyon, an officer who had been discharged by Mr. Hoyt from the custom house, had not progressed far before it was evident his intention was to criminate the collector. The undersigned considering the plainest principles of justice were violated by allowing the character and reputation of an important officer of the government to be attacked, as it were, in the dark, without his knowledge, and without the means of ascertaining the charges made against him, one of them moved the following resolution:

Resolved, That Mr. Hoyt, the collector, be furnished by the clerk with copies of all the interrogatories and answers of David S. Lyon, a witness examined in this investigation, as far as he has made answer to them, and having relation to the conduct of said Jesse Hoyt.

Which was adopted.

But this being considered *too great an indulgence*, a reconsideration was moved and carried, and an amendment offered, as follows:

Resolved, That Jesse Hoyt, the collector of New York, be forthwith summoned as a witness; and that, before he is examined, the interrogatories submitted to David S. Lyon, a witness examined this morning, and his answers thereto, be read to him, if desired, he be allowed to read the same, and that he have liberty to attend the committee during the examination of any witness who may be called upon to testify concerning his official conduct.

The amendment was adopted; and the resolution, as amended, was voted for by the undersigned as a *dernier resort*, or the same would have been lost.— They beg leave to call the attention of the house and the country to this amendment—to *this boon* given to Mr. Hoyt in his position of collector, surrounded as he was by open and secret enemies in the shape of officers discharged by him, under an imperious sense of duty to the public and himself, from their places in the custom house, and foreign importing merchants, who fancied they had been injured by him in the discharge of his duty as collector. They beg the house and the country to look at it in its two-fold aspect—as a subterfuge, and as an *indulgence* given to an American citizen who had his reputation, dearer to him than his life, and his liberty at stake, and say "if these things can pass us like summer clouds and not attract our special wonder."

Mr. Hoyt was summoned to appear *for himself*, not as an ordinary witness, but in the double character of a witness and party accused. For rapidity of movement and quickness of execution, it was more like a *warrant* than a subpoena. It was no sooner served than Mr. Hoyt was in the committee-room. Lyon's testimony, as far as it had gone, was read to him; and he was *instantly* placed in the crucible of one of the members of the committee, who examined him for many consecutive hours.

We know not how others felt at the scene passing around them; but for ourselves, it was a subject of deep humiliation, and has left an impression on the memory not easily erased. In the progress of the investigation into the official conduct of Mr. Hoyt, intimations were thrown out occasionally, in the committee room, that the time had nearly arrived for the departure of the committee from New York. Those intimations were warnings not to be neglected. The evidence against Mr. Hoyt was in manuscript; though not printed; it would, as a matter of course, appear on the journal. All that he had to oppose to it was his own testimony, and that of one or two other witnesses. Justice demanded that he should have a full and fair opportunity to introduce rebutting evidence; propriety, and the peculiarity of his position, required this opportunity should be afforded him in the city of New York. One of the undersigned, therefore moved the following resolution:

By reference to the testimony of David S. Lyon, a witness examined in the course of this investiga-

tion, it appears charges of a serious character are brought against the present collector of New York, Jesse Hoyt, and intending to implicate Benjamin F. Butler, the district attorney of New York; and as justice requires the said Jesse Hoyt and Benjamin F. Butler, should be heard fully in relation to the said charges, to enable them to spread upon the journal of this committee the evidence upon which their defence may be founded, so that as the journal contains the position, the article, (if the testimony furnishes it) also should appear for the instruction of the house and the information of the people of America.

Be it resolved, That this committee will not adjourn its sitting in the city of New York, where the parties reside, and the evidence most likely to be found, until the said Jesse Hoyt and Benjamin F. Butler have full and ample time to prepare their defence (if any they have) to the charges against them as officers of the government of the United States.

It was moved to lay the resolution on the table until the examination of witnesses was completed; and it was so laid on the table.

Mr. Hoyt himself, under circumstances more particularly developed in the journal, sent a written communication making the same demand. It was neither read nor received. The ground upon which the rejection of this application was based, was the refusal of Mr. Hoyt to respond to a question propounded to him until his communication was acted on. On the same day, at half past four o'clock, P. M. the following resolution was proposed:

Resolved, That this committee having accomplished its principal object, to inspect the books and papers in the custom house, coming to the city of New York, and desiring to inspect the books and papers in the treasury department at the city of Washington, during the short period of time now left to the further prosecution of its inquiries, will adjourn this day at 10 o'clock, P. M. to meet at 12 M. on Tuesday the 12th instant, at the room of the committee on commerce, in the capitol; and that the witnesses heretofore be summoned to appear at that place till further ordered.

It was moved by one of the undersigned to amend the resolution as follows:

Whereas, in the course of the investigations of this committee, witnesses have been introduced and sworn whose testimony has tended to charge the present collector of the port of New York with official misconduct; and whereas the said collector has applied to this committee for permission to be heard in relation thereto, and to go into a full investigation thereof, by witnesses to be produced by him, and requesting that such full investigation may be had here, (in the city of New York), where he alleges that the witnesses whom he wishes to introduce reside; and whereas it is due to the fair and full administration of justice that the said collector should have a full opportunity to rebut the charges thus made against him; and whereas several witnesses are now under examination before this committee, the testimony of whom is not yet closed; and whereas, from the fact that several witnesses have been under examination at the same time the testimony of several of whom is not now before the committee, either in manuscript or in print, (a portion of the manuscript being in the hands of the printer), the committee have not at this time the means of ascertaining the effect to be given to that testimony, or the nature thereof; and individual members of the committee are consequently unable (until a better opportunity shall be afforded to examine said testimony) to determine how much farther the examination of those witnesses should proceed, or what other witnesses ought to be examined in this case, in order to a full understanding thereof; and whereas we are satisfied that a full investigation of the facts connected with the defalcations charged upon him, be better examined into here than elsewhere; therefore

Resolved, That this committee will not fix upon a time for closing the testimony in New York until the testimony is at an end; and that the fixing the time for adjourning to Washington, by a resolution passed before the testimony is ended, will be calculated to deprive the said collector of the right (which every man when charged has) of showing that those charges are unfounded, and of protecting his character from aspersion; will prevent the individuals of the committee from examining and cross-examining such witnesses as they may believe ought to be examined; will set a precedent entirely new and arbitrary in the administration of justice, dangerous to the rights and privileges of persons who may be charged with misconduct; will be deciding a question, the propriety of which the committee cannot possibly know; and will be well calculated to destroy in the public mind all con-

vidence in the results to which this committee may arrive.

Resolved, That hereafter the time which the committee will be in session, shall be from ten o'clock A. M. till half past four o'clock P. M. and from seven o'clock P. M. till half past ten P. M.

The amendment was rejected, and the resolution adopted.

The determination therein expressed was carried into effect; and the committee was adjourned at ten o'clock at night, while one of the undersigned was in the act of examining the witness, David S. Lyon, and another in the act of submitting a proposition for subpoenas for Hey's witnesses.

In consequence of these proceedings against Mr. Hoyt, the collector, but a very limited examination was made into the defalcations of Price, the district attorney; few witnesses were examined, and few facts of any importance were elicited not already known. The undersigned, however, regret a more thorough investigation was not made; they are under the conviction, from the general complexion of the testimony during the whole investigation, that Price acted a very important part in these frauds and peculations.

On the return of the committee to Washington, they resumed their arduous duties. Many witnesses were examined, and documents referred to, all of which are incorporated in the journal, and part of it adverted to in this report.

The subjects of inquiry were similar to those in New York, both as to the extent and causes of the defalcations; and also the causes why the same were not known at an earlier date to the accounting officers at Washington. In pursuing the latter inquiry, it was necessary to go into an investigation of the peculiar duties required to be performed under existing laws, practice, or usage, by the secretary of the treasury, the first auditor, and the comptroller. The undersigned will not increase the volume of this report by including in it all the evidence on this subject in detail, but beg leave to refer to the journal. They deem it proper, however, for a full understanding of the duties belonging exclusively to these different officers of the government, in relation to the auditing and settling of accounts, more particularly those appertaining to the customs, to call the attention of the house and the country to the following documents, and the questions and answers of witnesses examined upon the occasion, and in reference to this subject.

The evidence of Mr. Young, chief clerk in the treasury department.

Question 1. Will you state how the department of the secretary of the treasury is organized, legally and practically, in respect to settling the accounts of collectors and receivers?

Answer. The power of adjusting and settling the accounts of collectors and receivers, in respect to the revenue from duties and lands, is by law vested in the accounting officers of the treasury. Collectors' accounts are adjusted by the first auditor, subject to the revision of the first comptroller; accounts of receivers, by the commissioner of the general land office, also subject to be revised by the first comptroller. The secretary of the treasury has no power as to the settlement and adjustment of these accounts further than to make allowances for the expenses of collection in cases where there is no express legislation fixing allowance for such expenses.

That of Mr. Woodbury, secretary of the treasury, to the following:

Question 11. Am I to understand that you have never considered it your duty, and that you have never discharged your duty of superintending the reports of the first auditor and the comptroller; and that you did not know, and had no means of knowing, whether their reports were correct, or whether they had faithfully done their duty in adjusting and settling accounts?—is in these words:

Answer. The reports of the first auditor on accounts settled are by law and usage, made to the first comptroller, and not to the secretary of the treasury; and the reports of the first comptroller on accounts settled, when the balances are considered suspicious or proper for suit, are made directly to the solicitor of the treasury, and formerly to the law agent. Neither in those settlements nor those reports does the secretary of the treasury interfere; and it has often been decided by the attorney general that no officer of the government has a right to control or reverse the decisions of the accounting officers in making those settlements and reports.

Extract of a letter dated office of the attorney general of the United States, October 20th, 1832, signed William Wirt.

"In the original organization of the treasury department, (vol. 2 Laws U. S. p. 45), the duties of the officers are designated specifically. There was one auditor and one comptroller. The duty of the auditor is declared to be to receive all public ac-

counts, and, after examination, to certify the balance, and transmit the accounts, with the vouchers and certificate, to the comptroller for his decision thereon; with this proviso, that, if any person be dissatisfied therewith, he may, within six months, appeal to the comptroller against such settlement. Here the right of appeal stops; there is no proviso for an appeal to the president. With regard to the comptroller, it directs that it shall be his duty to superintend the adjustment and preservation of all public accounts, to examine all accounts settled by the auditor, and certify the balances arising thereon to the register; no right of appeal from his decision to the president."

Extract of a letter, dated attorney general's office, April 5th, 1832, signed R. B. Taney.

"None of the acts of congress prescribing the mode of settling accounts and ascertaining balances, look to a revision of the accounts by the president, except, perhaps, some laws passed for the relief of particular individuals, in which the power is expressly given. The general laws upon that subject seem to regard the decision of the comptroller as final, and require the executive branch of the government to act upon it accordingly."

The reasons why the defalcations were not sooner detected by the auditor and the comptroller, and whom the duty of auditing and settling the accounts especially belonged, are given in their evidence; and the general conclusion derived from it is, that it arose from the fraudulent manner in which Swartwout rendered his accounts, as fully stated and explained by the evidence, both in New York and Washington, as contained in the journal, and to which we beg leave more particularly to refer.

But little opportunity was afforded to go into the consideration of the conduct of land receivers and other officers included in the resolutions of the house. The only evidence on this subject was the communication of the secretary of the treasury, already published, and some additional letters from said officers addressed to the department; no part of which having been placed on the journal as evidence in the usual form, the undersigned are unable to come to any definite conclusion upon this portion of the subject of investigation.

During the whole investigation, and after a careful examination of the evidence since its termination, the undersigned can see no just cause to cast censure upon the head of the treasury department for any want of diligence or attention in the performance of the duties of his high and responsible station. This untoward and unfortunate affair, by which the country has sustained so much loss, could not have been prevented or controlled by any efforts of his. The evidence is strong and convincing that the auditing and settling these accounts and detecting defalcations do not appertain to his department, or constitute any of the duties imposed upon him; they belong to separate and distinct bureaus over which he has no control, and so determined by the legal advisers of the government. We find, in fact, that the duties of his department are abundantly furnished by the documents that he made every effort and used every instrument that the power of the department over which he presides enabled him to use, for the recovery of the money; and that, since the occurrence, he has adopted and enforced such regulations for the safe-keeping of the public money, as his limited power and the want of legislative action have enabled him to exercise. The duties of his station are not only various, but laborious; they required talent, patience and industry; these he has devoted to the public service in the administration of the high functions devolved upon him as secretary of the treasury. It may be said with confidence and truth, his fidelity to his trust is unquestioned and unquestionable—his purity known and acknowledged. As a public man, experience must have taught him, in high and violent party times, to be wary and pure as a chaste ass, he would not escape calumny.

That the country has sustained great pecuniary loss, no man can doubt; that the national character has suffered deep humiliation and disgrace, no man ever hesitated to admit. But losses like these are incidents to all governments; no one is free from them. The annals of our own afford numerous instances of peculation, committed at every period of its short existence, under all and every administration, and all and every fiscal system which has been adopted and carried into practice—no matter who has been the fiscal agent—the government has sustained loss; it must be so until man becomes honest. But, for our very misfortunes, we may derive benefits; these incidents, like storms, purify the stagnant atmosphere: they may check for a moment, but cannot stop the onward march of the state to her high destinies. The lessons of experience will not be forgotten, and remedies must

and will be applied to guard and protect the public purse.

These remedies are, in the opinion of the undersigned—

1st. Persons to be appointed under an act of congress, whose duty it shall be, periodically, or at any time, under the direction of the treasury department, to personally inspect the books and papers of all officers intrusted with the public money.

2d. To have all officers of the customs who, in the remotest degree, may be connected with the fiscal concerns, or intrusted with the public money, derive their appointment, not from the collector, but from the nomination of the president and confirmation by the senate, or directly from the head of the treasury department.

3d. That all collectors, receivers, and disbursers of the public money be required to make their returns to the treasury department under oath.

4th. Making the embezzlement, by any officer of the public money, a high penal offence.

5th. Making it a penal offence in any officer connecting, at, knowing, or being privy to, any embezzlement of the public money, and not giving immediate notice to the treasury department.

No calm and dispassionate man can read the evidence taken by the committee in the progress of this investigation, but will come to the conclusion that the cashier and assistant cashier and the deputies of the custom house being indebted to Swartwout for their offices, and subject to be removed by him, was one of the great causes of the peculation, and of its concealment.

That the labors of the committee in this investigation will produce some good, is probable; that it would have produced greater, and given more satisfaction to the public mind had it been conducted on more enlarged principles, we have no doubt. Be that how it may, we have endeavored to discharge our duty to the house and to the country.

There is one occurrence, however, that took place in the investigation at Washington, of a remarkable character, and deserves notice. Mr. Woodbury, the secretary of the treasury, was called, and sworn as a witness. The first question propounded to him was in these words:

Question 1. Have you seen, read, or heard read or described, or been informed of any portion of the evidence taken before this committee?

Answer. I have not seen, read, or heard read any of it; nor has it been described to me; nor have I been informed in respect to it, except what gentlemen in conversation may have suggested was probably the character of some of the evidence; but, whether correctly or not, I have no means of judging.

If it be right that a man on his trial should be informed of the charges made against him, why ask the question? We know not what was the object in propounding it. Every man will draw his own conclusions.

We deemed it at the time a most extraordinary question to be subjoined to Mr. Woodbury in his then peculiar position. We believe it unprecedented in the annals of criminal jurisprudence.

We take this opportunity frankly to avow to the house and the people, had there been any evidence taken in New York tending to implicate the honor and reputation of Mr. Woodbury, or any other American citizen, and it had not been made known to him by the committee, we should, under the most solemn conviction of duty, of what is due to private honor and public virtue, and that sense of justice, to violate which would be to betray the best interests of the people, have communicated the fact. No human power could have induced us to remain silent.

There is a zeal in politics as strong, though not so holy as in religion, that excites the passions, and leads us into error. It reverses the precept, and makes us do unto others what it will not permit them to do unto us. Fair and honorable conflict of parties invigorates the body politic, and benefits the state; but, when party spirit assumes the character of persecution, it is a demon that perverts the understanding and corrupts the heart.

The respect we have to the house, and our devotion to the people and the principles of liberty, have imposed on us the duty of giving this simple narrative, not only of our acts, but the manner and form in which they have been executed. In politics, it has been said, names mean things. It may be said with equal truth, in all political movements, forms mean substance. The people have a right to know not only what is done, but how it is done. The greatest guaranty of freedom is publicity.

All which is respectfully submitted:
 GEO. W. OWENS,
 HENRY A. FOSTER,
 DAVID D. WAGENER.

CHRONICLE.

The Osage river. A steamer on her recent voyage up the Osage river on an experimental trip. It is stated that with a slight improvement, this river can be made a good steamboat navigation as far up as the western border of the state of Missouri, and thus open an avenue into the heart of a very fine section of country.

The number of vessels of all descriptions, in the port of New Orleans, the 4th inst. was according to Levy's Price Current two hundred and twenty, viz—one hundred ships, twenty-three barques, forty-four brigs and fifty-three schooners, being agreeably to comparative statement, more than were there in the same month for the last six years.

The receipts at the sailor's fair in Boston, week before last, were about \$8,000—expenses full half that sum.

Naval. The following statement of the navies of the world, at the close of last year, may probably be relied on. It is given by Sir John Barrow, and was unquestionably prepared with care. At that time England had either about or in ordinary, 99 ships of the line, 93 frigates, and 53 steamships of war. France—49 ships of the line, 60 frigates, and 37 steamers. Russia—50 ships of the line, 35 frigates, and 8 steamers. United States of America—15 ships of the line, 23 frigates, sloops, &c., and 1 steamer. England—22 ships of the line, 10 frigates, and 3 steamers. Turkey—15 ships of the line, 19 frigates, and 3 steamers. Holland—8 ships of the line, 12 frigates and 4 steamers. Denmark—6 ships of the line. Sweden—10 ships of the line, 3 frigates, and 2 steamers. Spain—3 ships of the line, and 4 frigates. Naples—2 frigates and 1 steamer. Sardinia—6 frigates and 2 steamers. Additionally, the Holland has 101 gun boats, 40 in commission; Denmark has 6 gun boats; Sweden has 212 gun boats, and 5 bomb; Norway has 85 gun boats and 2 bombs, besides 30 gun boats building, each to carry two 60 pounders. [Phil. Gazette.

The U. States ship North Carolina, commodore Ballard, and the U. S. schooner Enterprise, were to leave Valparaiso for Rio de Janeiro and the United States, on the 15th of March, and the sloop of war Falmouth, for the coast of Mexico 10th March.

[N. Y. Jour. Com.

Another fatal steamboat explosion. The last Mount Vernon (Ia.) Courier, says: The steamboat Avalanche, on Monday morning last, while descending the river, about four miles below this town, collapsed a fact killing three individuals and scalding two others so shockingly that no hopes are entertained of their recovery. If we are informed correctly, all the men killed or wounded were firemen or deck hands. After remaining at the landing two-thirds of the day to bury the dead, she was taken in tow by another boat and proceeded on her voyage.

The Chicago American says, when Daniel Webster was in Chicago some time since, a man, Mr. B., was an eccentric well known citizen, on being introduced to the distinguished statesman, addressed him as follows: "I have read your spelling book and dictionary Mr. Webster, but I never before had the pleasure of your acquaintance."

Death of Judge Prolean. A letter from Pendleton (S. C.) dated 10th inst. says that the hon. S. Prolean died in that place on the night of the 3rd inst. Judge Prolean has filled several conspicuous situations in legislative and judicial departments in this state.

[Charleston Patriot, May 14.

United States pensioners. Two millions four hundred and ninety-eight thousand nine hundred and nineteen dollars was appropriated by congress at its late session for the payment of pensioners.

Exploring expedition. Extracts from a letter to the secretary of the Navy, from lieutenant Wilkes commanding the exploring expedition on board the U. S. brig Porpoise, Capt. Peary, Feb. 26, 1878.

"I have the honor to inform you that I parted company with the squadron at Orange harbor yesterday; the Vincennes, under charge of lieutenant Craven, being snugly moored in that harbor, having transferred myself to this vessel in company with the Sea Gull for the execution of our orders. The Peacock and Tytoz Fish schooner, with capt. Hadson, left at the same time, and the Relief would leave to-day for the straits of Magellan, with a large party of the scientific corps.

"Our endeavors, and that of the Peacock, will be to get as far south as we can at this late season. Although I am aware we stand some chance of being shut up in the ice, I could not resist the temptation to attempt it. The Porpoise, lieutenant Ringold, is well provided with ten months' gas is also the Sea Gull, of every thing that can render us comfortable in the event of such an accident. We are all in fine health and spirits."

The New York American mentions a striking instance of the uncertain tenure of earthly goods in a case lately reported in the London papers. It was a prosecution for perjury, in the London court. It was given in evidence that the prosecutrix, lady Parker, becoming security for her sister, lady Lake, for the sum of £19,000, in consequence of legal proceedings for its recovery, became an inmate for the king's bench prison, where she officiated as cook to the more wealthy portion of the prisoners.

On Thursday, the 9th inst. the hon. Richard G. Duple was introduced by the secretary of state to the president, and delivered his credentials as minister plenipotentiary and envoy extraordinary of the republic of Texas. [Globe.

Connecticut U. S. senator. The Hartford Courant says that the hon. Denis Kimbely, United States senator, has resigned his office on account of ill health. It will devolve upon the legislature now in session to fill the vacancy. A whig, of course will be elected.

Manufactures in Newport, R. I. Since it has been found that the cotton manufacturing business can be prosecuted in many success and profit by means of steam power, the citizens of Newport have turned their attention to it. Three mills have been directed and put in operation in that place, and have done much to increase its business and prosperity. There last establishment there, is that which belongs to the "Coddington manufacturing company," and which is said to be superior in many respects, to any other in the state.

This mill contains 8,000 spindles and 200 power looms; a part only of which are in operation, but all of which will shortly be; and from experiment it is calculated that the amount of fuel required, will not exceed 3,500 lbs. of anthracite coal per day.

The U. S. sloop of war *Vandalia*, arrived at Pensacola on the 30th inst. She brings news that the American consul at Lagaira de Terminos, although dead, was murdered as reported. The *Vandalia* on going to Vera Cruz, ran foul of a French iron-bow vessel, and did her some injury, and in coming out of the harbor next day was so unfortunate as to run into the French admiral's tender. It was reported that admiral Baudin and the greater portion of his squadron would spend the hurricane months at Pensacola.

The queen of England directed Lord Palmerston to send out by the Liverpool a beautiful portrait of her majesty, to col. William L. Stone, editor of the New York Commercial, as a token of acknowledgment for a copy of his life of Brandt.

Louisville, Ky. The population of Louisville, according to the various estimates, has progressed as follows:

In 1783 it was said to contain	30 persons
1800 " " "	800
1810 (census)	1,357
1820 do.	4,012
1830 do.	10,336
1845 do.	19,967
\$185 estimated by assessors at	27,000

And with the increase during the past year, it may be put down at 32,000. The assessed value of the real estate and improvements, as taxed in 1835, was upwards of \$18,000,000, and, from the lists now taking, it is expected to exceed \$20,000,000.

The Mobile (Ala.) Journal states: "Within the last week two of the greatest voyages ever known to have been made was from New York to this port. The ship Mary Francis, Westfield, and the brig Wakulla, Rutledge, left New York together on the afternoon of the 29th ult. and arrived at Mobile together in nine days and less than a half. It is remarkable that after leaving Sandy Hook, although they must have sailed nearly parallel, and at about the same rate, they never saw each other again until they came to anchor even so close together as to be within gun range of the bar." They must have made two hundred and fifty miles a day, for every day—a rate which it would puzzle even the Great Western, with her steam up, to surpass."

Lake trade. The Cleveland Herald of the 9th inst. says—

In our harbor, this morning, there were four large steamboats, one from Chicago, one from Buffalo, and two from Detroit; two brigs, fifty-three schooners, and one schooner. Besides these, there were canal boats uncounted, of no number, and many landing along the docks, giving to the river a very bustling and animated appearance.

Hurricane on the Mississippi. The Natchez Free Trader states that on the morning of the 1st inst. the steamer Gen. Brown experienced a violent hurricane, fifteen miles below Memphis, which carried away the chimney and a considerable portion of the roof, besides doing other damage to the boat. Fortunately no person was injured, although several were in imminent danger.

The court of Queen Ann's county have decided that individuals of the state have a common right to the public waters of the state, and can navigate or haul a net in those waters whenever or wherever they please, the rights of individuals to their particular shores, however conceded to them, and no one can carry his seine on shore without the permission of the owner of the land.

Watch dials. According to the New York Transcript, there is in that city one of the most extensive watch dial manufactories in the world. The style and quality of the work are described as infinitely superior to that of any foreign manufacture—not excepting even the French, Swiss, or English. The business done by this concern is immense—the annual consumption of gold and silver, for material, amounting to three or four hundred thousand dollars. Mr. William Malten, formerly of Philadelphia, has also a very extensive establishment in New York.

In the case of James Stimpson, against the New Castle and Frenchtown rail road company, for an alleged infringement of a patent right—the hearing of which has occupied the attention of the United States circuit court for this district for some days past—the jury were discharged yesterday morning by the court, after having deliberated all night, and declared that there was no prospect of their agreeing on a verdict.

Death of Dr. Cooper. A letter from Columbia, S. C. to the editors of the National Intelligencer, under date of May 11, states that the venerable Dr. Thomas Cooper, died on the morning of that day, after a protracted illness of the dropsy, in the eightieth year of his age. For the last twenty years he had been a resident of Columbia.

John McKeon, esq. lately an administration member of congress from the city of New York, has been appointed attorney to the new corporation of that city.

The loan of \$1,200,000, authorized by Pennsylvania, has been taken by Mr. C. S. Boker, of Philadelphia, the banks of that city participating in it as follows—

Bank of Pennsylvania,	\$250,000
Berks county bank,	100,000
North America,	25,000
Mechanics,	25,000
Northern Liberties,	35,000
C. S. Boker,	765,000
	\$1,200,000

Canadian currency. The following from the Quebec Gazette, is the recent regulation of the value of coin, recommended and the royal sanction:—

The English sovereign,	£ 1 4 4
The American eagle, coined previous to 1834,	2 13 4
The new eagle,	2 10 0
The Spanish, Mexican or Colombian doubloon, coined in 1826, 27, 28,	3 17 8
The French piece of forty francs,	1 18 8
The dollar of Spain, Mexico, the states of South America, and the United States of North America,	0 5 0
The English crown,	0 6 0
Fractions in proportion.	
The groat, or four penny piece,	0 0 5

Col. Bernard E. Bee, Texas minister plenipotentiary for Mexico, left this city on Saturday in the Woodbury, for Mexico. We understand he bears the olive branch of peace, the object of his mission being to obtain the recognition of Texian independence on the part of Mexico, and to form a treaty of peace, amity and commerce with that republic. [N. O. Bee.

The publishers and booksellers of the book marts of Germany, Prussia, &c. propose to hold a convention of the trade, from every country in Europe, to discuss the best means of putting a stop to the present system of piracy.

The Americans at Havana, to the number of several hundreds, are greatly dissatisfied with the conduct of our consul, Mr. Trist, who is accused of a want of humanity towards the crew of the American ship William Eng, confined in the Spanish prisons, after being improperly tried, and at the request of the consul, in a Spanish court.

Corporal punishment in the U. S. army. Two U. S. soldiers, convicted of desertion, at Detroit, received 50 lashes apiece, had their heads shaved and their bodies branded, and were then drummed out of the Garrison.

Famine in New Foundland. Great distress prevails in some parts of New Foundland, for lack of food.—The Harbour Grace Star of March 6th says:—We have no hesitation in stating that within a circuit of twenty miles from Harbour Grace, there are hundreds of families who have not, in their respective dwellings, an ounce of any of the common necessities of life; and who, for weeks past, have been subsisting upon a single meal a day, and this too, in many instances, of the most inferior and unwholesome character. The governor had authorized the commissioners of the post to expend the sum of £300 from the treasury, for the relief of the sufferers. The Irish society had also contributed the sum of £240 for the same object.

Imprisonment for debt. We remember that during a visit of an Indian chief in one of our northern cities, he asked, on seeing the jail, "what is that building for?" The interpreter who accompanied him, in order to make himself intelligible observed, "that when a white man owes the whites and could not pay them, they put him in the building." The chief, on reflecting thereon, replied dryly:—"Hah! white man no catch skins there!"

Census of St. Louis. According to the official report, published in the St. Louis Argus, the population of that city is ascertained to be 16,207, of which, 8,507 are white males, and 4,563 white females.

A medical convention is to be held at Washington, on the first Wednesday of January next. Each state medical society, medical college and college of physicians and surgeons that has been incorporated, is requested to elect delegates, not exceeding three, to attend the convention. Its object is to revise a pharmacopoeia of the United States, and to facilitate their proceedings, each incorporated body is requested to submit their pharmacopoeia to a careful revision, and transmit the result of their labors to the convention.

NILES' NATIONAL REGISTER.

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BALTIMORE, MAY 25, 1839.

[VOL. LVI.—WHOLE No. 1,443.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WM. OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

APPOINTMENT BY THE PRESIDENT. John Neville, collector of the customs at Natchez, Mississippi, vice James Stockman, who has vacated the office.

NEW BANK. We are gratified to be able to state that a material accession to the banking capital of Baltimore is about to be realised. The *Hamilton bank*, for which a charter was granted by the legislature of Maryland about three years ago, is shortly to commence business in this city, the capital of which is to be furnished to a liberal extent from the vaults of an institution in a neighbouring city. The directors chosen at the recent annual election were Messrs. John McKim, J. Philip C. Thomas, Amos A. Williams, Jos. W. Patterson, Thomas Wilson of Wm. John M. Gordon and C. D. Williams. Report has also designated John M. Gordon, esq. as the president of the new bank. Until permanently located, its operations will be conducted in the spacious apartments on the second floor of the Union bank.

FROM MEXICO. The schooner *Lone*, at New Orleans from Tampico, brings late intelligence from Mexico. A slip from the Louisiana office contains the following letter from Tampico, under date of 4th May:

"The expedition projected by the federalists was not intended for Vera Cruz, as they wished us to believe, but for Puebla or Mexico. For some days we have had no news of their (*Urrea and Mejia*) progress; the last information received, announces that they would be in Mexico within fifteen days. In the meantime, we are not very comfortable here. Bustamante and Arista, who have remained a long time at Victoria, seem at length disposed to take possession of Tampico. Although their movements are not well known, it appears certain that their advanced posts are at Horcasitas, Tancasnequi and Presos. Their movements, however, are slow, and it is easy to perceive that they have no confidence in their troops, and expect a strong resistance, which Tampico is not in a condition to make, both on account of the small number of troops, and the inefficient manner in which they are commanded. Pezalla, the commander-in-chief, has been dangerously ill, and is next yet out of danger, it is said, however, that his health is improving. The line of defence is nearly completed, 1,000 good troops, ably commanded, would be able to repel 3,000 men, but troops are wanting, and still more, good officers.

"To judge from a circular addressed by the minister of foreign affairs, to the different foreign consuls and ministers at Mexico, of which I send you herewith a copy, we need not apprehend the same excesses on the part of the government troops, which we had cause to apprehend from those of Canaliza, at the first attack. Outside the bar is a French brig of war, which will probably remain until the arrival of these gentlemen.

"This is all the political information I can give you.

"All business is entirely paralyzed at Tampico." *May 3.* The government party under Gen. Bustamante, it is said, had taken to their march from Victoria for this place, in which case we may look for them in 10 or 15 days, the force here is not strong and there is no saying what may be the result.

Tampico, May 4. I hand you an enclosed copy of a decree of the government against importations at Tampico, dated Mexico, 22d April, 1839. You will be good enough to have the same published. It is yet unknown what answers the different consuls have given to this decree, which was sent to the different foreign ministers and consuls to Mexico. The whole is nothing more than a declaration in favor of the excesses which the troops may be authorised to commit, in order to encourage them to make an attack upon this place, of which they have a great dread. This is a further proof of the necessity of our vessels of war being off this port for our protection.

Palace of the national government. The Mexican government cannot behold without much displeasure the continual arrival of merchant vessels at Tampico, considering that the captains cannot be ignorant that according to the laws now in force this port is closed to foreign commerce, not only on account of the notoriety and date of this law, but because the Mexican consuls in all countries have refused to legalize by their signatures the documents which the

tariff requires for the legal importation of all kinds of merchandise in every port of the republic. The government has also learned with great disgust, that a great portion of this merchandise is of the class prohibited by the tariff; and that others have been admitted by the revolted authorities at a very great reduction of the ordinary duties, which is a power exclusively vested in the national congress.

On this account, and as it cannot be doubted that these grave excesses have favored the cause of the revolution in that section of the country, by furnishing resources to all classes of persons engaged in it; the undersigned minister of foreign affairs has received orders from his excellency, the president and interim of the republic to address your excellency to declare that the national government disavows from this moment, both as to the origin and its effects, the aforesaid diminution of duties, and that he will not assent in any manner whatever to any introduction of merchandise or productions prohibited by law, and finally that if contrary to what he has expressly and repeatedly recommended to the general of the republic, if in the taking of Tampico by assault, some of those excesses were to occur, which are almost inevitable, and which are to a certain extent authorized by the laws of war, that in such a disagreeable event he would not be responsible for the injury which might result to the property which had been thus clandestinely introduced to the injury of the government itself.

The president, however, flatters himself that this last mentioned conjuncture will not arrive, owing to the precautionary measures which he has adopted for that purpose; but he deems, nevertheless, this declaration necessary, in order to save in the national responsibility in the case above referred to.

The undersigned, in communicating this, &c. renews, &c. M. E. GOROSTIZA.
Mexico, April 22, 1839.

LATER FROM TEXAS. *Arrival of the French fleet at Galveston.* The steam packet *Columbia* arrived at New Orleans on the 14th, in 36 hours from Galveston. By slips from the New Orleans Bee and Bulletin we have received the following items of intelligence.

The French fleet arrived at Galveston on the 6th inst. The Gazette says: "The French frigate *Neriad*, 64 guns, the steam ship *Phaeton*, and the *Cruisador*, an 18 gun brig, arrived on Tuesday, and are now (Thursday evening) lying off this port. They are a part of the blockading squadron from Vera Cruz, and brought up admiral Bandin, who is now at Houston, having landed at Velasco, and gone to the capital by land. Salutes have been exchanged between these vessels, and the Texian steam ship *Zavala*, the fort and the navy yard. The *Zavala* and the steam packet *New York* have been along side the *Phaeton* and exchanged friendly salutations with her officers. The president among others, has been on board."

The Galvestonian contains various particulars of the arrival of the rare visitants. The *Neriad* in entering the port got aground, and was towed off by the *Zavala*. The commander of the *Phaeton* had been on board the Texian steam ship, and expressed himself highly pleased with the vessel and her arrangements. Formal visits had also been exchanged between the officers of the *Neriad* and the *Zavala*.

The Houston Telegraph of the 8th instant says, "Admiral Bandin arrived in this city yesterday, and was received by the officers of government with the attention and respect due his high rank and character. This aged veteran attracts great attention wherever he appears, from the singularity of his personal appearance. His right arm is lopped off; he has a deep scar on his head—his gray hair, and furrowed brow, indicate full well that he has shared in the toils and dangers of the iron days of Napoleon."

The May term of the district court of the first judicial district, E. W. Cullen presiding, commenced its session in Galveston on the 6th, and adjourned on the 11th. There were 81 civil cases and 16 criminal cases on the docket. About half of the cases were disposed of. The custom house bonds about which much conjecture existed, were not called up; it was thought they would be dismissed and commenced anew.

A meeting of the bar was held after the adjournment of the court, and resolutions highly commendatory of judge Cullen, adopted. The grand jury also adopted similar resolutions, and likewise expressed very decided approval of the course of the district attorney, F. W. Ogden, esq.

The Galvestonian represents the business of the place to be flourishing, and improvements rapidly progressing. The first shipment of lumber from Galveston was made on Thursday, the 2d instant, by the schooner *Augusta*, of Augusta, Me. capt. Dickerson, from New York. The cargo consisted of white oak staves. Capt. D. thinks the capabilities and prospects of this trade quite promising, and that vessels from the eastern ports may do better in it than by returning with freight for New Orleans,

Business at Houston was quite lively, according to a letter writer, owing to the demands from the interior. The crops look well and the prospects were very flattering. A splendid line of post coaches, weekly, to Austin, the new seat of government, were to be started from Houston.

From Houston papers of the 7th, and Galveston of the 8th instant, we gather the following:

The first sale of lots in the new seat of government takes place in August. The president, it is said, will, under no circumstances, convene congress at Houston.

The crops, especially cotton, are said to be unusually promising this season. Much larger quantities are in cultivation than at any previous season.

Two men have been imprisoned at Houston for negro stealing.

Gen. Douglass and several citizens of Nacogdoches have agreed to meet the chiefs of the hostile Indians on the 1st of May, for the purpose of arranging articles of peace.

The Houston Intelligencer of the 2d contains a highly interesting statistical view of the finances of Texas, of which we furnish an abstract. The whole amount of paper money issued by the government since its formation, is \$1,098,453; about \$198,453 has been withdrawn from circulation, leaving a balance of \$900,000; funded debt of the government, redeemable after 1842, \$667,500; military and other scrip, \$245,000; other claims against government, \$75,000; expenditure of the civil list, \$400,000; whole amount of debts due or bearing interest, \$2,299,800.

The resources to meet this debt are estimated as follows: Import duties for the present year, \$54,000 dollars; amounts for land dues, \$504,400; supposed amount of direct taxes \$250,000; sale of lots in the city of Austin, \$500,000; sale of lots in Galveston, \$250,000; sale of lots in Calhoun, \$500,000; total, \$3,018,000.

A new literary paper, the first ever published in Texas, has been started in the town of Richmond. It bears the title of "The Richmond Telescope," and is devoted to literature, agriculture, commerce, &c. &c.

FROM SOUTH AMERICA. By the ship *Azalia*, capt. Fisk, the N. Y. Journal of Commerce have received Rio Janeiro papers to April 9th.

The Brazilian minister of war arrived at Rio Grande on the 21st of March, and proceeded soon after to Port Alegre. He took with him from Rio Janeiro, 400 men. A like number under Torres, had sailed for the same destination a short time previous, and 320 more were to sail in a few days.—Making a total of 1,120 men, sent or about to be sent to reinforce the government troops in that distracted province. The entire province was in possession of the insurgents, except Port Alegre and the town of Rio Grande. A decree had been issued by the governor in regard to the slaves who, under promise of liberty, had been induced to take up arms in favor of the insurgents. "While he guards, as was proper, the interests of the masters, he adopts the only method of disarming the slaves, by holding out similar promises to those who submit, and severe and immediate punishment to those who do not."

The editor of the *Journal de Commercio* has some very liberal remarks towards men who differ from him in matters of religion. They appear to have been elicited by insinuations of another paper, called *El Despertador*, that the *Journal* editor was hostile to the Catholic religion. In reply, he says:

"We are Catholics; if we were not, we would say so with equal frankness; for Protestantism, which

prevails in a great part of civilized Europe, is not a crime. We are Catholics, without loading the Lutheran community with reproachful epithets, as does the Despatcher, for we live in the nineteenth century, and know the import of religious liberty, as proclaimed in the constitution of every free people. We are Catholics, without turning our backs in the public streets, with face turned towards the churches, in a ridiculous hypocrisy.

"In civilized nations the age of religious intolerance is past, never to return, although it is but a few years since Don Miguel and his ferocious satellites would have lighted up anew in Portugal the flames of the inquisition. But the vile reign of tyranny was short; and the triumph of religious liberty is now in this country as complete as that of political liberty."

Montevideo and Buenos Ayres. Accounts from Montevideo are to the 27th of March. Affairs in that quarter remained in *slutu quo*.

The Journal of April 6th contains a long address of president Rivera to the people of the Oriental republic, calling upon them to rally around the standard of the country, and march against their oppressors. [Entre Rios and Buenos]

Rio Janeiro, April 8. As to the contest between Rosas, governor of Buenos Ayres, and Fructuoso, president of the Oriental republic, (of which Montevideo is the capital), we have no news except that war had been actually declared between the two countries. We have seen also the manifesto of the government of Corrientes, (one of the provinces of the Argentine republic), declaring war against Rosas and Echague, (the latter being governor of the province of Entre Rios). The motives which induced Corrientes to arms, may be thus stated: the governments of Buenos Ayres and Entre Rios had attempted to excite disorders among its people, and produce anarchy, as they had already done in other provinces. Rosas had also in the direction of the affairs of the federation, jeopardized the property of the federal provinces, and it was time his tyranny should be arrested.

Rio Janeiro, April 5. Much sensation has been caused by the news brought by the United States brig of war Dolphin, which arrived day before yesterday from Montevideo, (since arrived at New York), that the French admiral had ordered the seizure of two American vessels, which were taking in cargo at Loberia Caica, a small port on the coast of Patagonia, under pretence that they had violated the blockade which he had established of the port of Buenos Ayres and the shore of the Rio de la Plata.

As the letters from Montevideo differ concerning this affair, we have endeavored to ascertain the facts; and, from a person on whom we can rely, have learned the following particulars, the truth of which we will vouch for:

"The American brig America and Eliza Davidson, sailed from Montevideo with complete cargoes for Loberia Caica, on the coast of Patagonia, a port belonging to the republic of Buenos Ayres, but not included within the limits of the blockade proclaimed by the French admiral, of the port of Buenos Ayres and the shore of the Rio Plata.

"These vessels arrived at Loberia Caica, where they found no French vessel of war—discharged their cargoes, and began to load a cargo which had been sent them in wagons from Buenos Ayres. In the mean time the French corvette Pearl, which had been despatched by admiral Leblanc to capture the two American vessels, arrived at Loberia Caica, and seized them accordingly. She then took them into Montevideo, without first giving prizes to the French squadron, for having infringed a blockade that never existed, either in fact or on paper.

"The consignees of the two American vessels demanded of the French admiral their release, but he refused to comply, unless they would give him a bond to the amount of their value, that they would submit to the decision of the French court of admiralty in the case—a proposition which the consignees at once rejected.

"The American commodore immediately on receiving information of this infringement upon the rights of neutrals, addressed a communication to the French admiral, protesting, in the strongest terms, against the proceedings, as not having been sanctioned by precedent, nor tolerated by the United States government, and demanding the immediate and unconditional release of the prizes. When the Dolphin sailed from Montevideo, 26th March, the reply of the French admiral had not been received.

"The issue of this affair is awaited by the commercial community with much interest."

FROM THE WEST INDIES. By the schooner Mizeppa, from Kingston, the editors of the New York Commercial Advertiser have a file of the Jamaica Despatch to the 27th of April. It gives a lamentable account of matters and things in the is-

land, but affords no specific items of intelligence that could interest our readers. The staple of the matter contained in the papers is abuse of sir Lionel Smith, lord Glenelg and the Baptists, with dolorous complaints of the ruin, which it affirms, is rapidly falling upon the planters.

If the Despatch may be taken as authority, it would seem that the day cannot be far distant when the colored inhabitants will be the "party in power," in Jamaica, and the island become another Hayti. The negroes are said to be rapidly acquiring property in the soil; and the prosperity of the planters is represented to be entirely at their mercy.

FROM FLORIDA. Our latest accounts from Florida, we are sorry to say, are any thing but consoling to the patriot and philanthropist. In the Pensacola Gazette of the 11th instant, we find the following paragraph:

"The Seminole war. No hopes seem to be any longer entertained that the embassy of general Macomb to the Seminoles will end in any thing beneficial. Lieut. Reynolds, who passed through this place last week, on his way from Tampa Bay, brings intelligence that the chief on whose good offices general Macomb chiefly relied, has not only refused to treat, but has betaken himself and all his people to the woods. The truth is, they consider the whites to have been badly whipped, and it is nearly time we should take the same view of the matter. The language they now use is, 'let us alone and we will not molest you—remain at your posts or your homes and we will not attack you—but if you make war on us, we will fight as long as our ammunition lasts and when this is gone we will take to the bow and arrow.'"

From another quarter of Florida the last mail brought us the following distressing intelligence:

From the Appalachicola Gazette.

More Indian Murders. We received by the mail boat Commerce, this evening, the following information: A party of 15 or 20 Indians, recognised to be Creeks simultaneously attacked the settlements of Roberts, at Stefanungee, and John and Nathan Smith's, at Rico's Bluff. They burnt Robert's house, killed a little boy, and wounded Roberts himself, who with his wife, a man named Aldrich and four children escaped.

At Smith's settlement, it is supposed that Nathan Smith's three children, a Mrs. Richards and her five children, and a man named White, were murdered. Nathan Smith, with his wife, another woman, and two men escaped.—John Lamb was severely wounded, he recognized the Indians to be Chief. Sixteen of the fugitives, men, women and children, came down on the mail boat, and are completely destitute. Several of the Indians were taken on the banks of the river as the boat came through the narrows seven miles above Fort Gadsden.

The Tallahassee Star of the 8th inst. gives these melancholy particulars of new murders:

Latest Indian news. Once more we are compelled to darken our columns with the atrocities of the unrelenting and wakeful Seminole. All has been quiet for some time past, but it was only the fearful calm which precedes the storm.

Lieut. Hulbert was a native of New York, and a graduate of West Point. We sincerely mourn the loss of these valuable young officers of our army.

The following letter from captain Peyton we publish *verbatim*.

St. Marks, May 7, 1839.
Sir: I have this moment returned from Deadman's Bay, and have to communicate to you the melancholy intelligence of the murder of lieutenant Hulbert and private O'Driscoll, of the 5th infantry by the Seminoles.

The express rider between Fort Frank Brooke and Fort Andrews did not arrive in season, and lieutenant Hulbert, with ten men, went out from this place, on the 3d of May to ascertain the reason.—About half way between the two posts, the command was halted, and lieutenant Hulbert, of (F) company, went on in advance, intending to pass the night at Fort Brooke. They were both shot by a party of Indians at the fourteen mile creek, probably while watering their horses.—O'Driscoll's horse ran into Fort Frank Brooke slightly wounded, and gave the news there. Four balls were shot through lieutenant Hulbert but neither he nor the soldier was scalped. Both bodies were interred on the 4th ult. at Deadman's Bay. The express rider has not yet been found, and but little doubt is entertained of his death. Very respectfully your obt^d servant,

R. H. PEYTON.

Captain and assistant quartermaster.
Col. W. Davenport, first infantry, commanding.
From the news received from Tampa Bay, it would appear that the Indians are determined not

to treat with a view to emigration. They have heard that the land which government had assigned them west of the Mississippi cannot be found on their arrival—that country is no longer theirs, and that they are naturally angry, and resolved to remain where they are at all hazards. The chief of the Tallahassee said at Tampa that, if the soldiers were sent alter them, they would fight until their powder and lead was gone, and then with bows and arrows. He would not agree to hold council with gen. Macomb, for he was certain the whites had two faces; he said he spoke the sentiments of all the Indians north of Tampa Bay, and that any Indian who attempted hereafter to come in to the whites would be killed. On the night of the 22d of April, about 100 hostiles went into Tampa, and took away some thirty friendly Indians, who were waiting to emigrate. During the night the Tallahassee chief held a long talk with a Spaniard, named Jeanne Mantes de Oca, who speaks the Indian language well, and communicated to him what we have narrated above.

From the Charleston Mercury.

From St. Augustine. By the schooner Stephen & Francis, capt. Magee, arrived yesterday, we have received the St. Augustine News of the 11th inst. from which we copy the following:

Army intelligence. From Fort King, of the 4th inst. we learn that no Indians had yet come in. A new talk has been carried out by 15 prisoners, "men, women, and children," covered with presents to the arch heretics, that they may come in and sign a treaty to "live in peace south of Peace Creek, and west of the Everglades. They are informed that posts will be extended from Tampa to Fort Mellon, and the whites are to keep north, and the Indians south." The prisoners are at liberty to return to their places. The general has demanded a court of inquiry in relation to the Missoni volunteers, and tendered his resignation of the command in Florida. He says he is willing to command a "district." Gen. Taylor started for Tampa, where he has certain information of some whites tampering with the Indians. The instructions of gen. Macomb is, that the Indians are to abide by the treaty of Payne's Landing."

From Fort Pierce, 1st May, letters inform us that 22 of capt. Bryant's company, 2d dragons, have joined col. Harney, armed with "Colt's rifle;" in the hands of such men, and with such an officer we may expect a good account, should one occur, of the enemy.

The names of the persons murdered by the Indians near Newnansville are Ferrine, Stout, and Ellis. Young Hagart was killed by his horse throwing him against a tree, when the Indians horribly mutilated his body with their knives. Thus have four more of our citizens been murdered whilst the white flag is waving throughout the country.

The accounts from Florida, by way of Carey's Ferry, are more favorable. A letter under date of the 17th May, in the Savannah Georgian says:

"Every thing is going on well and smoothly in the negotiation line; and in a very short time, I expect to be able to apprise you of the successful termination of gen. Macomb's mission. Col. Harney arrived from the south a few days ago, bringing with him a very important chief of the Mickasuckie tribe; he with fourteen others, came in to col. H. whilst on the southern coast, and says the Indians are anxious for peace and will gladly accede to the general's terms. Gen. Jones (Sam) says that if he come in, it will be after peace is made and every thing settled. Coacooche entertains and expresses the same opinion. Several Indians have also visited the general, at Fort King, and promised to bring in more. Murders committed by straggling parties of Indians may still be heard of, but as soon as the news of our wish to make peace is known to all, no danger even of this kind is to be apprehended."

THE FLORIDA RUMOR. The Globe of Tuesday, contradicts the sinister paragraph which has been going the rounds of the press (our own, as copied into the National Intelligencer among the rest) from the New Orleans Bee—to the effect that generals Macomb and Wool had arrived at New Orleans from Florida—that a treaty had been concluded with the Seminoles, one provision of which yielded to the Indians the possession of the disputed territory, &c. It says copying the paragraph:

"We find the above extract in this morning's National Intelligencer. It shows the weakness, ignorance, and malignity of the editors of the N. Orleans Bee and National Intelligencer. Gen. Wool and his aid-de-camp, young Alexander Macomb, have arrived in New Orleans from a tour of inspection to the western forts made by inspector gen. Wool. He has not visited Florida at all! Major gen. Ma-

comb, who is entrusted with duties relating to Florida, was at Fort King by the last advices. It is to be hoped he will succeed in pacifying the Indians; but there is no intention on the part of the government to surrender any portion of Florida to the Indians as a permanent residence."

INDIAN FRONTIER. Dr. Wright, a gentleman from Rio Grand, who had been sent to reconnoitre the Indian frontier, by the republic of Texas, informs us that he left the republic last fall, in order to find out their strength, movements, designs, &c. He states that he found the Indians universally on the Mexican plains, hostile to all white Americans, and particularly to the Texans. The Comanches could count but six thousand warriors, including Kiawars, which count about a fifth of that number. Three thousand of the above were making preparations to assail and annoy the republic; and flattered themselves that with the assistance of the Mexicans they should be able to lay waste Texas—baving, he presumed, but little idea of the Texian population in the southeast. They are but poorly off for ammunition and guns, but rich in horses and expert with arrows.

Some two thousand Comanches and the Osages are to hold in June a council of war, at the Old Pawnee village, on Red river, some 80 miles above the Waco village, in order to go against the Potawatamies; and declared that they intended destroying every American from Missouri, who might fall in their way. We would therefore inform the traders from that quarter, as well as those from Arkansas, to avoid, if possible, so formidable a body. *Little Rock, (Ark.) Times, May 6.*

INDIAN MURDER. The Providence Journal of Monday reports at large the trial of Daniel Harry, in Washington county, for the murder of Christopher Ross, on the 26th of March—both Indians, of the Narragansett tribe. The murder was committed in the course of a frolic, some slight offence having been given by the deceased to Harry. He is said to be a collateral descendant of King Tom, the last sachem of the tribe. The 9th of August is appointed for his execution, a verdict of guilty having been rendered. His deportment at the close of the trial is thus described:

The prisoner is aged thirty-one years, short but well formed, with straight black hair, and enaciated by confinement. The expression of his countenance, though tranquil, is strong and decided. During the trial he betrayed (while in court) no emotion of guilt or fear—except by the large drops of sweat which constantly stood on his face. When the verdict was pronounced he preserved the same immovable calmness. But in the evening he exhibited a power of self-control scarcely credible.—While the judge addressed him, and when the words *hanged by the neck until dead*, were pronounced, not a muscle moved, no expression but that of patient suffering. This will appear the more remarkable, when it is known that he is a man of more than ordinary mind; and that a moment before taken from the jail he was weeping bitterly, while inquiring of a friend how he could bestow his Indian land upon his sister, an only relative. It was altogether an exhibition of fortitude not unworthy of his ancestors.

ARMY—OFFICIAL. *General orders, No. 23. War Department, adjutant general's office, Washington, May 20, 1839.* With a view to the better instruction of the troops and improvement of the discipline of the army, such portions of the regiments of dragoons, artillery and infantry as may be withdrawn from their stations without detriment to the other interests of the service, will be concentrated during the summer months at some convenient point best calculated for a camp of instruction.

The arduous and desultory service in which the troops have been so long engaged, the unavoidable dismemberment of the regiments, and separation of so many officers from duty in the line while employed on other service, could hardly fail greatly to impair the *esprit de corps* of the army, as well as its discipline and efficiency. These must be restored, and every proper effort speedily made to place the service on a foundation which will ensure its steady and uniform advancement.

The occasional concentration of companies of the same regiment, and the bringing together troops of different arms where all the duties of the officer and soldier of the several corps of the army may be strictly and systematically performed, from the school of the company to the evolutions of the line, are necessary steps to be taken to effect this desirable amelioration.

Major general Scott is charged with the formation and direction of the proposed camp of instruction, the inadequate command of which will be as-

signed to such officer as he may designate. In choosing a position for the camp, regard will be had to health, cheapness, and facility of transportation, both of troops and supplies.

The rules and regulations, and established systems for each arm of service, will be punctually observed, and strictly practised; and no other than the prescribed military dress will be worn.

All necessary supplies and transportation will be promptly furnished by the respective departments of the staff, and two officers of each branch of that service will be ordered without delay to report to major general Scott for duty at the camp of instruction. By order of the secretary of war.

R. JONES, adjutant general.

NATIONAL EXPENDITURES. Letter from the secretary of the treasury transmitting a statement of expenditure, exclusive of the public debt, for each year, from 1824 to 1837.

Treasury department, June 27, 1838.

Sir: In obedience to the resolution of the house of representatives of the 25th instant, I have the honor to "lay before the house a statement showing the amount of expenditure, exclusive of the public debt, for each year, from 1824, to 1838."

I am, very respectfully, your obedient servant,

LEVY WOODBURY, secretary of the treasury.

Hon. J. K. Polk, speaker of the house of reps.

Statement showing the amount of expenditures of the United States, exclusive of the public debt, for each year, from 1824 to 1837 inclusive, stated in pursuance of a resolution of the house of representatives, of the 25th June, 1838.

For the year	1824,	\$15,330,144 74
Do.	1825,	11,490,459 94
Do.	1826,	13,062,316 27
Do.	1827,	12,655,095 65
Do.	1828,	13,296,041 45
Do.	1829,	12,660,460 62
Do.	1830,	13,229,532 33
Do.	1831,	13,864,067 90
Do.	1832,	16,516,388 77
Do.	1833,	22,748,775 14
Do.	1834,	18,425,417 25
Do.	1835,	17,514,950 28
Do.	1836,	30,868,164 04
Do.	1837,	39,164,475 37

Note. The above sums include payments for trust funds and indemnities, which, in 1837, was \$5,610,404 36.

T. L. SMITH, register.

Treasury department, register's office, June 27, 1838. [The expenditures for the three first quarters of 1838, (according to the annual report of the secretary of the treasury, made to congress December, 1838), amounted to \$23,427,218.] [Nat. Int.]

INCREASE OF POPULATION. History, we believe, furnishes nothing comparable to the growth of the towns along the shores of our American lakes; embracing an extent of 5,000 miles, which is more than the coast of all the Atlantic states, including the gulf of Mexico. It will be seen by the following table from the *Cleveland Herald*, that the population has quadrupled within 8 years, since 1830:

Towns.	Population.	1830.	1838.
Buffalo	8,653	20,000	
Erie	1,329	3,500	
Cleveland	1,076	8,400	
Sandusky city	400	1,500	
Lower Sandusky	351	1,500	
Perrysburg	183	1,600	
Maumee	250	2,000	
Toledo	50	2,000	
Detroit	2,422	6,500	
Monroe	500	3,500	
Chicago	100	5,000	
Milwaukee	20	3,500	
Michigan city	10	1,800	
Waukegan	10	1,500	
Newburyport	100	1,500	
Navarro	10	1,500	
Dunkirk	50	1,500	
	15,383	66,000	

There are some thirty towns on these shores, not named above, most of which commenced their existence since 1830, and which, if included, would of course show a greater ratio of increase. Thus it appears that our town population has more than quadrupled within 8 years. Business has increased in a still greater ratio. In 1829, the number of vessels which cleared at the port of Cleveland with cargoes was 327; in 1835 it was 3,025 being nearly

*This sum is subject to small variation on the settlement of the accounts of the treasurer.

ten times in number, and probably more than twenty times in tonnage. The value of exports in 1830 was \$377,197, and in 1835, the value of those exports that arrived by the canal exceeded five millions of dollars. The value of imports in 1830, was estimated at less than one million, and in 1835 at over nine millions. It is probable, that Cleveland exported, in addition to that received by the canal, to the value of near a million. Thus that single port must have sent abroad, of the produce of Ohio, about six millions of dollars in value.

CANAL TOLLS. The amount of tolls collected on all the canals for the month of April, and also for the first week in May for each of the last five years is as follows, viz:

	In April.	1st week in May.	Total.
1835,	\$130,075	\$58,814	\$188,891
1836,	53,287	61,624	114,911
1837,	89,074	50,596	139,670
1838,	127,881	50,427	178,309
1839,	107,567	75,432	182,999

The amount of tolls received to the 7th of May is greater this year than last by the sum of \$1,690—and greater than in 1837, by \$3,329, although the canal opened in '37 and '39 on the same day. The tolls to the 7th of May in 1835 were \$5,920 more than in 1829. In the former year the canal opened on the 15th of April, and the collections in that month were \$22,560 greater than in April 1839. *[Albany Argus.]*

NORTHERN LAKES. We have been favored with a good portion of the report of Lieut. James T. Homans, United States engineer, who, in obedience to instructions received, proceeded in August last to survey and examine the northern lake boundary west of Detroit, under the provisions of the act of congress, approved 7th July last, respecting light-houses. Leaving Detroit on the 20th of the month in the vessel chartered for his use by the collector of that port, he followed the boundary designated through Detroit river, lake and river St. Clair, Lake Huron, Saganaw Bay, Straits of Michilimackinac, east and west side of lake Michigan, to Green Bay; from that place to St. Mary's river, entering it by Detour passage, most used by vessels; to Sault St. Marie, near foot of Lake Superior; thence to Detroit via Mackinaw; embracing in the route a distance, by estimate of 1,825 miles.

The Buffalo Journal, in alluding to this report says: "Reader, think of it! The engineer explores our own American Mediterranean, embracing a route of eighteen hundred and twenty-five miles in length, and yet leaves enough unemployed to wash the boundaries of whole empires!" All this is no exaggeration,—it is plain, unvarnished truth. Lieut. Homans found much that had been done, and something, already in partial progress to hasten and commend. In speaking of certain bars at the outlet of Black river, he earnestly hopes that the obstruction of commercial enterprise thereby (which he observes will apply also in South Black river, Pigeon river lake, and other fine harbors on the east side of Lake Michigan) may induce from congress some appropriation for opening the entrance to them. Our officer in this report expresses himself highly gratified with the manifestations of thorough and genuine enterprise displayed by the company now rapidly settling at Port Sheldon; among the tokens of which is mentioned a neat light-house, near the entrance of the harbor, regularly lighted throughout the season. It has been truly useful to lake navigators, more especially those destined to Grand river, thirteen miles north;—there being no other light in operation on the two hundred and fifty miles of lake coast north of St. Joseph;—a coast destined, with all the intermediate and surrounding regions, teeming with increase and fertility, to pour its influence into the lap of this company, and the city which their pioneering enterprise and far-reaching forecast will in a very few years have established, in plenteous prosperity. *[Phil. Gaz.]*

PENNSYLVANIA CANAL. The following report was made to the medical board which recently sat at Pittsburg, for the purpose of deciding on the most suitable place for the location of a national hospital:

Pittsburg, May 11, 1839.

GENTLEMEN: In reply to your esteemed favor of the 10th inst. I now with pleasure proceed to furnish the board with all the correct statistical facts that I can procure at so short a notice, and in doing so, give intelligence procured from the best sources that may be relied on.

The number of boats cleared from Pittsburg eastward, since the opening of the canal navigation at Pittsburg on Monday the 25th of March last to the morning of the 9th inst. is 116, loaded with the products of the west, viz: flour, bacon,

lard, tobacco, hemp, furs, skins, wool, feathers, wheat, corn, iron, nails, castings. Pittsburg manufactures, stone coal, &c. &c. Tonnage amounting to 19,139,259 pounds, and tolls amounting to \$14,025 26 cts.

Number of boats that have arrived from Johnstown and intermediate ports, in the same time, is 713, loaded with foreign and domestic goods, viz: dry goods, hardware, queensware, groceries, liquors, drugs, marble, burr blocks, blooms, castings, salt, &c. &c. amount of tonnage, 30,166,173 pounds.

There are 96 boats regularly registered, plying on the canal from Pittsburg to Johnstown and back, and about 25 transient boats, making in the whole on the western division, about 121 boats.

Each boat, on an average, is manned by a captain, two steermen, a cook and two drivers, making on the whole number of boats, about 547 persons.

The following regular lines are comprised in the above list, and ply daily between Pittsburg and Johnstown, viz:

Penna. packet boat co.	} Little, Linford and Hays.
Express packet line. Pioneer or freight & packet line.	
Western transportation co. or D. Leech and Co's line of freight & packet boats.	} Do.
Union transportation co. Bingham's do.	
Pilot do.	} H. & P. Graff. Wm. Bingham. James Paul.
James O'Connor & Co's patent portable car body line.	
Penna. & Ohio line.	} Taaffe & O'Connor.
Mechanics' line.	
Despatch line.	} McDowell & Co. Samuel M. Kier. J. C. Reynolds.
Reliance line, freight packet.	
Hollidaysburg line.	} Jno. McFaden.

Judging from all the facts in my possession, the business on the western division of the Pennsylvania canal has so far this spring increased full twenty-five per cent. and will doubtless continue in the same ratio as the rapid increase of the population and business of the vast western and southern regions of the United States. All of which is respectfully submitted by your obedient serv't,

ABSALOM MORRIS,

Supervisor western division Penn. canal.

To W. J. Wheaton, esq. surgeon, U. S. A. president of the medical board.

THE AMERICAN AND CANADIAN FRONTIERS. The late report of lord Durham on the affairs of Canada, thus contracts the appearance of the American and Canadian shores:

"On the American side, all its activity and bustle. The forest has been widely cleared; every year numerous settlements are formed, and thousands of farms are created out of the waste; the country is intersected by common roads; canals and rail roads are finished, or in the course of formation; the ways of communication and transport are crowded with people and enlivened by numerous carriages and large steamboats. The observer is surprised at the number of vessels they contain; while bridges, artificial landing places, and commodious wharves are formed in all directions as soon as required.

"Good houses, warehouses, mills, inns, villages, towns, and even great cities, are almost seen to spring up out of the desert. Every village has its school house and place of public worship. Every town has many of both, with its township buildings, its book stores, and probably one or two banks and newspapers; and the cities with their fine churches, their great hotels, their exchanges, court houses and municipal halls, of stone or marble, so new and fresh as to mark the recent existence of the forest where they now stand, would be admired in any part of the old world. On the British side of the line, with the exception of a few favored spots, where some approach to American prosperity is apparent, all seems waste and desolate. There is but one rail road in all British America, and that running between the St. Lawrence and Lake Champlain is only 15 miles long. The ancient city of Montreal, which is naturally the commercial capital of the Canadas, will not bear the least comparison in any respect with Buffalo, which is a creation of yesterday.

"But it is not in the difference between the larger towns on the two sides that we shall find the best evidence of our own inferiority. That painful and undeniable truth is most manifest in the country districts through which the line of national separation passes for 1,000 miles. There on the side of both the Canadas, and also of New Brunswick and Nova Scotia, a widely scattered population, poor, and apparently unenterprising, though hardy and

industrious, separated from each other by tracts of intervening forests, without towns or markets, almost without roads, living in mean houses, drawing little more than a rude subsistence from ill cultivated land, and seemingly incapable of improving their condition, present the most instructive contrast to their enterprising and thriving neighbors on the American side."

The "Winter Studies and Summer Rambles" of Mrs. Janison has a passage to the same effect:

"I hardly know how to convey to you an idea of the difference between the two shores; it will appear to you incredible as it is to me incomprehensible. Our shore is said to be the most fertile, and has been the longest settled; but to float between them, (as I did to-day in a little canoe made of a hollow tree, and paddled by a half-breed imp of a boy), to behold on one side a city with its towers and spires and animated population, with villas and handsome houses stretching along the shore, and 100 vessels or more, gigantic steamers, bridges, schooners crowding the port, loading and unloading; all the bustle, in short, of prosperity and commerce, and on the other side a little straggling hamlet, one schooner, one little wretched steambot, some windmills, Catholic chapel or two, a supine ignorant peasantry, all the symptoms of apathy, indolence, mistrust, hopelessness! Can any one help wondering at the difference, and ask whence it arises? There must be a cause for it surely—but what is it? Does it lie in the past or in present—in natural or accidental circumstances? In the institution of the government, or the character of the people? Is it remediable? is it a necessity? is it a mystery? What and whence is it? Can you tell or can you send some of our colonial officials across the Atlantic, to behold and solve the difficulty?"

[National Intelligencer.

TROUBLES IN THE EAST AGAIN. The Bangor Whig brings us a rumor of war from the disputed territory. A letter is published dated St. Croix, No. 10, May 14, from a gentleman at that place, who writes that McLaughlin has been at Fish river, which is about 60 miles from No. 10, with 40 men, and ordered off, by letter, captain Nye and his men, about 20 in number; they then went down the river, it is supposed for reinforcement. The letter adds, "We immediately sent one express to fort Fairfield for men, and one to colonel Jarvis, informing him of the facts, and started a boat load of men, ammunition and provisions, for the seat of war." The writer further adds, "we say Fish river country by the arrangement, before mentioned, we have sent a force there to secure the timber, take off trespassers, and exercise jurisdiction."

The following is an extract from the arrangement made between Harvey, Scott and Fairfield, to which the writer alludes:

"It is not the intention of the governor of Maine, without renewed instructions from the legislature of the state, to attempt to disturb, by arms, the said province in the possession of the Madawaska settlements, or to attempt to interrupt the usual communications between that province and her majesty's upper provinces; and that he is willing in the mean time, to leave the questions of possession and jurisdiction as they at present stand; that is, Great Britain holding, in fact, possession of a part of said territory, and the government of Maine denying her right to such possession, and the state of Maine, holding, in fact, possession of another portion of the same territory, to which her right is denied by Great Britain."

FAMINE IN NEWFOUNDLAND. The extracts below, from Newfoundland papers, exhibit a scarcely creditable state of distress in that province. The governor has authorized the commissioners of the poor to expend the sum of £200 from the treasury. £240 has been also given for this purpose by the Irish society.

Distress in the bay.—On Saturday and Monday last, our streets presented a melancholy appearance—about, we suppose, two hundred poor females came from the north shore, to seek relief from the benevolent Irish society of this town, which society had given fifty pounds for the poor, and these poor creatures had scarcely a garment to cover their nakedness. We have been informed by several gentlemen from Lower Island Cove, that on their way to this town, they called on several poor families, and found them in a sad state of starvation. Some families, they stated, had not eaten a morsel from Sunday morning until Wednesday evening, and others from Monday until Wednesday—and we are convinced, from the reports that are hourly coming in from that quarter, that this is not the only case in which starvation must put an end to their sufferings, unless relief is shortly given them.

[Carbonar Sentinel.

The reports which continue to reach us relative to the famine which prevails in the remote settlements of this bay, are of the most harrowing description. We have no hesitation in saying that within a circuit of twenty miles of Harbor Grace, there are hundreds of families who have not within their respective dwellings, an ounce of the common necessities of life—and who, for weeks past, have been subsisting upon a single meal a day, and this, too, in many instances, of the most wretched and nauseating character. [Harbor Grace Star.

MAINE FLOUR. The value of the agricultural resources of Maine, are by no means appreciated. Dr. Jackson however, has done much in his geological reports to enlighten the public in relation to this subject. He has called attention to the rich lands which are to be found in this state, well calculated for all agricultural purposes—to the fertile and productive soil in the valleys of the numerous rivers which intersect the country in all directions. The action of the legislature of 1838, in granting a bounty for the production of wheat has also tended directly to assist in developing the agricultural resources of this state and we are by no means certain that Maine will not be looked upon in the course of a few years, as the granary of New England.

It is generally known that large quantities of wheat were raised in various parts of Maine during the last year. It is proved beyond a doubt, that the soil and the climate are both well adapted to the culture of this most valuable species of grain, and we truly entertain the prospect that the present year are truly encouraging. The season should prove propitious, a larger quantity of wheat will doubtless be raised than the most sanguine friends of agriculture in that state predicted a few years ago would ever take place. It is not, however, generally known that the wheat raised in Maine is of excellent quality, and that the flour manufactured from this wheat, if the process be properly executed, is surpassed in excellence by none on this continent. A few barrels of flour made from wheat raised on the farm of F. A. Butman, in Dixmont, Penobscot co. Me. and manufactured in mills belonging to Mr. Butman, were lately brought to this city. We were so fortunate as to become the purchaser of one of these barrels—and if this is a fair specimen of "down east" flour, commend us to "down east" flour forever after, say we. The bread made from this flour excels in delicacy of color that made from any other quality of Maryland or Pennsylvania flour—it is probably more nutritious, and unless our organs of taste are sadly out of tune, it is superior in flavor to bread made from any other flour, of which it has ever been our lot to partake.

THE BEMIS CASE. We see, by the report of the proceedings of the legislature of Pennsylvania, that a bill has been passed by the lower house of that assembly, for the trial of Messrs. Bemis and others, of Hartford county, in this state, who stand indicted in York county, Pa. for bringing away certain of their slaves, whom they found in that county, without obtaining, as the laws of Pennsylvania require, the order of a judge for their removal.

It will be recollectd that this case occupied a considerable portion of the time of the legislature of our state, at its session of 1837, and that a resolution was adopted authorizing the governor to appoint a commissioner to visit Harrisburg, and to make known to the legislature of Pennsylvania, the desire of Maryland that the questions involved in the case should be taken up for decision to the supreme court of the United States. Jonathan Meredith, esq. of this city, was appointed the commissioner, and as he is now in Harrisburg, we suppose that the law, recently passed by the house of representatives of Pennsylvania, is intended to meet the wishes of Maryland.

The questions involved in this case are deeply important to the slave-holding states of the union, and it was this that caused the legislature of Maryland to adopt the course pursued. Among the questions are:

1st. The right of a citizen of a slave-holding state to pursue his fugitive slaves into a non-slave-holding state, and to bring them away without a resort to the judicial tribunals.

2d. The right of a master to the produce of his fugitive slave, born of her in a non-slave-holding state.

3d. The constitutionality of the laws of Pennsylvania on the subject of fugitive slaves.

SOMETHING SINGULAR!! We have to announce what will no doubt be new to most of our readers, that in Cincinnati—a city bordering the southern extremity of the state of Ohio—a state of which corn is a staple production,—within ten years ago was almost a drug, and it could be had in quantity a bit a bushel—yes, in this city, the article of corn has become so scarce, that it will bear importation.

from the far west! A mercantile friend informs us that thousands and thousands of bushels of shelled corn have been brought to Cincinnati within the last week or two, which were shipped from Illinois and even Iowa territory! We asked, can it be possible! It is even so! This corn has come down the Illinois and Mississippi rivers, up the Ohio river, landed at Cincinnati, sold at a fair profit, put on board our canal boats and sent into the interior of Ohio. We asked our informant, what use our interior could make of it! Why, sir, most of it will be manufactured into whiskey, in that shape it will be sent back to Cincinnati, and from thence it will find its way, much of it, to the very same points from whence it started.

Who would have believed, if told ten years ago, that corn brought some two thousand miles, from Iowa territory, could have sold at a profit in the great agricultural counties of Butler and Warren, in the state of Ohio?

Is there not reason to fear that our agricultural interests are too much neglected? Come, come, citizens of Ohio patronize and spur up your agricultural societies!

[Cincinnati Whig, May 17.

STATE OF THINGS IN MISSISSIPPI—AWFUL!—Copy of a letter addressed to one of our commission houses in New Orleans:

Brandon, 1st May, 1839.

Gentlemen: Yours of the 25th ult. received; and in reply I can say nothing calculated to afford you any satisfaction. The whole of the affairs of Mississippi is in the most confused and disorganized condition: The collectors of money are put at defiance, and laughed to scorn: Circuit judges are refusing to hold courts, and when they do hold them, they quash the bonds and executions that have been for the last year or two maturing: Sheriffs openly refuse to execute the process of the law, and the Brandon bank has joined in the general outrage, by procuring the sheriff of this county to receive its paper on executions, on its promise to redeem it at court; but our court is just passed—the sheriff's office is full of Brandon paper—and the bank now has the effrontery to say she has no means to redeem a dollar of it.

But to the subject. Most of the forthcoming bonds in this county were by the judge quashed; and when they were not quashed, Brandon money was taken by the sheriff where any collections at all were made. Some of the bonds assigned to you were quashed, and the securities to them released, and the debt to the principal twelve months longer to pay the debt; this in many cases will much endanger the collection of the money. Where I should have received thousands this court, I have not collected one dollar; nor do I intend to gratify this corrupt and abandoned bank by taking its foul issue from the sheriff's hands.

I know that these things are a grievous hardship on creditors, and especially such as have been as indulgent as you have been with —; but I know of no remedy until we can obtain officers of sufficient firmness and integrity to enforce the laws. I showed —, your letter on the subject of commissions, but could get from him no answer. I should like to hear from you as to these things. Very respectfully, yours, &c.

[N. O. Bulletin.

LANDS IN OHIO. A sale of lands, the property of the heirs of David Pierce, jr. was recently made in Gallipolis, Ohio. The lands sold, lie in the counties of Washington, Adams, Meigs, Mercer and Gallia. They amounted in the whole to 5,546 acres—being five shares of the Ohio company's purchase. These lands were appraised in September last under an order of court, the appraisement amounting to \$14,069 66. They were sold by auction, part at Marietta, on the 25th April, and the remainder at Gallipolis, as before mentioned; and brought an aggregate of \$22,051 12; being something more than fifty per cent. advance upon the appraisement prices. The Gallipolis Journal remarks, in noticing this sale: "But few of the above lands were considered as having been sold at a high price, and many of them were extremely low.—The terms of sale were one-half paid down, the other half in one year without interest." From all of which it would seem that Ohio lands are "looking up."

COMMODORE ELLIOTT. In consequence of the rumor that commodore Elliott had protested against the proceedings of the court of enquiry in his case, the following statement has been published by his friends:

The following is a copy of the paper presented by commodore Elliott to the court:

"The precept convening the court of enquiry in this case, authorises them to inquire into certain specific complaints and charges urged against captain Jesse D. Elliott, which are set forth, 'and also

to inquire into the official conduct generally of the said captain Jesse D. Elliott, while commanding the United States naval forces in the Mediterranean sea in the years 1835, 1836, 1837, 1838.' The letter of the secretary of the navy, of the 22d April, 1839, extends this inquiry to his conduct while commanding the Constitution in Hampton Roads."

"With great respect for the authority from which the order organizing the court emanated, and a proper diffidence in his own judgment, captain Elliott states that this general form of enquiry is not in accordance with precedent or authority; but he distinctly waives the objection thereto, and desires that every ground of complaint may be fully inquired into. In order, however, to prepare for his defence, he requests a specification of the charges and complaints intended to be exhibited and preferred against him, under the general clause above quoted, as well as the names of the accusers (if any) and of the witnesses intended to be respectively examined upon said charges."

When the paper was presented the judge advocate stated that he could not give any specification of the charges. That it was a general enquiry into the official conduct of commodore Elliott, and that the official conduct of commodore Elliott, and every ground of complaint made by the witnesses in the course of examination. The court then said that if the judge advocate would comply with the request of commodore Elliott, it would be a great convenience to all concerned, and promote economy of both time and expense; but as the judge advocate could not, from the nature of the inquiry, comply with the request, the court would give commodore Elliott ample time to prepare for his defence. The president of the court wished commodore Elliott to file the first part of the above relative to the form of enquiry, in order that the attention of the navy department might be called to its peculiar character; but commodore Elliott stated that the nature of the paper might be better understood if but a part of it were published, declined, and at the suggestion of the court, with the concurrence of the judge advocate, the whole paper was withdrawn.

THE LIFE BOAT. We are pleased to learn that government has ordered one of Francis's patent life boats for the cutter Madison, of this port, and that it has arrived at the present week. The boat is about 30 feet in length. The manufacturer gives assurance that it may have a dead weight of 1,500 pounds of iron placed in her bottom, and as many men get in and about her as can—that all plugs may be taken out, leaving her bottom open, and then if all the engines in Portsmouth should play into the boat at once, they could not get her below the surface. We have before us an engraving and extended description of the boat, with certificates from the best informed naval and maritime men, which may be seen by those who feel desirous of attaching one of these important appendages, which no ship should be without. In how many cases valuable lives of our townsmen might have been preserved by a life boat at hand, it is not for us to decide; the cause of humanity, however, demands attention.

The following extract is from a report made by lieutenant Edmond de Chaille, of the French steam frigate Yeloc:

"During my visit at Washington, I was exceedingly interested in the examination of a life boat, invented by Mr. Joseph Francis, an American boatwright. The beautiful system of simplicity with which Mr. F. has constructed this boat, will enable her to navigate amid the most boisterous surges without the least danger of capsizing. She may even be broken in a partial degree, and yet retain her buoyant qualities.

"In case of shipwreck, she is eminently qualified to save the crew of the ship. She may, with great facility, be sent off from the shore, where the coast is lined with dangerous rocks or shoals, in aid of vessels in distress, and render them great assistance by carrying out lines or warps in severe tempestuous weather. In short, to serve in all respects as a perfect life boat, insubmersible.

"After several experiments, I plunged the boat into the water, so as to fill her entirely, and the moment she was let at liberty she instantly rose upon the surface from her own impulsion; the water which she contained making its escape rapidly from her sides. There are several openings in her which allow the water to run out, from which cause the boat always keeps her position above water, even though she should be injured by a shot or stove against a rock.

"Vainly did I endeavor to upset this boat by centreing her on one side until the water came in; the centre of gravity being so placed in this new construction, that the boat is always brought back to

her natural position, the water constantly discharging itself with great facility.

"I am the more of opinion that this is a most excellent boat, and that it would be very advantageous to every vessel to have at least one boat of this construction, which is as simple as elegant.

"Upon the whole, I am induced to think, that this invention of Mr. Francis's is calculated to afford the most important services to navigators of every country, and to all mankind."

[Portsmouth, N. H. Jour.

THE SAILORS' CAUSE. It is gratifying to witness the exertions now making among the humane and enlightened, in the seaports of the United States, for the amelioration of the condition of the poor sailor. There is no class of persons to whom humanity has done so little justice, and none for whom humanity has done so little. The neglect with which the seaman has been treated, so far as regards his mental and moral culture, is a disgrace to civilized Christian nations. We are glad to see, from recent proceedings, that New Orleans is resolved no longer to lie under this reproach. A society called the New Orleans Port society, auxiliary to the American Seamen's society, has been organized for some time in this city and in full operation. The celebration of its anniversary took place last Sabbath in the church on Lafayette square. The hon. J. W. Breedlove, the collector of our port, was called to the chair, and presided during the progress of the meeting. After some preliminary proceedings, the report was read by the chaplain and secretary of the society, Rev. Mr. Loring. From the report, we learn that the labors of this benevolent institution have accomplished much good during the last twelve months. A reading room has been opened, where sailors attend in considerable numbers. A boarding house has been established on the temperance principle, where the honest jack tar can find comfortable lodgings and good society; and thus avoid the besetting influences of the usual haunts of vice and dissipation. The happy effects of these efforts, are seen in the reformation of many, who were once the victims of intemperance and its kindred evils.

Reports were also read from other societies in the United States, showing beyond all question the practicality of ameliorating the condition of the seaman, and elevating him in the scale of civilization and moral dignity. In fact the result of the establishment of these societies has been every where, not only to afford the sailor a place of refuge from temptation; a home—but the means also of gaining admission into a good and respectable society, where various associations and influences operate to the reformation of his character. During the course of the exercises several addresses were delivered. Among the speakers none excited more interest than the honorable Mr. Buckingham, the celebrated oriental traveller. He opened his remarks by justly claiming to be heard in behalf of sailors—since he was of the fraternity—"cradled on the billows"—he had passed his youth among them—had made the sailor's life his profession—(the hon. gentleman, we understand, has held a distinguished rank in the royal navy). He bore testimony to the chivalry and virtues of their character. He commented on the merits they possess as the pioneers in discovery of new countries—as the bold spirits that opened the way and penetrated the way to a new world; that science and commerce, security from foreign invasion, the enjoyment of luxuries at home, and other countless benefits, are the products of their energy, skill and toil. The hon. gentleman's remarks, and the plans he proposed excited so great an interest that it was deemed proper and advisable to give another opportunity to the public of hearing them, and operating upon measures for the advancement of the cause. The meeting was therefore adjourned till to-morrow evening, at the same place, 71-2 P. M.

[N. O. Com. Bulletin.

AMERICAN SAILORS IN THE ENGLISH NAVY. It is a fact well known to many of our officers, that a large portion of the seamen in the English navy are now composed of Americans; and this disposition to sail under the British flag is more in vogue than ever. As a recent among our tars at present that more than forty of the crew, who were discharged from the frigate United States in this port, have since re-shipped in Liverpool for the British service. We cannot account for this, except that the admiralty have offered the greatest encouragement to sailors entering their service. During the wars of the continent, when it became necessary to keep the whole navy of Great Britain at sea, no means was left untried to entrap sailors in the service, and every temptation was thrown in their way, to keep them quiet in their state of dependence. But the evil consequences arising from

this system of coercion, have caused a great change in the mode of treatment; salutary laws, making it compulsory upon captains of vessels to give liberty to their men at stated periods, and doing away with corporal punishment, except by trial of drum-head court-martials (technically called) and various others, have had a wonderful effect in dissipating the unpopularity of that service.

We are of the opinion, too, without reference to the importance of many beneficial laws, made for the encouragement of seamen, that the English service holds out much the most lucrative situation. In our service a seaman receives twelve dollars monthly wages, with no small stores allowed, whereas, in the British service, a seaman's wages are £2 10s. with small stores, amounting to fourteen or fifteen dollars per month, and clothes furnished at a much less expense than in ours. This difference is owing to the bill for the payment of our seamen having passed congress as far back as 1798 being graduated by the standard for labor at that time; and since this, though the value of labor has so much increased, nothing has been done. It is to be hoped that this government will take this subject into consideration, and make some legislative provision for the protection of a class of men who, from their hardships and sufferings, are entitled to more sympathy than any other persons in the world.

[Boston Atlas.]

HOUSE OF REFUGE DESTROYED. Between eight and nine o'clock this morning a fire broke out in the centre building of the house of refuge, and was not extinguished till that and the wing nearest the Bloomingdale road were totally destroyed, the walls only having been left standing. When we left the place at 12 o'clock the fire was nearly subdued, but the engines were still playing upon the ruins.

There were about two hundred boys confined in the buildings, two or three of whom, it is supposed, escaped during the confusion. The greater part of the remainder, we are informed by the superintendent, worked manfully to stay the progress of the fire, and it was mainly owing to their exertions that the property in the building was saved.

There is no other way to account for the origin of the fire, than to suppose that it was designedly communicated by some of the boys. There was an insurance upon the premises, but probably not sufficient to cover the pecuniary loss.

This is the second disastrous fire with which the refuge has been visited. The first destroyed a spacious new building, about three years ago, very soon after its erection, which had been designed for the female department. That edifice was not rebuilt, for the reason that the proprietors of the surrounding property were then concocting measures to force a removal of the institution to another locality. Their purpose was accomplished, and the present calamity will be the less severely felt by the board of managers, from the circumstance that the new buildings are almost ready for use.

The new locality is upon the margin of the East river, south of, and contiguous to, the Bellevue almshouse. In consideration of the removal, and the relinquishment of the buildings now partially destroyed, the corporation gave the board of managers the building on the East river known as "the fever hospital," built in 1824. Another spacious edifice has been erected on the premises, which we believe is nearly completed. The situation is very beautiful, and will be found in all respects more eligible than the present—albeit the managers will miss their shrubbery, their fruits and flowers, and their vineyard. [N. Y. Com. Advertiser of May 22.]

DEBT OF NEW YORK CITY. The official communication of the mayor of New York to the common council states that the funded debt of that city on the 1st instant, exclusive of the loans for the construction of the Croton aqueduct, and to indemnify certain persons for property blown up during the great fire, was \$1,123,900. Including said loans, \$3,948,953. Increase of debt during the year ending 1st May, \$56,694, exclusive of fire and water loans. The city owns real estate to the estimated value of \$15,663,913, producing an annual income of 166,192. A large proportion of the property is unproductive. The amount thus far expended upon the aqueduct is \$2,326,976. About eleven and one-fifth miles of the work have been completed, being about a quarter of the whole distance.

The expenses of the almshouse department have amounted, during the year, to the enormous sum of \$250,000, including \$23,000 paid for salaries of officers, &c. In addition to the expense of their living. Amount expended for out-door poor, 28,364 dollars. The mayor urges the necessity of diminishing the expenditures of this department.

The expense of cleaning the streets amounted last year to about \$150,000. Number of miles of street to be cleaned, 134. Formerly this department was a source of profit rather than expense to the city. The mayor suggests the expediency of leasing out parts or sections of the city for cleaning, at auction, annually.

The public schools of the city comprise 16,395 pupils: Amount expended \$100,000.

The amount received for commutation of alien passengers, was last year only \$11,887 50; in 1837, \$67,523 50; in 1836, \$37,338.

OLD SCHOOL PRESBYTERIAN GENERAL ASSEMBLY. The whole of the morning session was occupied with exercises connected with the 50th anniversary of the general assembly. The proceedings throughout were full of interest, and were listened to and participated in, with deep attention by a large number of persons.

In the afternoon, after the transaction of some business of minor importance, the second report from the committee on the state of the church, was taken up, and considered in detail. It is conciliatory in its character, and is intended to bring about an amicable adjustment of the difficulties between the two bodies, and to prevent further litigation.

As soon as we can obtain a correct copy, as finally acted upon, it shall appear in our columns.

[Phil. Inq.]

NEW SCHOOL GENERAL ASSEMBLY OF THE PRESBYTERIAN CHURCH. Tuesday May 21st.—After the proceedings had been opened with solemn prayer, the meeting proceeded to the order of the day.

The assembly resolved itself into an intecoury meeting, when several memorials were presented and read on the subject of slavery.

An informal discussion took place in reference to the memorials, in which Mr. Ranken, Dr. Hill and other members took part.

No action took place on the subject.

After the usual recess, the assembly in afternoon session, nominated delegates to the corresponding societies of Massachusetts, Maine, Rhode Island, Connecticut, and other states.

[B.]

A SKETCH FROM LIFE. An old fellow, whose name we veil under that of Hunkis, died in the adjacent town of Charlestown, last week, who had been a capital subject for Dickens, and might have sat to Scott for his immutable character of Trappois in the Fortunes of Nigel. He was a miserly, close-fisted old hunk, a real skinflint, who, it was supposed, by his neighbors, had scraped together, as such characters will, in one way and another, a considerable amount of money. This was not known, however. Some said that he had money concealed in the earth; others, judging from the slovenly manner in which he lived and dressed, that he had nothing but the few acres which he cultivated. He lived like the poorest, shutting his door upon every intruder—fill at last death knocked, and he was obliged to open.

During his sickness, he was wont to send daily for a succession of silver and gold, hid in the wall of his cellar, which he would count over with that feeling of painful delight, which inhabits the bosom of the miser alone. "Disease, however, wore down his frame rapidly, and at last, he was unequal to the task of going through his daily custom of counting the pieces in his purse, and could only as they were displayed before him, pat them softly with his hands, as a lady pats her favorite dog on the back. One day, during the last stages of his disease, he sent for a neighbor, and expressed a wish to impart a secret to him. Go down the cellar, (said he), and in the further corner you will find a tub. Raise it, and you will see a shingle, beneath which is a box." The individual followed the directions, and found a box of specie. "Now go to another corner" (said the miser), describing the place. Another box was found, embedded in the earth.

A day or two after, when he found he must leave all his earthly treasures, he desired to see raised up in his bed. His request was granted, when he immediately reached out his skinny hand beneath his pillow, and low—another box was found cunningly concealed containing about five hundred dollars in French gold pieces, which it is understood he took from one of the banks about the time of the suspension of specie payments. All these buried treasures were given in the keeping of his neighbor for the benefit of others. He said there was one other box, but that he didn't like to tell where it was; as he might want it himself. He however consented to write the place of interment on a piece of paper, so that the secret might not perish with him. He died soon after, and his hidden treasures—no inconsiderable sum—were counted over at the close of the funeral ceremonies.

This died, at an advanced age, one whose only aspiration, through a long life, seems to have been the hoarding of specie and burying it, where it could be of no earthly benefit to any one—a perfect miser—a lover of money, not for the blessings which it might impart and diffuse around him, but for its own sake—not for the name of possessing it—for he feigned, and was thought to be poor—but because the mere habit of acquisition had become a passion, and the bare consciousness of possession was a pleasure—a phantom of delight, which he could hug with rapture to his bosom. Well will it be for such if they have laid up treasures in heaven as well as on earth. But we will not sermonize—the lesson conveyed by the sketch is left with the reader.

POVERTY IN DUBLIN. A gentleman writing from Dublin to a London journal says: *three thousand and four hundred* beggars, in all their filth and rags, are now marching past my windows as I write; some of them carrying placards, with various statements of the condition of the mendicity institution—"eight hundred pounds in debt for food alone" is one of them—"we must beg or starve," another. Heading the procession are the benevolent gentlemen of the committee, and after them several floors filled with the children of the schools! The poor lasts will not come into operation until next year; in the mean time the immense number of wretches may perish, if not supported by the citizens. The poor law commissioners have no power to advance money, nor will the government.

The reason of marching such a procession through the streets is stated by the writer to be, that "since the poor laws bill passed, the public have ceased to give the usual voluntary contributions to the mendicity institution. Appeal after appeal has been made to them in vain, and the only alternative the managing committee have is to march them in procession through our most fashionable and crowded streets. Phila. North Amer.

A LEARNED BLACKSMITH. Mr. Elisha Burnett, the learned blacksmith, illustrates fully what a man can accomplish under almost any circumstances, if he possesses only application. Mr. B. has worked for many years as a blacksmith, and continues now to labor two-thirds of the day at the anvil, in Worcester. The other portion of time he devotes to his studies, and already he has acquired a knowledge of *five different languages*. Last year he addressed a letter to the president of the royal society of antiquaries in France, written in Celto Breton, one of the provinces in that kingdom, but now an obsolete language. The president of the academy replied to his letter, and the correspondence has been published in a volume just issued by the society in Paris, a copy of which has been sent to Mr. Burnett, of Worcester. He certainly has made great acquisitions as a linguist, and discovers most commendable application, if not mental power.

[Northampton Courier.]

A RARE DOCUMENT. In looking over some old family papers which have been accumulating for more than a century, we came across the following original message from Gov. Tryon to the colonial legislature of North Carolina, then in session at Newbern. How it came into our possession, we know not, but it is an interesting memorial of by-gone days, and we therefore publish it. The hand writing is bold and free, and quite in keeping with the character of the communication:

[Raleigh (N. C.) Register.]

Mr. Speaker and gentlemen of the house of assembly.

Upon looking over the Votes of Your House, I find some Resolves upon Your Journals; Resolves, that, after the Assurance I had given You in my Speech, have sapped that Foundation of Confidence, and Gratitude; have torn up by the Roots every sanguine Hope I entertained, to render this Province further Service, if in Truth I have rendered it any; and made it my indispensable Duty, to put an end to this Session, as I shall therefore require Your Attendance on Monday next, when You will present to Me such Bills as may be then prepared.

Wm. TRYON.

Newbern, the 4th November, 1769.

THE WATER PINK. It is difficult in some case to draw the line between the animal and vegetable kingdoms.—The sensitive plant possesses qualities which entitle it to rank in both, but the most curious combination of vegetable and animal properties is met with in the water pink, and the animal grass which grows in port Mahon, in the Island of Minorca. They are thus described by Mr. Jones in his sketches of naval life:

As I sauntered along the shore of the Bahrer, my attention was drawn to a beautiful flower at the bot-

tom, where the water was nearly a fathom in depth. It grew on a stock about three-eighths of an inch in diameter, and about ten inches in length, was, in shape like an inverted cone, about ten inches in diameter, and was variegated with brilliant colors, red, yellow and purple. It was a beautiful thing, and I wanted it so I determined to knock it off; hoping some chance might bring it to the shore, I threw and saw I struck it; when the water was cleared up, the stalk was there but I could not discover the flower.

After a vain search, I went on further, and came to another, near the shore, I thought I was sure of this, and got a stick to draw it to me, when as soon as I touched it—quash—the whole disappeared. It was all animal—flower and all. I have since procured several, and have preserved them. The stalk is formed by concentric coats of gristly matter, which is transparent when the outer one is removed. It is attached to the rocks below. This forms a tube, which is an animal about seven inches long, with two rows of feet in its whole length; at its upper end is the head, and rising from the latter the flower I have spoken of. This is formed by a vast number of fibres, each with an exceedingly fine and variegated fringe placed like that of a feather; they do not form a single cup, but several; and their roots are so ranged as to produce a spiral channel reaching to the animal's mouth. They have a strong sensitive power, and as soon as touched, are dragged by the animal into the stalk.

After a few minutes, it ascends again, and the flower spreads out as before; doubtless they are intended for taking food. A touch will spoil them, so delicate are they formed. I cut off the flower, and passed a paper under it in the water then by laying it on a board, and pouring water on it, spread it out as I wished it. They are of the ceraline species, and are called water pinks by the natives. I can take you, too, to parts of the harbor where the bottom is covered with tufts of grass, some green, some dark colored, some in plain tufts, and others with a star in the middle; this grass, too, is all animal, and if you touch it, will disappear in the ground. There is a large quantity of it just north of the Hospital island.

TWO DAYS LATER FROM ENGLAND.

The ship *Hibernia*, captain Cobb, arrived at New York on Thursday morning from Liverpool, whence she sailed on the 22d of April, two days after the Liverpool. The editors of the Commercial Advertiser have files of papers from London to Sunday the 21st, and Liverpool 2nd, both inclusive.

AFFAIRS OF IRELAND.

The grand debate on the Irish policy of ministers was brought to a close on the evening of the 19th, almost every member that ever spoke at all having taken part in it. The ministerial majority on the main question was 22, the vote being, for Sir Robert Peel's amendment 296, against it 318.

Mr. Duncombe's amendment was killed by a majority of 218—the vote being for the amendment 81, against it 299.

No other business of interest was transacted in the house of commons, except an arrangement that the bill for suspending the constitution of the island of Jamaica should have its second reading on the 22d, and that counsel should be heard at the bar upon it.

In the house of lords the names of lords Clarendon, Stradbroke and Portman were substituted for those of lords Lansdowne, Duncannon and Gosford, on the Irish committee of inquiry; the latter having declined serving.

Lord Abinger called the attention of the house to the progress of arming in Lancashire, stating that the magistracy were who took an active part in supporting the laws had apprehensions that their lives were in jeopardy.

A terrible scene occurred at Woolwich, at the infliction of his sentence upon a soldier who had been condemned to receive 150 lashes. A recruit had his feelings so harrowed by the scene that he went mad, shrieking dreadfully in his frenzy, and committing various acts of violence, so that it was with difficulty he was secured and taken to the hospital.

The London Sunday Times, of April 21, charges Mr. Freer (a comedian who has lately arrived in New York) with leaving his wife and family destitute in London; and also brings the same accusation against Mr. Burton now a popular actor in Philadelphia.

A female radical association has been established in Lancashire—the women doing all the speaking, although men are allowed to be present at the meetings.

The Chartists have commenced a regular system of drilling under the instructions of disbanded militia men; but using sticks instead of muskets.

The London Globe denies that it ever gave any authority for the reports circulated by some of the Tory papers, as if copied from its columns, announcing the approaching marriage of Lord Melbourne and the duchess of Kent.

If we may judge from the police reports in the London papers, the use of the Bowie knife is getting to be quite as fashionable in England as in Mississippi or Arkansas. No less than nine or ten cases of stabbing are reported in the journals before us.

A farther payment of 50 per cent. has been made by order of the queen, to the creditors of her father, the late duke of Kent. The funds provided for this payment are from the queen's privy purse.

The treaty so long in agitation, confirming the separation of Holland and Belgium, was signed on the 19th of April by the representatives of those kingdoms and of England, France, Austria, Russia, and Prussia.

There is no intelligence of interest from France except the fact that the opposition had been successful in electing three of the four vice presidents of the chamber of deputies. The four elected were Calmon, Teste, Etienne, opposition; and Cuningrède, ministerial.

No ministry had yet been formed, but marshal Soult was still negotiating for that purpose.

There is nothing new from Spain.

The following which we copy from Galignani's Messenger, is "important if true."

We have received the following from a correspondent at Cairo, dated the 26th ult. "The pasha of Egypt has declared to colonel Campbell his intention of abolishing slavery immediately in all the countries subject to his authority. This declaration has given universal satisfaction to the Europeans in this city. The pasha speaks with great exultation of the moral and political effects of his visit to Nubia and Abyssinia. He has left 700 workmen and miners to work his gold mines on the white Nile, which he expects will prove highly profitable.

London society for teaching the blind to read. The first annual meeting of the friends of this institution took place on the 19th of April, the marquis of Cholmondeley in the chair.—He was supported by the bishop of Chester, colonel Southerby, captain Clarke, rev. Messrs. Hughes, Beamish, &c. &c. There were upwards of 1,000 ladies and gentlemen present. A group of the little blind pupils was on the platform.

The report stated that the school was opened on the plan of the late ingenious Mr. Lucas, of Bristol, who had taught several children to read with great expertness, off embossed stenographic letters of his own invention. The school was now in operation in Gloucester street, Queen square, Bloomsbury. Since January, 1838, it had received 26 males and 27 females, of whom 12 could read with facility. There were now in the school 33 children. Some who could not pay, were taught for \$10 for six months, the destitute were taught gratis. Other useful arts were also taught. Her majesty the queen and queen Adelaide were at the head of the manufacturers. The bishop of London was president. The receipts for the year had been £347, of which there was a balance £23. Several speeches were delivered in support of the society. Several of the children read well before the audience. A liberal collection was made; thanks were then voted the noble chairman, who is a warm friend to the school, and the meeting separated.

Paris, April 18. Five per cents, 110f. 30c. 25c. 30c. 35c. 30c.; four and a half per cents, 105f. 10r per cents. 101f. 50c. 40c.; three per cents, 81f. 25c. 30c. 25c.; bank actions, 2,665f. 2,670f.

Half past three o'clock, P. M.—last prices. Five per cents, 110f. 35c.; three per cents, 81f. 40c.; bank actions, 2,670f.

STILL LATER FROM ENGLAND.

By the packet ship England, captain Benjamin L. Waite, the editors of the Commercial Advertiser have received London papers to the 23d of April, and Liverpool to the 24th, both inclusive. The England sailed on the 24th.

The parliamentary proceedings on the 22d were of very limited interest. The Jamaica government bill had its second reading in the house of commons without discussion. Sir Robert Peel expressed his hope that the bill would not be treated as a party question, and avowed his determination to support the measure if, after hearing counsel against it there should appear to be a real necessity for its adoption. He thought, however that time should be allowed the colonial house of assembly to reconsider and reverse their decision.

Mr. Burge was then introduced and proceeded to address the house against the bill, as agent for a number of the inhabitants of Jamaica. He concluded at a late hour, and the farther discussion was postponed until the next day.

At the date of the latest advices from Paris—Sunday, April 21—the following list was in circulation, as likely to be gazetted on Monday:

Sont; president of war; Thiers, foreign affairs; Dupin, justice; Passy, interior; D'Argout, finances; Sauzet, instruction; Dufaure, commerce.

From the Liverpool Courier, April 24.

Trade. There was rather more business done in Rochdale piece market last week; but there is no improvement in prices. The wool market has been more than usually dull, and very few sales have been effected at any price.

Leeds markets continue very dull; there are very few buyers, and they are very difficult to please, and there is every appearance so far that we shall have a very dull trade this spring. Buyers are extremely cautious, and will not buy to any extent.

At Halifax market last week, the sales were considerable for all kinds of goods, and stocks moderate, with no variation in the value of any article. Wool in good sale at steady prices.

There was a slight falling off last week at Huddersfield in some descriptions of fancy goods; but Tweeds, doe-skins and other fancy woollens of new styles are still in great demand; and our coarse woollens are purchased freely for export. Light fancy goods, such as waistcoating, move freely at good prices. Wools of finer descriptions remain firm, while worse qualities are a shade higher, and rather scarce. There is a pretty good business doing in the warehouses; and, on the whole, a satisfactory business is doing.

During the last week an average amount of wool changed hands at Bradford, but the consumers still complain of the disproportion between the prices of the raw material and the manufactured goods. Prices of yarn remain firm, and a fair business is doing. We cannot quote any improvement in goods: from the poor demand and extreme low prices, manufacturers are placed in a very unenviable situation.

From the London Morning Herald, April 23.

The state of the money market, either on the stock exchange or in the commercial market, does not require much comment. Symptoms of eassness, have, however, presented themselves to-day, which have had a tendency to improve the quotations in the British and foreign funds. The former are decidedly firmer than they were at the close of last week, and consult left off to-day at the improved rate of 92 7-8 for money, and 93 a 93 1-2 for the account. The three-and-a-half per cent. reduced annuities are 99 1-2 a 99 1-8, and the new three-and-a-half per cents 100 5-8 a 100 7-8 for money. In banking shares, British North American are 14 premium.

London corn exchange, April 22.

Markets, &c. In consequence of the large supply of English wheat being could not be effected without giving way in price 2s. to 3s. per qr. on pickled samples, and 3s. to 4s. per qr. on middling and inferior parcels, but as much of this day's showing was of very superior quality, being both heavy and in fine condition, many of our leading millers appeared more disposed to get into stock, and a fair extent of business was transacted in home growth, while foreign met a slow sale, much such being offered at a decline of only 1s. to 2s. per qr. and the present arrivals are going into bond. Flour was without alteration in value, with limited sales.

Liverpool corn market, April 23.

Besides an import of 25,000 quarters of foreign wheat, and 15,375 bbls. American flour, there is this week an increase in the supplies generally. Of the foreign produce, the whole, except 3,420 quarters of wheat and 5,325 bbls. flour, has been liberated at the rate of 5s. 8d. per quarter. The import is now increased 108. 8d. and in a fortnight will probably reach 13s. 8d. per qr. Prices have been rather on the decline. The flour market has ruled dull; English and Irish manufacture is now offering at 45s. to 54s. per 280 lbs. United States sweet at 37s. to 38s. per bbl. of the latter, however, there is not much pressed for sale, many of the importers declining to accept present rates.

At to-day's market, which was numerously attended, a fair extent of business was transacted in wheat, at a decline of 4d. to 6d. on fine, and 2d. to 3d. per bushel on inferior descriptions. Flour was 1s. per sack cheaper.

Liverpool cotton market, April 22.

The demand to-day continues limited, the sales amounting only to 1,000 bales, taken by the trade at the previous rates of the week. The market continues flat, and the prices are rather lower to-day. The sales amount to about 2,000 bags—consisting of 150 Peruvian, at 9d. to 9 3-4d. 100 Maranh. 8 3-8d. to 9 1-4d. 450 Surat, 6 1-4d. to 7d. the remaining American, at 8 1-4d. to 10d. On Saturday, 800 bags were sold.

April 23. The sales to-day are 600 bales.

FRANCE.

The packet ship Poland has arrived at New York, from Havre, bringing Paris papers to the 31st March. We submit from the New York papers a summary of their contents.

On the 28th, marshal Soult had another interview with the king, in which he proposed, it is said, a new list of ministers, as follows: himself being minister of war and president of the council; foreign affairs, the Duc de Broglie; home minister, M. Passy; finance, M. Humann; of the navy, admiral Dupere; justice, M. Sauzet; commerce, M. Duchate; public instruction, either M. Teste or M. Cunin Gridaire. M. Guizot or M. Dupin, to be the president of the chamber of deputies.

The Duc de Broglie had consented, it was said, to come in under this arrangement, but only during the approaching session of the chambers.

One of the Paris papers says that in an interview with the king, on the 29th, M. Thiers expressed his willingness to accept a foreign mission, for the sake of removing the difficulties his presence occasioned in the way of forming a ministry, but that Messrs. Passy, Sauzet and Dufaure refused to join any ministry of which M. Thiers should not be a member, and that the arrangement proposed by marshal Soult therefore fell through.

The *Moniteur Parisien* formally contradicts the reports set on foot by some of the other papers, that military preparations had been made in Paris, in apprehension of popular commotions.

Three per cents, at 2 o'clock on the 30th, stood at 80c. 5c.

The fête of Longchamps was very much interrupted by rain.

There had been a young *emute* at the Prussian town of Cleves, the population of which is mostly Catholic. They wished to punish certain Protestant ministers for writing books unfavorable to the Catholic religion. The publishers shop was pillaged, and order was restored only on the arrival of troops from Wesel.

Intelligence had been received in Paris of signal punishment having been inflicted by the French frigate *Heroine*, upon the natives of Chatham island, for attacking the whaler *Jean Bart*. Two villages were destroyed.

The Belgian senate adjourned March 27, after concurring with the house in accepting the treaty as agreed upon by the five powers.

Haute market, March 30.

Cotton. So long as the ministerial crisis continues, commerce will be deprived of the necessary elements of prosperity. A complete calm prevails in the cotton market, the sales during the week amounting to only 200 or 300 bales per day. Some holders of American have submitted to a reduction of 1/4 a 2c. compared with last week's prices. Arrived during the week 124 bales, sales 1,724, stock on hand 69,000.

SPAIN.

A letter of the 25th inst. from Bayonne states, that a report had arrived on the 23d at Tolosa, from Cabrera, announcing that he had defeated the Christians in two actions, at Jesse and Alloya. Maroto had not yet quitted Estella, where he had been detained by serious illness. Typhus fever is said to be raging with destructive violence in several parts of Navarre.

EXTRACTS FROM THE HISTORY OF THE CANADIAN INSURRECTION.

BY THE HON. L. J. PAPINEAU.

The British government will be able perhaps for some time longer to continue its military occupation of the Canadas, but inasmuch as it has commenced a civil war against a people who had not provoked it—to whom it was not recommended—who wished it not when it broke out, that government has forfeited the right, and irrevocably lost the possibility of ruling those provinces.

Sixteen years ago I complained to Lord Bathurst, then colonial secretary, in accents of kindly felt grief, how heavy was the yoke, how humiliating the condition of our colonial servitude. He agreed with me in opinion, in somewhat the following terms. I give this conversation because it throws great light on the political views, on the secret apprehensions and hopes of England.

"I agree," said Lord Bathurst to me, "that for continental possessions, the population of which doubles in a few years, the system of government of which you complain can for those subject to it be only a period of stormy transition, of sickly change to be followed by bright days, an early organization of political existence and national independence. I even believe that the period of suffering will be short for you. French Catholics ruled by English Protestants, yours, it must be acknowledged, is a forced, unnatural position.

"You are too far from England properly to appreciate her, and too near the United States of America not to be dazzled by their deceitful prosperity. I ask you then for five and twenty years of patient resignation. Before the end of that time, however, I as a statesman foresee and foretell a violent separation of the different parts or the American confederation. England will then be prepared to grant to those colonies which will have remained faithful to her, both independence and institutions superior to those at present based on the federal compact.

"Democracy, disengaged from all counterpoise, would finally become impetuous and bring about a state of anarchy, whilst it would be the best government possible tempered with a hereditary magistracy, the perpetual existence of which would be guaranteed in all its splendor and force by means of hereditary peerages and entails. It is well understood that the British government would invest such honors in influential men such as you, if they would agree to lend themselves to such a wise arrangement.

"In giving your support to this plan, and in persuading your countrymen to receive it cordially, you would hasten for your country the era of happiness and power. Wealthy English families favorable to hereditary institutions, and rich families of the United States, at present disgusted in consequence of the feeble influence which the ascendancy of democracy has left them, would be attracted thither.

"You would, on the other hand, find in influential families as well within as out of the province, the material from which to constitute a strong government, which would contract with us an alliance offensive and defensive similar to that which binds Portugal to England. Thus you would have nothing more to fear from the encroachments of your ambitious neighbors. They are already too formidable, and capable, if possessed of the resources of Canada, though small, in addition to their own, of affecting British supremacy on the ocean.

"Now if ever England should descend to the rank of a third rate power, it would be a morture to humanity; for with institutions so perfect as her's, and a supremacy generally recognised, England is, on the continent, the main-stay of every oppressed people, on whose representations absolute governments have often been arrested in their tyrannical projects." * * *

Lord Bathurst promised reforms. None have been effected though the time is passed by.

The intinate friend of a great many of my brother representatives, honored by the esteem and confidence of all, inasmuch as they have for twenty years, often unanimously, always by large majorities, elevated me to the speakership of the house of assembly, I am intimately acquainted with all that has occurred in Canada up to the moment when the troubles broke out. I am acquainted with all the actions and opinions of twenty-five of my colleagues, and of many prominent citizens, some of whom have suffered death, others of whose lives, like me, had, at various times, been set on their heads, and been, like me, driven into exile without a trial, or closely confined, often unaccused, always without being confronted with their accusers; and afterwards liberated untried, although they urgently demanded verbally or in writing, a trial from the blood-stained dictator Colborne, or from the more hollow-hearted but not less vindictive dictator, Durham. For were they not all suffering from the same punishment? They were all guilty of the same crime. Their virtues were dear to their fellow citizens; odious to their foreign oppressors.

Now I defy the British government to contradict me, when I affirm that none of us had prepared, desired or even foreseen armed resistance. But that government had determined to rob the province of its revenue and of its representative system. It had determined to devote us, some to death, others to exile. * * *

no longer my business to be the accuser of the British government, that has been my duty for thirty years of my public life. That government itself has confessed its own guilt in the hundred and twenty folio pages which Lord Durham has just published. Systematical corruption, shameless peculations, antipathies against the people, revolting examples of irresponsibility in the public agents, plunder of the public domain; nothing is wanting in the picture of Canadian misery—a picture so hideous that its duplicate cannot be furnished except by the history of another British possession—

IRELAND. Yet the author has uniformly softened down his accusations against the power of which he is the organ, whose leagued agents in the colonies he would still preserve by means so pitiable that they destroy his reputation as a statesman.

Correct when it accuses those in power, false when it accuses the people, Lord Durham's report will serve also to prove that Canadian independence is an event in the interest alike of Old as of New France, and of importance to the whole human race. With this view I shall here give an analysis of that work, which it is moreover essential to be acquainted with in order to appreciate the morality of the facts which I intend to relate.

"During a long time," says the report, "the Canadians have been excluded from all participation of power; all the officers of trust and emolument have been vested exclusively in strangers of English origin.

"Till within a very few years this exclusion was accompanied by an insolence which was more revolting to a sensitive people than the monopoly of power and profit.

"The races had become enemies ere a tardy justice was extorted [by the Canadians]; and even then the government discovered a mode of distributing its patronage among the Canadians which was quite as offensive to that people as their previous exclusion.

"Ever ago, will the present generation of French Canadians yield a loyal submission to a British government, never again will the English population tolerate the authority of a house of assembly in which the French shall possess or even approximate to a majority." "The militia, on which depends the main defence of the province against external enemies, is completely disorganized. The attempting to arm or employ it would be merely among the enemies of the government.

"In 1832 the number of emigrants who landed at Quebec amounted to fifty-two thousand.—In 1838 it did not amount to five thousand. Insecurity begins to be felt by the loyal inhabitants in the seigniories, so that many of them are obliged to quit their occupations and seek refuge in the cities.

"No consideration can any longer overpower among the Canadians a feeling which absorbs all others—that of hatred against the English. To assuage their vengeance and enjoy a momentary triumph—they are ready to submit to any yoke—to aid any enemy. Their ancient antipathy against the Americans has terminated. An American invading army may rely on the co-operation of almost the entire French population of Lower Canada."

On the other hand, "every measure of clemency or even justice towards their opponents, they [the British] regard with jealousy, for they feel that being a minority, any return to the due course of constitutional government would again subject them to a French majority; and to this I am persuaded they would never peaceably submit.

"But the hostility of races (its) palpably insufficient to account for all the evils which have affected Lower Canada, inasmuch as nearly the same results have been exhibited among the homogenous population of the other provinces.—Lower Canada or the two Canadas have not alone exhibited repeated conflicts between the executive and the popular branches of the legislature. The representative body of Upper Canada was before the late election hostile to the policy of the government; the most serious discontents have only recently been calmed in Prince Edward's Island and New Brunswick; the government is still a minority in Nova Scotia; and the dissensions of Newfoundland are hardly less violent than those of the Canadas. It may fairly be said that the natural state of government in all these colonies is that of collision between the executive and the representative body.

"A state of things so different from the working of any successful experiment of representative government, appears to indicate a deviation from sound constitutional principles. . . . When we examine into the system of government in these colonies, it would almost seem as if the object of those by whom it was established, had been the combining of apparently popular institutions with an utter absence of all efficient control of the people, over their rulers. Representative assemblies were established on the basis of a very wide, and in some cases, almost universal suffrage; the annual meetings of the bodies were secured by positive enactment, and their attributes were locally nearly as extensive as those of the English house of commons. At the same time the crown almost entirely relied on its territorial resources . . . for carrying on the government without securing the assent of the representative body either to its policy, or to the persons by whom that policy was to be administered.

"In Lower Canada, from the moment the assembly evinced any inclination to make use of its powers, it found itself in collision with the executive, and the practical working of the assembly commanded by its principal leaders being thrown into

prison. In the course of time, however, the government was induced, by its necessities, to accept the assembly's offer to raise an additional revenue by fresh taxes, and thus the latter acquired a certain control over the levying and appropriation of a portion of the public revenue in 1832."

The assembly after it had obtained the recognition of its rights was not more respected than before. "It could reject bills, grant or refuse supplies, but it could exercise no influence in the nomination of a single servant of the crown. Indeed instances are not wanting in which a mere hostility to the majority of the assembly elevated the most incompetent persons to posts of honor and trust. Laws passed after repeated conflicts, had to be carried into effect by those who had most strenuously opposed them.

"A governor arriving in a country in which he almost invariably has had no previous acquaintance, is compelled to throw himself almost entirely upon those whom he finds in power. He is generally brought thereby into immediate collision with the other parties in the country, and thereby thrown into more complete dependence upon the official party and its friends. . . . Fortified by family connections and the common interests felt by all who held, and all who desired subordinate offices, that (official) party was thus erected into a solid and permanent power, controlled by no responsibility, subject to no serious change, exercising over the whole government of the province an authority utterly independent of the people and its representatives, and possessing the only means of influencing either the government at home, or the colonial representative of the crown.

"The opposition of the assembly to the government was the unavoidable result of this system. . . . When nothing else could attain its end of altering the policy or the composition of the colonial government, it had recourse to that *ultima ratio* of representative power to which the more prudent forbearance of the crown has never driven the house of commons in England, and endeavored to disable the whole machine of government by a general refusal of supplies.

"The legislative council" (the second branch of the legislature is thus named) "must certainly be admitted to have been so composed as to give it no weight with the people or with the representative body, on which it was meant to be a check. The majority was always composed of members of the party which conducted the executive government, and was practically hardly any thing but a veto in the hands of the public functionaries.

"There is in it (the province) literally no power which originates and conducts the executive government. The governor, it is said, represents the sovereign; but he is in fact a mere subordinate officer, receiving his orders from the secretary of state and responsible to him for his conduct. . . . It has been the tendency of the local government to settle every thing by reference to the colonial department in Downing street, where it was next to impossible to have any sufficient information; and the colony has, in every crisis of danger, and almost every detail of local government, felt the mischief of having its executive authority exercised on the other side of the Atlantic. . . . The repeated changes (of ministry) caused by political events at home having no connection with colonial affairs, have left to most of the various representatives of the colonial department in parliament, too little time to acquire even an elementary knowledge of the condition of those numerous and heterogeneous committees for which they have both to administer and to legislate. . . . Since 1827 there have not been in the eight or ten colonial ministers, and the policy of each successive statesman has been more or less marked by a difference from that of his predecessor. . . . The most important business of government was carried on not in open discussions or public acts, but in a secret correspondence between the governor and the secretary of state. Whenever this mystery was dispelled it was long after the worst effects had been produced by doubts and misapprehension.

"The first want of a people is an efficient administration of justice. . . . Now it is a lamentable fact, which must not be concealed, that there does not exist in the minds of the people of this province, the slightest confidence in the administration of criminal justice.

"As for justices of the peace, the institution has become unpopular among the Canadians, owing to their general belief that the appointments had been made with a party or national bias.

"I am grieved to be obliged to remark that the British government has, since its possession of this province, done, or even attempted, nothing for the promotion of general education. . . . It has appli-

ed the Jesuits' estates, part of the property destined for purposes of education, to supply a species of fund for secret service, and for a number of years it has maintained an obstinate struggle with the assembly in order to continue this misappropriation."

Speaking of the colonies in which the population is unmixt and altogether English, Nova Scotia and New Brunswick, which formerly constituted French Acadia, and Prince Edward's Island, originally the Island of Saint John, the report continues:

"Their varied and ample resources are turned to little account. Their scanty population exhibits, in most portions of them, an aspect of poverty, backwardness and stagnation; and wherever a better state of things is visible the improvement is generally to be ascribed to the influx of American settlers or capitalists. Nova Scotia exhibits the melancholy spectacle of half the tenements abandoned, and land everywhere falling into decay. Lands that were every where forty or forty years ago at 5 shillings an acre are now offered for sale at 3s. . . . The people of Prince Edward's are permitting Americans to take out of their hands all their valuable fisheries from sheer want of capital. . . . These provinces, among the longest settled on the North American continent, contain nearly 30,000,000 acres, and a population estimated at the highest, at no more than 265,000 souls." [This population amounts only to 270,000.]

"What a contrast is afforded along the whole line of continuous frontier!

"On the American side all is activity and bustle, increasing wealth and progressive civilization.—Numerous harbors, containing numerous fleets, good houses, warehouses, mills, inns, villages, towns, and even great cities are almost seen to spring out of the desert.

"On the British side of the line . . . all seems waste and desolate.

"That painful but undeniable truth is most manifest in the country districts through which the wole line of national separation passes for 4,000 miles.—The difference in the price of land amounts in not a few parts of this frontier to as much as a thousand per cent. and in some cases even more. The average difference between Upper Canada and the states of New York and Michigan is notoriously several hundred per cent. The price of wild land in Vermont and New Hampshire, close to the line, is five dollars per acre, and in the adjoining British townships [of Lower Canada] only one dollar.

"Emigrants from Great Britain, instead of remaining in the colonies, fly in numbers to the states, and the entire population of Upper Canada, which should now have been 500,000" is in consequence "not over 400,000 souls." The emigrants to Nova Scotia and New Brunswick act in the same way.—"They generally proceed to the United States, as there is not sufficient encouragement for them in these provinces." Many of the old colonists follow the same example.

"Such are the lamentable results of the political and social evils which have so long harassed the Canadas; and at this moment we are obliged to adopt immediate measures against dangers so alarming as are rebellion, foreign invasion and depopulation, in consequence of the desertion en masse of a people reduced to despair."

Here we have British government portrayed by itself. Such is the flattering sketch of the condition to which those colonies have been reduced by an arrogant aristocracy which sets itself up as a model of wisdom and knowledge for nations to study and imitate, in order to learn how to govern themselves.

He who signed the above quoted report had the hardihood publicly to tell delegations in Canada—"it will not be a hundred years, nor three hundred years—nay, nor a thousand years that shall witness the separation of these provinces from the metropolis. They are one of the richest jewels in the crown, to which they must be an eternal dependence, and it is only to accomplish that object that I have consented to come hither, clothed with ample powers to secure it." If lord Durham believed not what he said, was there ever more shameless charlatanism?

The detailed history of lord Durham's mission would expose a degree of egotistical vanity almost incredible. His suite was composed exclusively of individuals full of vice and depravity, but who were not sparing of flattery; whilst he indecently repulsed those honest men who, on the faith of parliamentary eulogiums, approached to speak to him on any other subject than himself, or to bring him down from those giddy heights, where he was engaged in complacent reflections, on his own merits, to a land of tears and sorrows.

It is a singular selection as impudent as it was depraved did lord Durham, sent ostensibly on a mission of peace and conciliation, prove traitor to his

engagements, or was he only a cheat entrusted with the announcement of a plan begun the preceding year, probably by the imperial government, assuredly by that of the province, to drive the people to desperation in order to justify past excesses, or to afford a pretext for future ones? Be this as it may, the dictator so closely allied himself, even before his departure from England, through the intervention of his nephew, Mr. Edward Ellice, who acted on the occasion as go-between, with the old anti-Canadian faction in London, that immediately on his landing he put himself in communication with their agents, those English merchants at Quebec and Montreal, who had always proclaimed undying hatred to the people of Canada and their representatives. It was they who, since 1808, had concocted the tyrannical plan of government [a union of the provinces] of which lord Durham alone assumes the disgraceful paternity. In 1822 they were on the point of surprising parliament out of a vote of approbation in favor of it, which was prevented only by the unforeseen opposition of the virtuous Sir James Blackintosh.

On this last mentioned occasion the systematic deoatization of the British government developed itself more stupidly and more unblushingly than ever.

One of its agents, the under secretary of the colonies, exclaimed in the house of commons—"Make haste, I beg of you, and adopt this bill before those interested become acquainted with it, for if you do not, I predict that you will be importuned by their complaints and opposition. . . . We are informed that the great majority of the people are successfully opposed by a majority of the people of the Canadas. Selected as bearer of the protests of my fellow citizens, I found, I must confess, on the part of a Tory ministry, conservative and absolutists as it professed to be, a kind reception and honorable deference.—The union of the Canadas of which I speak is now more odious, more universally reprobated than it was then. Yet lord Durham, "the people's peer," imposed upon by the intriguers who deceived lord Bathurst, supports it cordially, and will, according to all appearances, palm it on the whig ministry. This he will not find difficult, for this ministry, whilst professing liberality and reform, has in all its conduct toward the British colonies, audaciously violated the most sacred laws of humanity.

A young woman of twenty years of age reigns in England; and it is under such auspices that hundreds of persons have been condemned to death by the two Canadas, by exceptional tribunals,—by courts martial! To obtain the approbation of their sovereign, I must believe that ministers have done violence to those feelings of pity natural to her sex and her age—I must remember that monarchy in England is only an instrument in the hands of nobles; a brilliant bauble with which jugglers dazzle on stated days, the eyes of the crowd.

To the disorders of which lord Durham has unfolded the endless picture—to the disorders more numerous and serious which he has not even mentioned, what claim does he pretend to oppose? He has pointed out the benefits which liberty has produced among independent Americans—the evils which despotism has produced among English Americans. He has demonstrated the impossibility of the continuance of British sway in Canada, and he concludes—to maintain the same state of things. What fatal inconsistency!

An historical account, brief and impartial, of the events which have passed in my country during the last two years, will carry to all minds the conviction that it is not British statutes which will regulate the future fate of Canada—but that that fate is written in the declaration of the rights of man, and in the political constitutions which our good, wise and happy neighbors, the independent people of the United States, have framed for themselves. These know that their revolution is not yet completely terminated. In the opinion of her best men, that revolution shall not have been completed until the day when the union will have no longer any other bonds than a power which, since the treaty of 1783, has not ceased, even in times of absolute peace, to intrude in order to bring about a dismemberment of the confederation—a restless power which has excited Indian wars which it perfidiously fomented by the distribution of arms and supplies to the warlike tribes, and maintained itself in the violent occupation of certain portions of territory, notwithstanding by the terms of treaties, these should have been, long before this day, restored to the Americans.—In fine, an ambitious power which no longer holds possession in the Canadas, in the legitimate view of commerce and colonization, but as a military post which is preparing to pounce on the American confederation, in order to subvert it through its division and ruin.

LOUIS PAINÉAU.

CIVIL ENGINEERING IN AMERICA.

BY CAPTAIN BASIL HALL, E. N.

From the *United Service Journal*, for February.

The navigation of the American lakes is a topic of the highest importance to naval men, for though their waters be fresh, and their depths fathomable they may be truly considered as seas; and in all that relates to the difficulties and dangers of navigation, they are deserving of the respect of seamen who have passed their lives on the ocean. And we shall accordingly advert, presently, to one or two circumstances of considerable importance, which may not be known to many persons whose duty it may become to serve in those regions.

It is interesting, however, to consider in the first place how these mighty lakes have been dove-tailed, as it were into the sea; on the east with the Gulf of St. Lawrence, and on the south by the Gulf of Mexico. By means of the canal which joins the Ohio with Lake Erie, the communication is opened between them and the Mississippi, and thence with the sea; while by means and the Erie canal, and Lake Erie is connected with Lake Ontario, and this again is joined to the river St. Lawrence below its rapids, by means of the Ottawa canal, that of the "Staff Corps," and the "La Chine;" and thus with the Atlantic, which may be said to begin at Quebec. Or if the purposes of commerce require a different route, Lake Erie may be quitted at Buffalo, on the American side, and a course pursued along the great Erie canal and down the Hudson to N. York.

"That the reader," says Mr. Stevenson, "may be able fully to understand the nature of lines of inland navigation, so enormous, I shall give in detail the route from N. York to N. Orleans, which are constantly made by persons travelling between those places:

From New York to Albany, by the river Hud-	150
son the distance is,	
Albany to Buffalo, by the Erie canal,	363
Buffalo to Cleveland, on Lake Erie,	210
Cleveland to Portsmouth, by the Ohio	
canal,	309
Portsmouth to New Orleans, by the riv-	
ers Ohio and Mississippi,	1,970

Total distance, 2,702

This extraordinary inland journey is performed entirely by means of water communication; 672 miles of the journey are performed on canals, and the remaining 2,030 miles of the route is river and lake navigation.

It may be well to pause here and reflect upon the vast means which these lines of communication afford for condensing the military resources of the nation at any one point; and which we surpassed the innumerable later ones by which the mighty rivers alluded to are kept in communication with the interior of the country, north, south, east and west of them, and take into account the canals, roads and rail roads which link the whole system together, and cover the land with a net work of highways, we may form some estimate of the prodigious force which so energetic a people as the Americans might bring to bear against an invading army. It is not likely indeed, that the United States will ever be invaded, but it is not less our duty to contemplate the difficulties of such an enterprise, and likewise to contemplate, with even more anxiety, the consequences which might attend any very unanimous feeling of hostility on the part of the Americans directed against Canada. We do not speak of such petty, marauding and disgraceful incursions as have lately disturbed the tranquillity of the frontier, and which, assuredly, found no sympathy in other parts of the union; but of any vast and simultaneous impulse, extending from end to end of that immense confederacy.

Without meaning any thing invidious, we may be permitted to speculate professionally on the time when the states, now so firmly united by the bonds of a common interest, may be ranged in hostile array against one another; and we defy the most active imagination to place limits to the extent and variety of military and naval contingencies which not merely may, but must, have place in a country so fertile in all the resources by which armies may be raised, maintained and put in motion.

It is the fashion to describe America as an empty country, with a virgin soil, and inexhaustible means of subsistence; but the truth is, that she is rapidly peopling up, and as the best soils are fully occupied, the inhabitants begin to jostle and rub shoulders at some places, very incommodiously; and although we may not, and probably shall none of us, live to see a break up in America, we think it by no means improbable that the present generation may see military demonstrations, and jealous movements of great professional interest; and it is on this account, as well as many others that we recommend to our professional brethren of both services, a more attentive consideration of the internal military resources of the United

States than has hitherto been given to them. We allude now exclusively to the physical resources of that country, for it is not our present purpose as to consider those complicated political relations (such as the slavery question) which in the opinion of many of America's best friends threaten to set the nations composing their huge and incongruous confederation by the ears. Our object, however, is chiefly to draw attention to the wonderful capabilities which America presents for every kind of locomotion; and as speed and certainty in such matters are the points of most interest to us in professional point of view, we shall endeavor to show how well worthy of the attention of the united service the investigation is.

To begin with the great Canada lakes; Mr. Stevenson says, and we can bear witness to the justness of the observation, "that every idea connected with a fresh water lake must be laid aside in considering the different subjects connected with these vast inland sheets of water, which, in fact, in their general appearance, and in the phenomena which influence their navigation, bear a much closer resemblance to the shallow salted bays and sounds in which the harbors of the eastern coast of North America are situated, although those estuaries have a direct and short communication with the Atlantic ocean."

The line of coast by the lakes is about 4,000 statute miles in extent, and they have all water deep enough throughout their whole extent for the purposes of navigation. It was not, however, till the year 1818, that the navigation of the lakes became so extensive and important as to render the erection of light houses necessary; since then they have been gradually increasing, and there are now about five-and-twenty, besides about thirty beacons and buoys. Various harbors, too, have been formed, and it is a curious and instructive fact, that in consequence of the exposed nature of the lake coasts, the Americans have been obliged to execute these works in a much more expensive and substantial manner than those which they have erected on the shores of the great ocean itself; so that a neat close resemblance to the solid stone piers of the lakes, and the wooden wharves of the seaboard, as they call it, exactly the reverse of what we should expect. At Buffalo, for instance, there are compactly built stone piers, which cost about £40,000. At Dunkirk, on lake Erie, a breakwater has been formed, by sinking a strong wooden frame work, filled with stones. The frame or crib was erected, with the usual ingenuity and active resource for which Jonathan is so well distinguished, during the winter of the ice, over the site which it was intended to occupy. The ice was then broken, and the cribs, being filled with stones, sunk to their resting place in the bottom of the lake. Presque Isle bay, in which the town of Erie stands, is in like manner formed into a splendid anchorage for vessels of the largest size, by two covering breakwaters, measuring, Mr. Stevenson tells us, "respectively 3,000 and 4,000 feet in length, projecting from the shore, and leaving a space between their outward extremities of 300 feet in breadth, for the ingress and egress of vessels." At Oswego, on lake Ontario, a piece of solid masonry has been built, at the cost of £20,000. All these, and several others in the Lake Michigan, have been constructed at the expense and under the direction of the United States' government. On the English side of the lakes also, the British government have executed works of considerable importance, particularly at Kingston, which is the great naval arsenal, and lies just at the point where the St. Lawrence flows out of the lake.

The size of the vessels navigating the lakes is regulated in a great measure by the dimensions of the canals, and especially of the locks upon them; and hence, by the way, the wisdom of the framers of the Welland canal, which unites lakes Erie and Ontario on the Canada side, and steps round the falls of Niagara. These engineers, taking warning from their opposite brethren, who made the locks of the great canal of stone, made theirs of wood, and of much larger dimensions, though at a smaller cost. Independently of the advantages which this superior size gives them at present, they may at any time, and at a small expense, augment the dimensions, whenever the increasing demands of commerce, or the rapidly increasing size of the lake steamboats, require such change. We have no doubt whatever, from what we have seen and heard on the spot, that had the great Erie or New York canal been fitted in the first instance with wooden instead of stone locks, it would long ere this have been converted into a ship canal, instead of being confined as it now is, to the use of boats.

For the same reasons that the harbors and piers of the lakes are built of substantial masonry to resist the fury of the winds and waves, the steamboats

which ply upon them have far more the character of sea boats than any of their steamboats employed anywhere else in the union. On first looking at the lakes, especially in fine summer weather, it is difficult to believe that these distinctions are necessary; but the sight of a lake gale, one of which we have witnessed, impresses the mind with a vast respect for their powers, when raised into action by the violent storms of those regions. We have dwelled rather longer on this particular than we had intended to do, from the importance which is attached to it in an engineering point of view, and from the curious analogies which Mr. Stevenson suggests between the phenomena of the lakes, and those which are found in such land-locked bodies of water as the Irish sea, where the waves are so short and sudden in their movements as to prove very destructive to whatever obstacle is opposed to their fury. We recommend, therefore, the part of Mr. Stevenson's work to the attention of our engineering friends, especially that part of the chapter on lake navigation which relates to the winter season.

The river navigation of America has no parallel in Europe, and to the shame of Europe this may be said. The Thames, the Mersey, and the Clyde, to be sure, are pretty well covered with steam vessels, and in proportion to their capabilities, these rivers may probably be fully as well served with means of conveyance as the mighty streams of the western world. But what shall we say to the shabby manner in which the Seine, the Rhine, the Rhone and the Danube, to say nothing of the Tazus, and the Ebro, and many other great rivers of the continent, are furnished with the marvellous means of swift and economical conveyance? It may be said, indeed, and with some truth, that in most of the countries of the old world, through which the rivers in question find their course, the industry of man has already provided convenient roads, along which the inhabitants have been accustomed for centuries to travel, and which they find so fully sufficient for all their locomotive wants, that they are not stimulated to seek for any other. In America the case is quite different; the roads are few in number, and execrable in quality; and as it would cost fifty times more money to cut tolerable roads through their forests, than to establish excellent conveyances on their rivers, the attention of the new settlers has been vehemently directed, in the first instance, to the improvement of river navigation. The invention of steamboats came at a good moment for cooperating with this disposition, and as fuel from the forests was almost every where abundant, and in abundance, the impulse which the new discovery received was immense. Not only the great rivers, such as the Mississippi, the Missouri, and the Ohio in the west, and the Hudson, Delaware and Chesapeake bays in the east, but a vast multitude of minor streams—minor we mean in comparison to those above mentioned, but gigantic in comparison to those of this country—became the highways of the respective states through which they passed, and by the agency of steam kept up a constant communication between the outposts and the remotest recesses of the interior.

Indeed we have never beheld, in any part of the globe, a more striking sight than is presented at New Orleans, that wonderfulemporium, which may well be called a sea-port, though it lies one hundred miles from the ocean, and is far above the level of the sea tide. There are at day long vessels arriving from every part of the world, with their sails furled, and towed, two or three at a time, in the train of a diminutive steamboat, urged into rapid motion by an engine of high pressure; while every evening about sunset, dozens of goods ships, laden with the return produce of the interior, depart in like manner, under the secure convoy of the same marvellous power. The interior products alluded to, are brought down partly in steamboats and partly on large rafts, called arks, piled high with cargo, which are drifted down the stream from immense distances, never to return. The hardy boatswomen, who navigate these primitive vessels, having disposed of their wares, and broken up their arks, take shipping immediately on board some one of the vessels which are starting every year for the upper countries, and in a few days find themselves landed at their own doors, ready to re-embark and re-descend the river—in one eternal round of active profit, sure of a market, sure of their returns—secure in their property, and as free in their thoughts and persons as the wild birds of the forest were before them! In old times, these arks dropped down the rivers with just the same facility as at present; but the time and trouble expended in conveying the return goods to the interior were enormous, and even the return of the traders themselves was an affair of laborious months, instead of being, as it is now, one of a few luxurious days.

All this is already pretty well known to most of our readers; but we strongly recommend to our professional brethren to take a military glance at the American rivers, and in connection with them those stupendous canals which have been made either to overcome natural obstacles, such as falls and rapids, which have been cent across those countries, in order to open communications heretofore not dreamed of by the wildest visionary. In a military point of view, the works of this description which are most worthy of immediate attention are those by which the difficulties on the navigation of the St. Lawrence are evaded, and those by which communication between the lower and the upper provinces of Canada are securely kept up by a line of canals, removed at an unassailable distance from the frontier. Besides these, (which though useful for the purposes of commerce, are, in their essence, purely military works), the Upper Canadians are beginning a gigantic work, close to the St. Lawrence. It is intended for the purpose of overcoming the celebrated Longue Saut rapid, and is to be 100 feet wide throughout all its length. The slack-water navigation, as it is technically called, on the Rideau, or grand military canal is well worthy of study. It is formed by damming up the waters of the Rideau river, and several of the lakes connected with it, and so increasing their depth as to fit them for steamers of a large size. The whole length of this most important national work, is 135 miles, 70 of which consist of the slack-water navigation just alluded to.

The severe and protracted winters of Canada, it must always be recollected, put a stop to the navigation and trade of the St. Lawrence, and of all the more northern canals, for four months and a half annually. The same misfortune attends the Erie canal; but from this evil the southern states are exempted. Early from this cause, and partly from the rocky outcrops of its bed, and its tendency to spread itself into lakes straits and flats and shallows, the river St. Lawrence is far less available than the Mississippi, which is always free, always navigable, always uniform in its width, and by prudent management, as readily ascended as descended at all the seasons. It is not precisely so with the Ohio, which, though it is not frozen up to the same extent as the St. Lawrence, is seriously embarrassed with shoals during the dry season; and at one place, Louisville, in Kentucky, has its course so seriously interrupted by rapids, when the water is low, that the inhabitants of that city have been obliged to cut a canal around this obstacle, and a most stupendous and beautiful work it is, being rather more than two miles in length, and excavated in rock nearly throughout its whole extent. It is 68 feet in breadth and 16 feet in depth, affording a passage for all steamboats under 150 feet in length. The average difference of level in the Ohio is at the dry and at the rainy season, is upwards of 30 feet; and such is the rapidity of the stream at certain seasons over the rapids, that even the most powerful steamboats are obliged at times to send an anchor ahead, and having brought the warp to their capstan, to drag themselves through by main force. Such things do not happen on the deep and majestic Mississippi, though we do remember once on that river to have hung for nearly half an hour, without advancing an inch, though the steam was urged to a very high point of pressure. But this was far above the Delta, about 1,200 miles or so from the mouth, and at a spot where, from the approach of the rocky banks, the velocity of the stream became considerably greater than usual.

We are particularly anxious to call the attention of professional men to those inherent distinctions between the great rivers of America, because we are too apt to class them in the imagination as identical in their phenomena; whereas scarcely any two of them which we have examined are so much alike as not to require a different kind of treatment; and nothing, we conceive, can be more instructive to us than to study the manner in which the Americans have overcome the difficulties of their positions. We may instance the method of steering in the Ohio steamboats. It was found that for the purpose of traffic, in the low-water season of the river, it was necessary to work with flat bottomed boats, drawing so little water that they passed along the shoals with only a couple of inches to spare between them and the mud. There was no harm in this, of course, so long as they did not actually touch; but it was found that the usual rudder, however large it was made, would not act at all, owing to the extent of "dead water" which, under such circumstances, the vessel drew after her. The ingenious Americans soon remedied this serious inconvenience by fixing a rudder on each quarter; and by utilizing their two extremities by a bar, the ends of which moved freely on a pivot on the tops of the rudders, and extending the

filler over the stern till it united itself with the centre of this bar, they were enabled to steer with perfect ease in the shallowest water. The manner of this action will be obvious to a sailor, who considers that when the helm under such circumstances is put "a-port," and the rudder on the larboard quarter falls into the "dead water," the rudder on the starboard quarter being turned outwards, has its surface opposed not merely to the stream of the river, but to the current caused by the paddle-wheel on that side, and its effect is immediate on turning her head to board.

So many devices of this kind are to be met with in America, that we know not any country where the science of prompt, and effectual resources is to be so well taught. Our seamen, indeed, from having the variable elements to contend with, under all the complications of hydrography and warlike contingencies, are trained from their earliest years to the practice of considering that there is a way over, or around, or through, every difficulty; but as our military men have not the same constant calls made on their ingenuity, though they are imbued with the self same spirit, they have not the same means of exercising their zeal and schooling their capacity, so as to be always ready for the occasion. Accordingly, we should venture to recommend a course of American travelling to our young soldiers, fully assured that the petty inconveniences of the journey would be far overbalanced by the habits they might acquire of considering nothing impossible if attended with energy. Our naval officers, too, by travelling in America, would learn to despise less that fresh water navigation, of which they can now know scarcely any thing, but with which, in the event of war in those countries, or in fact in any country, they might be called upon to work on the great scale. And, we can assure them, that there is a variety and complexity in the navigation of the American rivers, which, though they bear but a small ratio to those of the ocean, are nevertheless, very embarrassing to strangers; and an ignorance of them might prove highly detrimental to the service in the event of expeditions to the interior—a contingency which, if it should ever go to war with America, must be calculated upon.

In treating of the steam navigation of the United States, as compared with that of England, Mr. Stevenson, in the beginning of his fourth chapter, makes some valuable remarks on the distinctions which the nature of things has established between the two cases. "By far the greater number of the American steamboats," he very justly remarks, "ply on the smooth surfaces of rivers, sheltered bays, or arms of the sea, exposed neither to waves nor to winds; whereas most of the steamboats in this country go to sea, where they encounter as bad weather and as high waves as ordinary sailing vessels. The consequence is, that in America a much more slender build and a more delicate mould, give the requisite strength to their vessels; and thus a much greater speed, which essentially depends on these two qualities, is generally obtained. In America, the rig is raised above the deck of the vessels, admit of powerful engines, with an enormous length of stroke being employed to propel them; but this arrangement," he adds, "would be wholly inapplicable to the vessels navigating our coasts, at least to the extent to which it has been carried in America." What follows is still more important; and we extract the passage the more readily from our not having seen the remark so strongly put before:

"But perhaps the strongest proof that the American vessels are very differently circumstanced from those of Europe, and therefore admit of a construction more favorable for the attainment of great speed, is the fact that they are not, generally, as in Europe, navigated by persons possessed of a knowledge of seamanship. In this country, steam navigation proper is chiefly carried on by British steamers, being exposed to the open sea in all weathers, and furnished with mast and sails, and must be worked by persons who, in the event of any accident happening to the machinery, are capable of sailing the vessel, and who must, therefore, be experienced seamen. The case is very different in America, where, with the exception of the vessels navigating the lakes, and one or two of those which ply on the eastern coast, there is not a steamer in the country which has either masts or sails, or is commanded by a professional seaman."

PRIVATE EXPLORING EXPEDITION.

From the *N. Y. Courier and Enquirer*.
Rio Janeiro, March 9, 1839. Nothing has been heard here from the national exploring expedition since their departure from this port. The brig *Medina*, capt. Elijah Hallett, arrived here on the 7th inst. direct from South Georgia, in a passage of 17 days, being one of three vessels fitted out by Mr.

Burrows of your city to survey the southern frozen ocean, and the result confers great honor on the American flag. Mr. B. sailed from this port in the *Medina* during the month of June last, and at the Falkland islands was joined by two others of his vessels, the brig *Oceola*, captain L. S. Hallett, and schooner *Mary Jane*, captain Parsons. With this little fleet, three in number, he made sail from those islands for the frozen seas, and five days after fell in with a field of icebergs, twenty-five miles in length, and 300 feet high, the whole presenting the same uniform and level appearance as a sheet of new mason ice.

They found large bays and good harbors around the icebergs, but no anchorage except by fastening to the ice. The outer edge of the ice was on all sides perpendicular cliffs about 300 feet high, and so similar to the appearance of many shores, particularly the chalky cliffs of England, that it would only be known as ice from the thermometer, or by approaching very near. At this place the *Oceola*, captain R. S. Hallett was separated from the other vessels, and did not again join them until they reached South Georgia. The *Medina* and *Mary Jane* the next day after this re-discovered the *Aurora* islands, six in number, and Mr. Burrows took five different drawings of them. This discovery is most gratifying and astonishing. The islands were discovered and described about 80 years since by the ship *San Miguel*, and since that have been stuck on the charts, and said not to exist. About 40 years ago the Spanish government dispatched the sloop of war *Atrevida* to survey these islands, and the officers of this ship actually surveyed icebergs and placed them on the charts as the *Aurora* islands. Soon after this, several of the most distinguished navigators, among the number, capt. Waddell of the British navy, cruised over the ground in all directions, and unanimously agreed that they did not exist. They have been accordingly expunged from the latest English and American charts, but must be again restored through the enterprise of the Yankee spirit. The islands are six in number, about 200 feet high, running north and south for the distance, say 2-1/2 miles, without any ship passage between them. They are in latitude 52° 22' Longitude 44° 18' W. and 26 miles north of the Sag Rocks, which doubtless form a part of the same ridge of mountains. I have not been able to send you a drawing of their appearance. These islands lying in the track that the vessels are often driven to when bound round Cape Horn, makes the replacing them on the charts a valuable acquisition to those who navigate those seas; and it is now believed that the Spanish 74, which sailed for the Pacific ocean, with about 800 souls, and never heard from, was wrecked on these islands. I have been anxious, as an American, to learn all the inducements that led Mr. B. to undertake this desperate and dangerous adventure. From the best information I can derive, I believe he was induced from the most laudable of motives, hoping to rescue his friends and countrymen from a frozen world. It appears that a few years since his neighbor and townsman in Connecticut, capt. Johnson, after consulting with Mr. B. and communicating to him his views, sailed from the port of New York, bound into the Antarctic seas. Capt. Johnson was heard from in a high latitude, going south, since which no information has been had of him. Mr. B. knowing the course he intended to take, thought there was a possibility of rescuing his friend, and, like capt. Back in search of capt. Ross reached into the icy world, apparently regardless of the fate that awaited him. He did not find any positive knowledge of capt. Johnson, but he found eight wrecked vessels, and a house built from a wreck fitted for a winter's residence; he also found several graves, and one body not interred. For about six months, no labor, toil, nor suffering was spared, and it was by the aid of the natives that capt. Johnson and his crew were saved. Capt. Johnson was heard from by Mr. B. encountered there, astonishing. He was shipwrecked on an iceberg, five miles from the coast, and by a miracle was rescued by another boat that was driven by an accident to the spot where he was. For three days he had, with his boat's crew been on this iceberg, being without food. His health, however, appears better than when he went south. We all wish him a happy return to his country, with the rich reward his toil and industry merit, and a long enjoyment with his friends in North America; and can only say, if the same zeal animates the national expedition, and all on board, that has this individual undertaking, a great triumph is in store for our country. I am, sir, with great respect, &c. &c. yours truly, J. G.

PITCAIRN'S ISLAND.

The history of this little island—a tree embosomed spot in the Pacific—is an interesting episode in the world's great epic. There is poetry too asso-

*Stevenson, page 111.

ciated with its name, for the events connected with its settlement form the subject of lord Byron's "Island." Some particulars relative to the present state of things in this island, have met our notice in the last number of the Sailor's Magazine, the whole story, which in boyish days had seized with romantic interest on the fancy, now came into mind, and, in the present dearth of news, we know not how better to fill a portion of a column than by recapitulating some of the leading incidents which make up the history.

In 1759 the crew of the British ship *Bounty*, having mutinied in the South Pacific ocean, capt. Bligh with eighteen others who adhered to him were set adrift at sea. The mutineers, under an officer named Christian, having no possession of the ship, directed their course towards Otaheite. Here they landed, and seizing upon a number of natives of both sexes, they sailed away to an uninhabited island, (Pitcairn's), where they settled; and to put away all thoughts of ever returning to England, Christian prevailed upon his followers to destroy the ship. The lawless habits of the sailors brought ruin upon the infant settlement. The native Otaheitanes, except the women who were taken by the seamen as wives, being treated with great barbarity, they formed a conspiracy and killed all the Englishmen on the island, except four, who contrived to escape. The native women, who it seems had become attached to their English husbands, revenged this massacre by murdering in one night every Otaheitan man on the island. Of the four Englishmen who remained, two were worthless characters and did not live long. The two survivors became reformed men and exerted themselves to make a little colony happy and prosperous. Their names were John Adams and George Young. Under their joint administration the settlement continued flourishing until the year 1800, when Young died, and Adams was left alone, at the head of his infant community. In 1810 the colony was first discovered by captain Folger in the ship *Topaz*, of Boston. It was visited afterwards occasionally by several ships, both American and British.

In 1825 the colony consisted of sixty-six persons, and the account given by cap. Beechey, who touched there, represented a scene of innocent and tranquil happiness unknown since the days of Arcadian simplicity. Adams was the patriarch of his people, a grey headed, cheerful old man. The young men, all born in the island, were stated to be very athletic, and of the finest forms, their countenances open and pleasing, indicating much benevolence and goodness of heart; and the young women were objects of particular admiration; tall, robust and beautifully formed, their faces beaming with smiles and unruined good humor, but wearing an air of modesty and bashfulness; and all of them, both male and female, had marked English features. The greatest harmony prevailed among them. "But what was most gratifying," says a visitor, "was the simple and unadorned manner in which they returned thanks to the Almighty for the manifold blessings they enjoyed." Dr. Blatchely, now of the state of Illinois, but formerly of the Sandwich mission, who stopped at Pitcairn's island in 1827, says of this colony that "a purer state of morals among the same number of people, without the institutions of the gospel, probably never existed." Adams died in 1829, and whether it was from feelings of depression at his loss, or from the supposition that the island was too small for the increasing colony, being a little spot, six miles long and three wide, or from some other cause, the colonists abandoned their happy home, and went to Otaheite. Here, however, they were soon dissatisfied, and longed again for their little gem in the ocean, to which they soon returned, after having lost fifteen of their number by sickness, and what is still more to be deplored, suffering some corruption of morals by their intercourse with the Otaheitanes. On the return of the colony to Pitcairn's island, the English government sent them a respectable gentleman, Mr. Joshua Hill, to reside among them as their magistrate and teacher.

We regret to learn by a letter from Mr. Hill, written last year and just published in the Sailor's Magazine, that the condition of the colony has not improved. The chief cause of their declension is ascribed to the presence of three runaway English sailors, worthless and dissolute characters, who have thrust themselves into the bosom of the little community and though sent away from the island, thence, they have contrived to retrace themselves to the ruinous corruption of the poor, simple minded inhabitants. Mr. Hill has left the island, and has sailed to the British government a full account of its present condition, in the hope that a proper authority will be exercised in driving away the abandoned wretches who have poisoned the innocent en-

joyments of an interesting community, and that thus the peace and happiness of former times may be again restored.

We omitted to state in the proper place that capt. Bligh and his associates, who were set adrift at sea, succeeded in reaching the island of Timor after a voyage of twelve hundred leagues in an open boat—a fact almost miraculous. Upon the captain's arrival in England, the admiralty despatched the frigate *Pandora*, capt. Edwards, to go in search of the mutineers.—capt. Edwards directed his course to Otaheite, but the objects of his quest had left that island, and it was supposed they were lost at sea. Nor was any thing known to the contrary until capt. Folger's visit to Pitcairn's Island in 1810.

NAVAL APPRENTICESHIP.

Extract from the act of congress providing for the enlistment of boys for the naval service of the United States, approved March 2d, 1837.

Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That it shall be lawful to enlist boys for the navy, with the consent of their parents or guardians, not being under thirteen, nor over sixteen years, to serve until they shall arrive at the age of twenty-one years.

Regulations for the enlistment and employment of boys who may be entered to serve in the navy until they arrived at the age of twenty-one years.

In the enlistment of boys to serve until twenty-one years of age as authorised by the act of congress, approved on the second day of March, 1837, none are to be entered who shall be under thirteen or over sixteen years of age, and who, after careful examination and inquiry, shall not be deemed of sound constitution, good health, and free from all injuries, defects or disease which would be likely to render them unfit to perform the duties which are expected from them.

No boy is to be entered who shall have been convicted of any criminal or disgraceful offence, or who shall have been sent to any house of correction or refuge, or other place of punishment.

No advances are to be made by the recruiting officer to the boys who may enter, or to their parents or guardians; but such clothing and other articles as may be necessary to their comfort, will be furnished upon the orders of the commanders of the receiving vessels when they repair on board for duty.

Whenever it can be ascertained that a boy wishing to enter has a parent or guardian whose presence can be obtained, such parent or guardian must sign his or her name in the proper column of the shipping articles, as evidence of his or her assent to the enlistment.

When the parent or guardian cannot be present, and can be referred to, they must sign duplicate certificates of assent in the presence of, and to be certified by some justice of the peace, or other magistrate, according to a form which will be furnished, one of which certificates must be transmitted to the secretary of the navy with the monthly reports of the recruiting officer, and the other sent to the commander of the receiving vessel, to be transferred with the account of the boy from one vessel to another whenever he is transferred himself.

At the time of their enlistment they are to be rated as of the second or third class boys, according to their age, size and qualifications.

The pay of boys of the third class shall be five dollars a month, and the pay of boys of the second class shall be six dollars a month. First class boys to receive seven dollars.

When they cannot be attached to vessels in commission, they shall serve on board some one of the three large receiving vessels.

They are to be supplied under the immediate direction of the commander of the vessel, with such articles of clothing and other necessaries as may contribute to their health and comfort; but after the first supply, the amount which may be due to them, is on no account to be exceeded; on the contrary, it is desirable that they should have as large an amount due to them as possible at the expiration of their service.

They are not to be allowed to draw the spirit part of their ration, nor to receive tobacco, but on the contrary, they are to be encouraged, and required if possible to abstain from the use of both.

Whenever their rate of pay will allow it, they may allot to a parent, such amount as shall not reduce the amount left for their own use below six dollars a month, nor more than one-half their pay, when the half shall exceed six dollars a month.

They shall receive no part of their pay for their personal use until their discharge, excepting for

clothing and necessaries as herein before provided, and occasional small advances in money, under direction of their commander, for the purchase of articles conducive to health, and for small expenses when permitted to go on shore on liberty; care must be observed, however, that this indulgence is not abused.

Every commander of a vessel in which any of these boys may serve, shall cause them to be well instructed in reading, writing and arithmetic, and to be employed on all such duties which they may be competent to perform, as may give them a thorough knowledge of seamanship, and best qualify them to perform the duties of seamen and petty officers.

They are never to be required or permitted to attend as waiters or servants to the officers whenever there are other persons present who can properly perform these services.

As an inducement for exertion and a reward for good conduct, all persons enlisted under this provision shall be eligible to promotion in the same manner as other persons of the ship's company, as vacancies may occur, and their qualifications and conduct may merit, but all such promotion of boys shall be gradual and regular from third to second, and from second to first class boys, landmen, ordnance hands, seamen and petty officers; and on the other hand, they shall also be subject to a reduction of rating, like all other persons for neglect or misconduct.

If they shall serve the term of their enlistment in a manner satisfactory to their respective commanders, they shall, upon their discharge, receive a certificate stating the length of such service, and time served in each rating, and the opinion which is then entertained of their conduct, qualifications and merits.

Should they subsequently wish to re-enter the service, and produce to the recruiting officer a certificate of good conduct while serving under their first enlistment, such officer shall, if men are required, and there shall be no objection on the score of health or other qualifications, give a preference to them over persons who have not previously served in the navy.

Should any of them give decided evidences of the talents and conduct which might, by proper attention and cultivation, make them valuable boat swains, gunners, or masters for the navy, they are to be specially reported to the secretary of the navy, and the commander of the vessel shall give all proper facilities to advance their instruction.

At the expiration of their service, or at their regular discharge, they shall receive the amount which may then be due them.

These regulations to be subject at all times to such alterations and modifications as the secretary of the navy for the time being may deem necessary or expedient, and it is to be understood that the form no part of the agreement between the United States and the other parties, all of which are contained in the shipping articles.

ARKANSAS BONDS.

From the *New York Evening Post*.

New York, May 22, 1839. Sir: I have but a word to say in reply to the *New York Express* of this morning. If I could, for the soul of me, call into action the least feeling of respect for a publication which has, from the day of its foundation, been engaged in a crusade against the credit and honor of the country, and which, impotent as it is, has had some credit for its impudence and mendacity, I possibly might prevail on myself to lay before its editors a concise and correct history of the matter of the Arkansas bonds, negotiated by the hon. Am. brose Sevier with col. Richard M. Johnson. In that transaction there was not any thing to which the most fastidious moralist, the most astute and practical financier could object, and I hold myself ready to make good what I assert, at any time, at all times, in any places, and in all places.

The transaction is precisely one of those operations which daily take place in Wall street, between the banks and brokers, and, if you please, between the immaculate branch of the Bank of the United States and your citizens. There was nothing wrong in it; and, let me add, that the gentlemen engaged in it, the hon. Mr. Sevier, and the hon. Mr. Fulton and the vice president of the U. States, are incapable of any act of dishonor. The *Express* knows nothing about the affair; and yet, on the authority of Remond M. Whitney, an individual whom it has often published as a swindler, a liar, a rascal, and a thief, when publishing the infamous harangues of Henry A. Wise, and Bailie Peyton, it impudently and insolently steps forward, and because the United States senators from Arkansas, under the authority of the state, sold bonds to colonel Richard M. Johnson charges them with defalcation, and with swindling

And, now, because I, who am a stranger in a strange city, in the discharge of an act of charity, attempt to defend two of the most worthy citizens of my state, the Express puts on its official look, wipes its eyes, and winningly exclaims that I am guilty of the monstrous crime of "abusing the press."

"A dog in forehead—but in heart a deer."

The whole object and end of the attack in the Express on Messrs. Fulton and Sewer, evidently is to injure the credit of the Arkansas bonds in the New York market. To effect this object, the Express has undoubtedly been employed by some Wall street broker, and for its reward will probably obtain a loan at some one of the banks. Well, let it go on. The Express, from the day of its foundation, has professed to be the especial guardian and conscience keeper of the merchants; and is it to be supposed that the merchants of New York can sanction its course of infamy? Is it the interest of the merchants of New York to destroy the credit of the merchants of the west and southwest?

Are they disposed to sanction an outrage on the character of the state of Arkansas, to gratify a morbid and rabid partisan spirit? Are they disposed to sustain presses, the object of which is to desolate and destroy, to gratify the malice or propitiate the envy of political demagogues and knaves? It is unnecessary to reply to the interrogatory.

By-the-by, as I have never troubled the Evening Post again, let me add one word in conclusion. For the last six years the merchants of New York have suffered themselves to be diddled and swindled by presses in this city. Prior to the year 1832, they had taken but little interest in the mere political squabbles of the day. They had contented themselves with attending to their own business; were prosperous and happy, and, as they always will be, were honorable and high minded. But when a loan of \$52,000 cast a flood of light on the world, and produced sudden conviction and conversion in the minds of the conductors of the New York Courier and Enquirer, they were directly appealed to—all prejudices and passions were artfully assailed, and by a series of passionate addresses they were made to believe that their own alone depended the happiness and glory of the world. This done, they were called on for cash, to satisfy the lawings of the greedy scyphants. The cash they paid, and cash they continue to pay, to sustain such papers as the Courier and Enquirer, the Express, and the Times—papers that each day labor to produce their ruin. For the last six years, the merchants of New York have paid all the costs of the city elections—have been practically and theoretically and scientifically swindled by newspaper demagogues and vauvpyres; and it is to be hoped that they will not submit to the wrong any longer.

The Express asserts that it has since doubt of my legitimacy, and does not know me. It is most true it does not. I never can know me; nor can any dastard, who for the low purpose of accelerating the prospects of an abandoned party, attempts the assassination of honorable and high minded men, senators of a young and flourishing state, ever have the honor of the personal acquaintance of

JOHN SMITH, jr. of Arkansas.

THE GOVERNEUR CASE.

From the New York Courier and Enquirer.

During the progress of the trial recently terminated, of the United States vs. S. L. Gouverneur, late postmaster of the city of New York, we have had occasion to advert to the circumstances of the prosecution, and to the facts developed in the testimony. The letter which we published below, from Mr. Gouverneur, addressed to the president of the United States, will read with more than ordinary interest. It fully sustains all the allegations which we have made in the premises. We will admit that we were surprised at the verdict of the jury. We do not understand the process by which they found Mr. Gouverneur indebted to the government; and we are confident that if the allowance had been made to him, which were justly due for extra official services, the government would have been found his debtor.

In this matter, however, there were doubtless formidable difficulties. The negotiations of Mr. Barry, which general Jackson countenanced and authorised, were, probably, beyond the pale of the law or the constitution. The services of Mr. Gouverneur in sustaining the credit of the administration, perhaps, did not furnish the basis of a strictly legal claim against the department. But they certainly did bind him to the kind consideration of the government. They entitled him to hope that the government would not avail itself of his misfortune to crush him, but that it would have been satisfied with such proofs of his accounts as would have been satisfactory between individuals; and that at any rate

it would not use its position to stigmatise him as a dishonest debtor and defaulter.

Mr. Kendall claimed of Mr. Gouverneur a balance of \$160,000. Mr. Gouverneur refused to pay the monstrous demand; but made a voluntary offer to Mr. Kendall to furnish the department with all the evidence in his possession, and to submit the matters in difference to arbitrators selected by the department, to a rule of court in any court of the United States to an amicable suit, or to a committee of either house of congress. This was in April, 1836.—Mr. Kendall declined, and insisted on the payment by Mr. Gouverneur of \$160,000! This Mr. Gouverneur refused. The action was brought. Before trial Mr. Kendall's demand was reduced to something like \$100,000. During the progress of the trial the district attorney was compelled to abandon \$25,000. The case was put to the jury as an action of account between individuals; in which the defendant was held to account strictly for every dollar that ever came into his hands for the use of the department, and the jury after thirty hours patient investigation, gave a verdict of \$20,000 for Mr. Kendall! It will be seen by the letter of Mr. Gouverneur, that this amount will be forthwith paid to the government, or secured in the event of an appeal.

And yet, in this state of things, the administration has cruelly represented Mr. Gouverneur as a defaulter. It has harassed him with a wanton and wicked persecution—invasion the peace of his family—assailed his character—stigmatised him as a speculator and dishonest debtor—and Mr. Gouverneur, meanwhile, as will appear by his official letters, has been willing to pay the government every dollar that was justly its due, of that *any trial would pronounce to be its due!* Even during the progress of the present trial, before it was known whether Mr. Gouverneur owed a cent to the government, that common libeller, the *Albany Argus* has assailed him as "being largely a defaulter on the books of the department," and classed him with Price, Swartwout, and the hundred defaulters of the land office. "Gouverneur isa martyr," says the *Argus*. "He is reported as a large defaulter, and the government has commenced a suit for the recovery of the money; but that fact only the more strongly ensures to him the active and sympathizing favor of his federal associates." The *Argus* then proceeds to indulge in its ordinary coarseness and vulgar abuse, and ends with a witty allusion to "sub-treasurers with legs."

Whence this virulent persecution of Mr. Gouverneur? Why is he stigmatised as a "sub-treasurer"—an epithet which the *Argus* uses with great propriety, as about the most pregnant term of abuse which could select in the premises. The *Argus* considers sub-treasurer as synonymous with "defaulter"—and it is fully justified in his use of language, if we may be permitted to cite the instances of Mr. Woodbury's sub-treasurers for an explanation of its meaning. Mr. Kendall demanded of Mr. Gouverneur \$160,000. Mr. Gouverneur appealed to a jury of his country—and Mr. Kendall's claim was cut down \$20,000! The balance Mr. Gouverneur is willing and ready to pay. Is he therefore a defaulter? He is therefore a "sub-treasurer"—which is so significantly and appropriately used by the *Argus* as a term of disgrace? No man who reads the following letter will hesitate in answering a question like this; and no man who reflects upon it, who fully estimates the original propositions of Mr. Gouverneur, and compares them with the course of the government, can fail to be convinced that the government has been wantonly unjust and wickedly oppressive. We annex the following letter, which has been sent to us for publication, addressed by Mr. Gouverneur to the president of the United States.

To the President of the United States:

SIR: I respectfully request the personal favor of you to peruse the following extract of a letter, dated 16th April, 1836, addressed to Amos Kendall, esq. postmaster general of the United States.

"From my letter to you bearing date the 12th instant, I beg leave to make the following extracts, to which I particularly refer. "If any difficulties, derangement or delay, have occurred in the perfect understanding, and prompt adjustment of any account, in which the department is interested, the true cause is to be found in the inability of its own agents, from whatever source it may arise, to state with accuracy, their own accounts. For myself I simply add, that it is only necessary for them to show the existence of any error, or any account of mine, and as far as it may depend upon me, it shall be promptly corrected. Distinctly claiming a just privilege to scan with freedom, and fully to enquire into any charge which I may conceive, ought not to be made to me by my prejudice; I am not only

aware of the obligation of meeting every fair claim, which may be urged against me, 'in the usual way, and the evidence on which it is founded being produced,' but prepared promptly to discharge it."

"Renewing to you the expression of these sentiments, which appear to me to concede every thing which can fairly be required of me, I have no hesitation to add the assurances of my sincere wish to meet you on terms of candor and mutual reciprocity, in such an adjustment, in any mode which you may think proper to adopt; and which may encourage a hope, that where every claim of justice on all occasions may be enforced to any extent; all payments made in good faith, and under the sanction of competent authority at the time, will be promptly allowed. To this end, sir, I respectfully propose to you,

"That I will go into the settlement of the accounts on an unreserved exhibition of every material, necessary to their full illustration. The principles of adjustment to be applicable to both parties, and first distinctly established."

"I will consent to the immediate entry of a rule in the United States court, of any state, or of the District of Columbia, under which a prompt settlement, and without the least delay, can be enforced."

"I will become a party to an amicable suit, pledging myself to make every proper concession, to prevent the waste of time, or delay an immediate decision."

"I will refer the account to the decision of a committee of either house of congress, and wait the passage of a bill rendering me any credits to which I may appear to be entitled."

"I will freely agree, that they be now referred to any three fair and impartial men, all to be selected by yourself, and by whose decision in the premises I will abide."

Such, sir, were my sentiments and declarations then nor have they at any moment since, undergone a particle of change. It was imperiously due to myself, my family, and other great interests which I could not abandon, that I should manfully resist the enormous pretensions of the post office department. It was equally due to every consideration involved in all, that if I was indebted a single dollar to that department, it should be promptly paid.

Impressed with these views, and deeply anxious that my position should be properly defined—that I might be seen, it was honest conviction of right, and not to evade the payment of any just and proper demand upon me, that I again addressed a letter to Amos Kendall, postmaster general of the United States, under date the 10th of December, 1838; part of which I respectfully desire to present to your view:

After complaining that the prosecution of the pending suit had been postponed, I say—

"I am perfectly willing and ready to file a bond and security for any amount, which can by possibility, appear due to the United States from me, if you will simply pledge the faith of the department promptly to pay any balance, which may be certified as due to me."

The postmaster general did not consider he had the legal authority to accept the proposition.

But, sir, strong considerations at all times urged upon me the convictions that it was in a court of justice alone the conflicting interests and claims between the department and myself could be satisfactorily adjusted, and a valid and permanent settlement finally effected. "Independently of any official obligations," I had, at the earnest solicitation of the then postmaster general, rendered as I conceived, and as both the then president and he, at that time, freely admitted, important and effective services to sustain the department from wreck, and the then administration from the inevitable consequences resulting from such an event. These services, under peculiar circumstances, and some of a confidential character, had involved me in large details furnished to Mr. Barry at the time ceased to exist, and of one of which in particular, I was under a solemn obligation of honor to the president, Mr. Barry and Mr. Hamilton, not to divulge. The testimony of Mr. Hamilton in the late investigation is pointed to this matter. It was my inability to furnish details to Mr. Kendall which he imperiously demanded, which has led to all the conflict which has ensued, and subjected me to all the doubt, difficulties and sacrifices, to which I have in a protracted litigation been subjected for the last three years.

To the question from the district attorney to Mr. Hamilton, whether I could not with propriety have done what Mr. Kendall required of me, he emphatically replied—"That I could not without a violation of honor and confidence towards general Jackson, Mr. Barry and himself." The district attorney took proper occasion to vindicate me from the

charge of intentional wrong, and to express his sense of the services which I had rendered to an administration of which he was a member. The presiding judge took occasion to advert "to the high character given to the defendant by Mr. Barry in his letter to president Jackson. He was free to say that no imputation of fraud rested on the defendant, although a wonderful laxity seemed to have pervaded the department during the whole of these transactions. It is said to be a question of account, and as such was properly admitted to a jury of merchants:—If they found a balance due to the defendant, they should certify in his favor, for it would then be his right; and if not, they should find for the plaintiffs, and say for how much."

The accounts between the department and myself, of an official and unofficial character, and the subject of the late prosecution, involved an amount of about one million and a half dollars. After a patient and laborious investigation, and the application of such legal principles as the presiding judge thought proper to propound from the bench, to volume of testimony of 200 pages, the jury after a protracted session of thirty hours, have found an absolute verdict in favor of the United States, of about \$20,000. The original demand of the department amounted to about \$160,000, and was gradually reduced to the sum of \$400,569 29, which the district attorney in this suit claimed at the hands of the jury.

Whatever may be my opinion, or that of others, in respect to this verdict, or that of the legal principles on which it was founded, it has been pronounced by an honest jury of my country; and I am bound, as a good citizen to submit to it, subject only to such relief, as I may justly claim from the laws of the land. But, sir, there is something due to the public, and that public you represent. It is the elevated position you occupy, which induces me to ask the personal favor of you to permit me, through you, to address myself to them.

Had the verdict of the jury swept every dollar from my family and myself, my honor would have been promptly redeemed. You will learn why that pleasure, which ought to animate the heart of one who presides over the destinies of many, that the event will not desolate our home, nor bring affliction "to our hearth."

I beg leave, in conclusion, to assure you, that the interests of the public are safe. I desire repose. Should I not feel myself bound, in accordance with the urgent views of my counsel, to appeal to a higher tribunal, the verdict of the jury will be promptly settled. Should such an appeal be instituted, the amount of that verdict or adequate security, for its payment, under any circumstances which may occur, will be deposited in the hands of the district attorney, so that, in no event, will the public sustain the slightest loss. With great respect, I have the honor to be, your obedient servant,
SAML. L. GOVERNEUR.

New York, May 17, 1839.

THE MECKLENBURG DECLARATION.

It is not hazarding too much to say, that there is no event of the revolution which has been, or can be, more fully or clearly authenticated, than the Mecklenburg Declaration of Independence on the 20th May, 1775. We are aware, that when publicity was first given to this declaration in 1819, through the columns of this paper, its authenticity was doubted by some and openly denied by others. This incredulity, however, was gradually dissipated by the force of truth, until the death of Mr. Jefferson, and the publication of his works, in some measure revived it. Among the letters of that distinguished man, was one, ridiculing the claim set up by North Carolina—a letter which had been previously published in the papers, but not before in so imposing a form as to command the attention of posterity. Upon the appearance, however, of this letter in his printed works, the legislature of North Carolina thought it due to the character of the state, to asher to the world the MECKLENBURG DECLARATION, accompanied with such testimonials of its genuineness, as should forever silence all doubts upon the subject. And this they did, with such care for its general diffusion, that we are truly astonished to find any one, at this late day, interposing a doubt on the subject. But a writer in the June number of the "Southern Literary Messenger" attempts in discredit the fact, that the Mecklenburg declaration was made, and heralds his communication to the world under the imposing caption—"THE QUESTION SETTLED."

The writer in the Messenger, who signs himself "INVESTIGATOR" produces the following preamble and resolutions recently discovered by our antiquarian friend, PETER FORCE, esq. of Washington city, in a newspaper printed on the 12th of July, 1775. Where the paper was printed, he does not inform

us. These resolutions, it will be seen, purport to come from a committee, and are as follows:
Charlotte town, Mecklenburg county, May 31, 1775.

This day the committee met, and passed the following resolves:

WHEREAS, by an address presented to his majesty, by both houses of parliament, in February last, the American colonies are declared to be in a state of actual rebellion, we conceive that all laws and commissions confirmed by, or derived from, the authority of the king or parliament, are annulled and vacated, and the former civil constitution of these colonies, for the present, wholly suspended. To provide in some degree for the exigencies of this country, in the present alarming period, we deem it proper and necessary to pass the following resolves, viz:

1. That all commissions, civil and military, heretofore granted by the crown, to be exercised in these colonies, are null and void, and the constitution of each particular colony, wholly suspended.

2. That the provincial congress of each province, under the direction of the great continental congress, is invested with all the legislative and executive powers within their respective provinces; and that no legislative and executive power does or can exist, at this time, in any of these colonies.

3. As all former laws are now wholly suspended in this province, and the congress have not yet provided others, we judge it necessary, for the better preservation of good order, to form certain rules and regulations for the internal government of this county, until laws shall be provided for us by congress.

4. That the inhabitants in this county do meet on a certain day appointed by this committee, and, having formed themselves into nine companies, viz: eight in the county and one in the town of Charlotte, do choose a colonel and other military officers, who shall hold and exercise their several powers by virtue of this choice, and independent of the crown of Great Britain and former constitution of this province.

"INVESTIGATOR" pretends that these resolutions were all that were adopted in Mecklenburg, but the evidence at hand completely rebuts his assertion. These resolutions were passed by a committee, on the 31st May—the declaration was made on the 20th May, eleven days before, not by a committee, but by a convention regularly chosen by the different militia companies of Mecklenburg, "whose deliberations were witnessed and applauded by a crowd of people, comprising perhaps half the men in the county." But to say nothing of this discrepancy, we can, in the shape of positive testimony, cite Pelion upon Ossa. In the first place, a copy of the declaration was found among the papers of the Mecklenburg clerk of the county, at New York, where also was found a memorandum that a copy had likewise been sent to general William R. Davie. This copy was subsequently found among the general's papers, corresponding verbatim et literatim, with that in possession of the clerk.

2d. Captain Jack testifies that he was the bearer of the declaration to our delegates in congress, then sitting at Philadelphia, who, from some cause or other, thought it premature to lay it before congress, but acknowledged its receipt in a letter complimentary to the zeal of the delegates. 3d. Three highly respectable citizens certify that they met captain Jack in Philadelphia in June 1775, who informed them that "he was the bearer of a declaration of independence made at Charlotte on the 20th of May." 4th. Honorable Francis Cummings, of Georgia, writes to Mr. Macon, that he was present when "independence was proclaimed from the court house stairs by colonel Thomas Polk, and I am perfectly sure it was before our national declaration."

5th. The patriot, J. Graham, gives from personal knowledge all the details of the affair, corresponding most wonderfully in all the essential particulars. 6th. The reverend H. Hunter gives not only a particular account of the manner in which the convention was organized, but even gives the names of most of the delegates—he being, at that time, 20 years and 14 days old. 7th. George Graham, William Hutchinson, Jonas Clark, and Robert Robinson, aged citizens of Mecklenburg, testify to all the facts stated and, in their own language, assert that "resolves were passed which went to declare the people of Mecklenburg, free and independent of the king and parliament of Great Britain," which were signed by all the delegates and openly proclaimed. 8th. John Simson, sen. in a most interesting letter, confirms all the circumstances detailed by previous witnesses, and gives a short anecdote to the point. Having asked an old neighbor, aged 51, if he knew any thing about this affair, the reply was "—Och, aye. TAM POLK declared independence tang before any body else." 9th. Isaac Alexander, Samuel Wilson, John Davidson, J. G. M. Ramsay, James

Johnson, Elijah Johnson and James Whitte all confirm these statements from their own personal knowledge. And yet, in the face of such evidence, where every link in the chain connects, an attempt is made to deprive North Carolina of her just and merited fame, on the strength of such a discovery as the above. But it may be asked, who birthed the resolutions of the 31st of May? We answer, the "committee of safety," appointed by the convention for the purpose of using every exertion "to spread the love of country and the fire of freedom throughout America." The resolutions speak for themselves: "This day, the committee met &c."—What committee? Why the committee appointed 11 days before!

No, North Carolina is not to be deprived, so to flimsy a pretext as this, of the honor of having, at a period of darkness and oppression, without concert with others, concert without assurance of support from any quarter, all fear of consequences lost in a sense of their country's wrong, nobly dared to assert that independence, which whoever might have thought, none had then spoken, and thus earned for her sons, throughout all time, the proud boast of having given birth to the FIRST Declaration of Independence.

CHARLES CARROLL.

BY LORD BROUGHAM.

We do a thing of very pernicious tendency if we confine the records of history to the most eminent personages who bear part in the event which it commemorates. There are often others whose sacrifices are much greater, whose perils are more extreme, and whose services are nearly as valuable as those of the more prominent actors, and who yet have, from chance or by the modesty of a retiring and unpretending nature, never stood forward to fill the foremost places or occupy the larger spaces in the eye of the world. To forget such men is an unpardonable neglect of public service, it is unjust to the world and the individuals. But the error is far greater of those who, in recording the annals of revolutions, confine their ideas of public merit to the feats of leaders against established tyranny or the triumphs of orators in behalf of freedom. Many a man in the ranks has done more, by his zeal and his self devotion than any chief to break the chains of a nation, and among such men Charles Carroll, the last survivor of the patriarchs of the American revolution, is entitled to the first place.

His family was settled in Maryland ever since the reign of James II, and had, during that period, been possessed of the same ample property, the largest in the union. It stood, therefore, at the head of the aristocracy of the country, was naturally in alliance with the government, could gain nothing, while it risked every thing by a change of policy; and, therefore, according to all the rules and the prejudices and the frailties which are commonly found guiding the conduct of men in a crisis of affairs, Charles Carroll might have been expected to take part against the revolt—certainly never to join in promoting it. Such, however, was not this patriotic person. He was among the foremost to sign the celebrated declaration of independence.—All who did so were believed to have devoted themselves and their families to the furies. As he set his hand to the instrument, the whisper ran round the hall of congress, "there go some millions of property." And there being many of the same name, when he heard it said, "nobody will know what Carroll it is," as no one signed more than his name, "you'll not get it"—there are several of the name, he will never know which is taken. "Not so," he replied, and instantly added his residence, "of Carroll."

He was not only a man of firm mind and steadily fixed principles, he was also a person of great accomplishments and excellent abilities. Educated in the study of the civil law at one of the French colleges, he had resided long enough in Europe to perfect his learning in all the ordinary branches of knowledge. On his return to America he sided with the people against the mother country, and was soon known and esteemed as among the ablest writers of the independent party. The confidence reposed in him caused him soon after to be joined with Franklin in the committee of three sent to obtain the concurrence of the Canadians in the revolt. He was a member of congress for the first two trying years when that body was only fourteen in number, and might rather be deemed a cabinet council for action than any thing like a deliberative senate. He then belonged, during the rest of the war, to the legislature of his native state (Maryland), until 1788, when he was elected one of the United States senate, and continued for three years to act in this capacity. The rest of his time, until he retired from public life in 1804, was passed as a senator of Maryland. In all these capacities he has

left behind him a high reputation for integrity, eloquence and judgment.

It is usual with Americans to compare the last thirty years of his life to the Indian summer—sweet as it is tranquil, and partaking neither of the fierce heats of the earlier nor the chilling frosts of the latter season. His years were bright-crowned with happiness, and lengthened far beyond the usual period of human existence. He lived to see the people whom he had once known 900,000 in number, pass to twelve millions; a handful of dependent colonies, a nation of freemen; a dependent settlement assume its place among the first rate powers of the world; and he had the delight of feeling, that to this consummation he had contributed his ample share. As no one had run so large a risk by joining the revolt, so no one had adhered to the standard of freedom more firmly, in all its fortunes, whether waving in triumph or over disaster and defeat. He never despaired of the commonwealth, nor ever had lent his ear to factious councils; never had shrunk from any sacrifice, nor ever had pressed himself forward to the exclusion of men better fitted to serve the common cause. Thus it happened to him that no man was more universally respected and beloved; none had fewer enemies; and, notwithstanding the ample share in which the gifts of fortune were showered upon his house, no one grudged its prosperity.

It would, however, be a very erroneous view of his merits and of the place which he filled in the eye of his country, which should represent him as only respected for his patriotism and his virtues.—He had talents and acquisitions which enabled him effectually to help the cause he espoused. His knowledge was various, and his eloquence was of a high order. It was, like his character, mild and pleasing; like his deportment, correct and faultless; flowing smoothly, and executing far more than it seemed to aim at. Every subject he touched, and many were persuaded. His taste was peculiarly exquisite, for he was a scholar of extraordinary accomplishments; and few, if any, of the speakers in the new world came nearer the model of the more refined oratory practised in the parent state. Nature and ease, want of effort, gentleness united with sufficient strength, are noted as its inevitable characteristics, and, as it thus approached the tone of conversation, so long after he ceased to appear in public, his private society is represented as displaying much of his rhetorical powers, and has been compared, not unaptly, by a late writer, to the words of Nestor, which fell like vernal snows, as he spoke to the people. In conversations, whether of the senate or the multitude, such a speaker, by his calmness and wisdom joined, might well hope to have the weight, and to exert the control and mediatory authority of him, *pietati gravis et meritis, who*

—regit dicis animos et pectora muelc.

In 1825, on the anniversary of the half century after the Declaration of Independence was signed, the day was kept over the whole union as a grand festival, and observed with extraordinary solemnity. As the clock struck the hour when that mighty instrument had been signed, another bell was heard to toll; it was the passing bell of John Adams, one of the two surviving presidents who had signed the Declaration. The other was Jefferson; and it was soon after learned, that at this same hour he, too, had expired in a remote quarter of the country.

There now remained only Carroll to survive his followers; and he had already reached extreme old age, but he lived, for seven years longer, and, in 1832, at the age of 93, the venerable patriarch was gathered to his fathers.

THE LATE LADY FLORA HASTINGS.

The following touching letter was written by lady Flora Hastings, and addressed to her uncle, and by him recently made public. Its publication caused considerable sensation.

From the lady Flora Elizabeth Hastings, to Hamilton Fitzgerald, esp.
Buckingham palace, March 8th, 1839.

MY DEAR UNCLE: KNOWING what a very good man that place Brandy is, I have now a letter that you have already heard a story with which I think London is ringing; but you shall at all events have from my own pen the account of the diabolical conspiracy from which it has pleased God to preserve the duchess of Kent and myself; for that it was intended to ruin the whole concern, though I was to be the first victim, I have no more doubt than that a certain foreign lady, whose hatred to the duchess is no secret, pulled the wires, though it has not been brought home to her yet.

I told you I was ill when I came to town, having been suffering for some weeks from bilious derangement, with its disagreeable accompaniments, pain in the side and swelling of the stomach. I placed my-

self immediately under the care of sir James Clark, who, being a physician to the duchess as well as to the queen, was the natural person to consult. Unfortunately, he either did not pay much attention to my ailments, or did not understand them, for, in spite of his medicines, the bile did not take its departure. However, by dint of walking and porter I gained a little strength; and, as I did so, the swelling subsided to a very remarkable degree. You may, therefore, guess my indignant surprise when, about a fortnight since, sir James Clark came to my room and announced to me the conviction of the ladies of the palace that I must be privately married—or at least ought to be so; a conviction into which I found completely talked over. In answer to all his exhortations to confession, "as the only means of saving my character;" I returned, as you may believe, an indignant but steady denial that there was any thing to confess. Upon which he told me that nothing but my submitting to a medical examination would ever satisfy them and remove the stigma from my name.

I found the subject had been brought before the queen's notice, and all this had been discussed and arranged, and *denounced* to me, without one word having been said to my own mistress, one suspicion hinted, or her sanction obtained for their proposing such a thing to me. From me, sir James went to the duchess, and announced conviction that I was in the family-way, and was followed by lady Portman, who conveyed a message from her majesty to her mother, to say that the queen would not permit me to appear till the examination had decided matters. Lady Portman, (who, and you will grieve to hear, lady Tavistock, are those whose names are mentioned as most active against me), took the opportunity of distinctly expressing her conviction of my guilt. My beloved mistress, who never for one moment doubted me, told them she knew me and my principles, and my family too well to listen to such a charge. However, she was overruled.

The next day, having obtained the duchess's very reluctant consent, for she could not bear the idea of my being exposed to such a humiliation, (but I felt it right to her, and to my family and myself, that a point blank refutation should be instantly given to the lie), I submitted myself to the most rigid examination, and I have the satisfaction of possessing a certificate signed by my accuser, sir James Clark, and also by sir Charles Clarke, stating as strongly as language can state it, that "there are no grounds for believing that pregnancy does exist, or ever has existed."

I wrote to my brother, who, though suffering from influenza, came up instantly. It would be too long to attempt to detail all his proceedings, but nothing could be more manly, spirited and judicious than his conduct. He examined and obtained from lord Melbourne a distinct disavowal of his participation in the plot, and would not leave town until he had obtained an avowal of the queen, at which, while distinctly disclaiming his belief of any wish on the part of her majesty to injure me, he very plainly but respectfully stated his opinions of those who had counselled her, and his resolution to find out the originator of the slander, and bring him or her to punishment.

I am quite sure that the queen does not understand what they betrayed her into. She has endeavored to show her regret by her civility to me, and expressed it handsomely with tears in her eyes. The duchess was present. A mother could not have been kinder, and she took up the insult as a personal one, directed as it was at a person attached to her service, and devoted to her. She immediately dismissed sir James Clark, and refused to see lady Portman, and would neither re-appear, nor suffer me to re-appear at the queen's table for many days. She has crowned her goodness by a most beautiful letter she has written to poor mama, whom the accounts, kept from her while there was a hope that matters might not become public, would reach to-day.

I am told there is but one feeling as respects me—sympathy for the insult offered to one whose very name should have been a protection to her, and that in many places the feeling is loudly expressed that a public reparation should have been offered me by the reversal of the slanders. This does not, however, appear to be the view of ministers, and as personally I wish for no revenge on those who have insulted me, I cannot say I much regret it, though I doubt whether they are quite judicious as respects the general feeling. As respects parliamentary majorities, they are, with regard to the ladies. And poor Clark, who has been the woman's tool, could hardly be sacrificed alone.

The duchess has stood by me gallantly, and I love her better than ever. She is the most generous-souled woman possible; and such a heart! This business made her very ill. It shattered me, too, very much and I am wretchedly thin; but under Dr. Cham-

bers' good management, I am getting round, and hope soon to be well. Hastings says he has not yet done with the business, nor ever will while there is any thing left to say.

Good bye, my dear uncle, I blush to send you so revolting a tale, but I wished you to know the truth, the whole truth, and nothing but the truth—and you are welcome to tell it right and left. Your affectionate niece.

FLORA ELIZABETH HASTINGS.
To Hamilton Fitzgerald, esp. 17 Rue de Namur, Brussels.

DOMESTIC AFFECTON IN HIGH STATE.

From a publication now making in London, of the private correspondence of Wm. Pitt, the great lord Chatham, the following letters are taken, of which the remarks prefixed will explain the occasion.

On the 14th of January, 1765, the house met again after a short adjournment, and on the address being moved, Mr. Pitt made the most powerful and eloquent speech, in which, after denying the constitutional right of the mother country to tax her colonies for the support of her domestic expenditure, he concluded with recommending an immediate repeal of the act that had occasioned such complaints.—Many and vehement were the debates that ensued on this question. A bill was, however, ultimately carried for repealing the obnoxious measure, and on that occasion we have the following pleasing letters between Mr. Pitt and his wife:

Lady Chatham to Mr. Pitt.
"Hayes, post 9, Saturday, Feb. 22, 1776.

"Joy to you, my dear love. The joy of thousands is yours, under Heaven, who has crowned your endeavors with such happy success. May the Almighty give to mine and to the general prayers, that you may wake without any increased gout, or any cold that may threaten it, by-and-by! I will hope that Mr. Onslow may have been a true prophet, and that what you saw yesterday, and what Johnson tells me you heard, the gratitude of a rescued people, have cured you.

"I cannot tell you with what pleasure my eyes opened upon the news. All my feelings tell me that I hate oppression, and that I love zealously the honor of my dear husband. I must not be sorry that I do not see you to-day; it would be too great a hurry, and it is fit you should rejoice with those that triumphed under you.

"I hope that little Hester's cough is something better; much I cannot say, but as it has begun to yield, I trust we shall soon get the better of it. She and John are by no means indifferent to the news. Eager Mr. William I have not yet seen. A thousand thanks for your despatch of yesterday. The bounds are just discovered in Dock need, and have animated us into a charming noise; which would be inconvenient if I had time to add, than that I am your ever faithful and loving wife,

CHATHAM.

"You will keep Smith as long as you please, till it is convenient for you to see him. I do not understand the house divided at half past 12, and your note being at home till half past 2."

Mr. Pitt to lady Chatham.
February 22, past 4, 1776.

"Happy, indeed, was the scene of this glorious morning (for at past 1 we divided), when the sun of liberty shone once more benignly upon a country too long benighted. My dear love, not all the applauding joy which the heats of animated gratitude, saved from despair and bankruptcy, uttered in the lobby, could touch me in any degree like the tender and lively delight which breathes in your affectionate note.

"All together, my dearest life, makes me not ill to-day after the immense fatigue, or not feeling that I am so. Wonder not if I should find myself in a placid and sober fever, for tumultuous exultation you know I think not permitted to feeble mortal success; but my delight, heartfelt and solid as it is, must want its sweetest ingredient (if not its very essence) till I rejoice with my angel, and with her join in thanksgiving to protecting Heaven, for all not happy deliverance.

"Thank you for the sight of Smith: his honest joy and affection charm me. Loves to the sweet babes, patriotic or not; though I hope impetuous William is not behind in feelings of that kind. Send the sable horses, if you please, so as to be in town early to-morrow morning. I propose, and hope, to execute my journey to Hayes, by 11. Your ever loving husband,

W. PITT."

The pride of country and of woman's affection in the letter of lady Chatham, and the manly return made to such love by her husband, are fairly illustrated in those manifestly confidential letters.

CHRONICLE.

The Maine question. The Boston Advertiser says the recent negotiations for a resurvey of the line of 1753, will lead to no favorable result unless the line of the late Mr. Fox is maintained. It is not a part to abandon the old position set up, that is, to the bay of Fundy, into which the St. John's river enters, is very a part to the Atlantic ocean. If they do it will be very easy to run the line from the monument at the head of the St. John's to within a mile or two of the ridges and morasses which divide the sources of the tributaries of the St. Lawrence from those of the rivers which empty into the Atlantic.

Lynn, Mass. By a census just taken, the population of Lynn amounts to 9,033—being 449 less than in 1836. There are now 1,164 houses and 1,805 families in the town. The late poor pressure, and the numerous large failures, within two or three years, which drove many families out of the place, account for the decrease. The Record says, "It is believed the town is now regaining its amount of population, which will not exceed that of any former period." In 1830, the population was 9,483—in '35, 9,410—in '38, 9,457.

Holland. The draining of the celebrated lake of Harlem, so long contemplated, has at last been decided upon by the late general of Holland. The expense is estimated at eight millions of guilders, (about three millions of dollars). It is like adding a new province to the country.

South Africa. News as late as the 14th of February have been received by late arrivals. The Dutch emigrants have ended the war in the Natal country by the defeat of the native chief Dingano, and the capture of his capital, called Unkululane. The natives lost 3,000 men killed, the emigrants none.

Port Natal had been taken possession of by a British force, which would hold it until instructions should be received from England. Martial law had been proclaimed in the port and surrounding territory for the space of two miles. [N. Y. Post.]

The city of Albany has decided to become a contributor to the Albany and west Stockbridge rail road. The question was settled by the people of that city at the polls, and a majority of more than two thousand votes was given in favor of the project. The city of Albany will now subscribe for the stock of that rail road to the amount of between six and seven hundred thousand dollars.

A case was decided in the superior court on Monday, which may serve as a caution to men holding official situations, that rival carelessness or neglect may sometimes be attended with very serious consequences. Wm. P. Hallett, esq. was sued for the recovery of a judgment which had been obtained against a Mr. Charles Morris, and the amount of which had not been recovered, in consequence of Mr. Hallett's having overlooked, in examining the records of the supreme court, a previous judgment against Morris for \$15,000, and \$16,000. The amount for which Mr. H. now was sued was nearly \$4,000, and before the case had been submitted to the jury, it was made out so clear that his counsel, in his behalf, consented to the payment of it with costs. [N. Y. Transcript.]

Steamboat Savannah. We regret to learn says the Savannah Georgian, of the 20th inst. that this fine boat broke her main shaft on Saturday evening, outside of Tybee, when in smooth water, carrying 19 inches of steam. She came up, however, yesterday, in tow of the Chatham.

The regular trips of the Savannah steam packet company, will not be interrupted by this accident, as the packet boat Wm. Gaston, capt. Ireland, is engaged to take her place.

Georgia. At a convention of the "state rights" party, assembled a few days ago, for the purpose of nominating a candidate to be run for the office of governor of this state at the ensuing election, Charles Dougherty received over two-thirds of the vote of the delegates, and was accordingly nominated as the candidate. Upon this nomination the Georgia Journal remarks as follows:

"The high standing of judge Dougherty in the community, his moral worth, sound political principles, superior abilities, and gentlemanly deportment, will effectively rally the party to his support in the approaching contest. We fear not the result."

Whig state convention in Connecticut. The whigs of Connecticut in state convention at Hartford on Wednesday last, (Noyes Barber, presiding), elected the following gentlemen to represent the whigs of the state in the national convention to be held at Harrisburg in December next:

Charles Davies, Wm. V. Boardman, Charles N. Rockwell, Charles Hanbury, Jos. S. Gladding, E. C. Bacon, Ebenezer Jackson, John S. Peters.

This is one member for each senator and representative of the state in congress, (and being exactly one member from each county in the state), and a substitute has been chosen by the convention, should either of these be chosen to decline serving.

Expeditious to Oregon. We learn from the Peoria (Illinois) Register of the 4th inst. that a party of twelve young men left that place on the 1st, bound for Oregon. Upon reaching the Columbia, the party will proceed to take possession, as American citizens of the most eligible points, and make settlements. These "claimers" are, as a pioneer phrase) to be held in common by the whole company, until the title is recognised by the

United States. Should any of the party, however, previously become dissatisfied, he will be at liberty to give, but his interest in the possession thus claimed will be forfeited. The articles and expense of the outfit are as follows:

A good riding horse, say	\$75 00
A rifle, carrying ball from 13 to 42 lb.	15 00
Brace of pistols	1 00
Hunting knife	5 00
8-12 lbs. powder, with lead in proportion	5 00
2 woollen blankets	5 00
A pack pony, to be purchased on frontier	25 00
For contingencies	25 00
	\$161 00

The Tennessee Review gives an account of a remarkable tree growing in Williamson county, in that state. It is a peach tree well filled with fruit, almost size. Its trunk is which is double, triple, and in some instances quadruple, closely joined together. There are a few scattering ones on it, but the larger portion are double or triple. "This is the first year it has bore fruit, and the singular uniformity of union it exhibits, says the Review, beats any thing of the kind within our predominant knowledge.

Naval. The U. S. brig Dolphin, lieutenant commander Alexander Siddell Mackenzie, arrived at New York on Friday from Rio de Janeiro, Bahia, and last from Pernambuco, 26th April. Captain Mackenzie reports that the blockade of Buenos Ayres by the French, continued, without any prospect of a speedy termination. All was quiet at Rio, Bahia and Pernambuco. The following is a list of the officers of the Dolphin:

Lieutenant commanding—Alexander Siddell Mackenzie.
Lieutenants—Francis Huger, Wm. W. Bleecker, John Rodgers (acting).
Purser—A. E. Watson.
Assistant surgeon—James M. Minor.
Passed midshipman—Charles G. L. Griffin.
The U. S. brig Boxer. A grand lord who has just received a letter from an officer on board the U. S. brig Boxer, has furnished the following list of officers on board, at Callao, 13th January:
W. C. Nicholson, commander.
B. F. Shuttuck, master, (doing 1st lieutenant's duty).
S. Forrest, purser.
S. W. Barber, assistant surgeon.
J. H. Shurburne, passed midshipman.
W. B. Muse and C. Devis, midshipmen.
C. Jones, clerk.
Griffin, gunner. [Boston Times.]

Sailing of the Constitution. *New York, May 21.* The old Constitution frigate has left us. It is said that she was visited by about sixty thousand persons during the sixteen or eighteen days she was in the harbor, and that the majority of the visitors were ladies. She has a crew of about 500 men, and presents a specimen of naval architecture, and beautiful rig and neatness of arrangement, which has delighted every visitor. She is the flag-ship of the Pacific squadron, and has an apartment erected aft on the spar deck, for the accommodation of Commodore Claxton.

The following is a list of her officers:
Commodore—Alexander Claxton.
Staff. Flag lieutenant—Franklin Buchanan.
Secretary—R. Oden Glover.
Fleet surgeon—Thomas Dillard.
Captain—Daniel Turner.
Lieutenants—E. W. Carpenter, Wm. H. Kennon, P. R. Pinkham, Thompson D. Shaw, William Smith, Peter Turner.
Purser—McKean Buchanan.
First lieutenant of marines—J. C. Rich.
Chaplain—J. P. B. Wilmer.
Acting master—George M. McCreery, passed midshipman.
Assistant surgeons—Charles D. Maxwell, Samuel Jackson.

Passed midshipmen—James E. Brown, Lewis C. Sartori, Montgomery Hunt, Maxwell Woodhall, Francis S. Haggerty.

Lieutenants—W. C. B. S. Porter, Silas Bent, Henry H. Harrison, George H. Cooper, John P. McFarland, John H. M. Madison, Richard T. Renshaw, John S. Maurey, Wm. H. McCrohan, Charles W. Hays, Aaron K. Hughes, Benjamin F. B. Hunter, Henry N. T. Arnold, Jacob F. Sperry.

Guamers—Robert H. O'Neal.
Gunner—Gustavus Newman.
Carpenter—John Cahill.
Sailmaker—Nathaniel B. Freed.
Purser's clerk—Wm. W. Watkinson.

The Gedney channel—U. S. ship Constitution, May 20, 1859. Sir: Having just passed through the "Gedney channel," and viewed its advantages and reflected on the great purposes to which it is destined, I cannot but congratulate you on the happy discovery. A great naval station and dry dock is no longer a problem.—New York must possess both, if politicians are not blind to the true interests of the country. Respectfully, your obedient servant, ALEXANDER CLAXTON.

Lieutenant Gedney.—A gentleman just got out through this channel, with a neat tide, and 23 1-2 feet of water on the bar. We hope the suggestion of commodore Claxton will be attended to. [New York Express.]

Encampment. We learn from the Army and Navy Chronicle that, for the purpose of repairing the defect

existing in the army in regard to brigade and regimental evolutions—a defect resulting both from the small number of soldiers composing the army, and from their necessarily scattering positions, it has been determined to form an encampment during the ensuing summer, and preliminary steps have been taken as to the location. After examining the various sites thought to be eligible, the race ground near Trenton, New Jersey, has been selected as possessing most advantages. Major Mackay, quartermaster, and lieutenant J. E. Johnston, of the topographical engineers, have been directed to lay out the grounds for encampment.
"It is probable that from one to three regiments will be collected at this encampment. The 4th regiment of artillery, just returned from Florida, will be the first on the ground." [Nat. Int.]

The banks in the city of New York and those of the interior of that state have renewed the arrangement formerly made by them, by which the notes of the latter institutions will be redeemed at the city banks. In speaking of this measure, the New York Courier says: "Next to good morals and good government is good currency—and we would wish that every state in our union was as well off in this respect as the state of New York.

Mr. Prieur, who recently sailed for England for the purpose of negotiating certain loans for the city of New Orleans, has written home that he finds it impossible to accomplish the object of his mission.

The following short sentence of advice by William Penn should be kept in mind by any young man who is thinking of coming to America: *Never marry but for love, but as thou lovest what is lovely.*

The crops. The Cumberland Alleganian, Harrisburg Reporter and Columbia Spy all contain highly favorable accounts of the condition of the growing crops.

We copy with much satisfaction the following article from the Frederick Examiner of Saturday:

The season. Every thing now betokens once of the most abundant harvests which have been known for many years in this country. We are, in fact, now in the valley of "old Frederick" fairly laugh again with joy, as the wheat fields wave their smiling tops beneath the passing breeze.

The wheat promises most beyond, and is now so far advanced, it is hoped, as to be beyond the casualties to which it is so often subject in its earlier stages, and it will probably be ripened so early as to secure it from the danger of rust, to which it is sometimes liable at a later period. The harvest, if this thought, will be at least from ten days to two weeks earlier than usual, as the wheat is already beginning to head. From the Middle-town valley, some heads have been shown to be more than a week ago. We are informed by a gentleman considered as qualified to form a correct opinion, that, in his estimation, the crop here will be at least one-fourth more this year, than it has been for the last twenty years. Truly have the farmers cause to give thanks to a kind Providence for the glorious prospect of a bountiful year. We are, and to rejoice in the rich return they are about to receive for their labors.

Important decision. The chancellor of the state of New York has recently decided that if it is a part of an agreement for the loan of money, that the borrower shall take uncurrent bills at a higher rate than their actual value in cash or current funds, the loan is usurious. That where a loan is secured by the transfer of stock, with a stipulation that the lender should have the privilege of taking a part thereof in full satisfaction of the loan—the parties, at the time of the agreement, anticipating a great increase in the value of the stock—the transaction is usurious. That whenever the lender stipulates even for the chance of an advantage beyond the legal interest, the contract is usurious, if he is entitled, by the agreement, to have the money repaid with the interest thereon, unpaid, to him at all events. [Chronicle.]

Robbery of the express mail. Slips from Nashville Tenn. of Saturday, 12th inst. furnish the intelligence of an agreement for the loan of the express mail. The Union thus describes the circumstance:

The N. Orleans packet of the 15th April, due at this city on the 2d of the same month was missing from the bag. The most searching inquiry was instituted for it by gen. Armstrong, who ascertained that the same came with regularity as far as Murfreesboro' Envelopes of mail packages were subsequently found near the rider's stand, about 20 miles from this city—and from these circumstances and collateral information gathered by Mr. Tucker, the postmaster at Murfreesboro', with Mr. H. C. Low, one of the pretors, who had been in the name of Wm. G. Union when they suspected of having committed the deed. They proceeded to his residence near Murfreesboro' yesterday, and charged him with the commission of the crime in a huff, and gave up to him a full confession of his guilt, and gave up to him a bill which he had rifled the mail.

He was committed to jail for trial, in September next.

The amount of bills of exchange, checks, &c., covered, is about \$120,000; together with the amount placed in the hands of the district attorney at Nashville.

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[VOL. LVI.—WHOLE No. 1,468.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WM. OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

OFFICIAL. We copy the following from the Globe of Tuesday night.

Department of state, May 27, 1839.

Information having been received at this department of the payment by the government of the Netherlands, into the hands of the bankers of the United States at London, to the credit of the secretary of the treasury, of the sum of sixty-two thousand six hundred and ninety-two dollars, in satisfaction of the claims preferred against it, in behalf of the owners and other persons interested, in the case of the ship Mary of Baltimore, capt. Phillips, and cargo, captured in 1809, by the French privateer *Renommée*, carried into Curacoa, and the proceeds appropriated to the use of that colony.

This is to give notice to all whom it may concern, that the person interested can apply at the treasury department, for the purpose of entering into the necessary arrangements, to enable them to receive their respective portions of the proceeds of said claim.

THE QUO WARRANTO CASE. The pleadings had and other proceedings before the supreme court of Pennsylvania, in the *quo warranto* case of judge Darlington, of Chester, and arrested before the decision was had, by the death of judge D. are not, it seems, to be labor lost. The Harrisburg Keystone has commenced the publication of a report of the case embracing the argument of counsel, pro and con. And although judgment was arrested, in the original case, by the death of judge Darlington, the whole matter, it is said, will be revived in the case of judge Collins, of Lancaster, whose commission being issued under similar circumstances, must possess the same measure of validity as that of judge Darlington; and the argument and "law of the case" brought to bear in the one case, must necessarily be applicable in the other.

The judges in question, "let go to take a better hold of their office," and the difficulties, as to the validity or invalidity of the new commissions, granted to them by the executive of the state, arise out of the various construction put upon certain sections of the amended constitution of Pennsylvania. If the intention of the framers had any thing to do with the construction of the fundamental law, it might be supposed that some advantage would be gained to that end, from the circumstance, that three of the four counsel who argued the case, pro and con, before the supreme court, were members of the convention which formed the "amended" constitution, which gives rise to the case. But the intention of the law must be gathered from the letter of the law.

[Balt. Patriot.]

ANTI-MASONIC ELECTORAL TICKET FOR PENNSYLVANIA. The antioasonic convention, recently in session at Harrisburg, adopted the following as their electoral ticket, pledged to support general Harrison for president and Daniel Webster for vice president.

John Andrew Shultz, Lycoming,	} senatorial
Joseph Ritner, Cumberland,	} electors.
Levis Passmore,	Nathan Beach,
Cadwalader Evans,	George Walker,
Charles Waters,	Ner Middleswarth,
Jonathan Gillingham,	John Reed,
John K. Zeilin,	—McKeehan,
David Potts,	Bernard Connelly,
Amos Ellwaker,	—Buffington,
John Harper,	Gen. Markle,
Joseph H. Spayd,	—Fordyce,
Peter Filbert,	Joseph Henderson,
Robert S'inson,	Hon. Harmer Denny,
Wm. Hendric,	—Montgomery,
J. Jenkins Ross,	Gen. John Dick,
	—William McViney.

The name of the elector from Adams and Franklin has not been received.

CONNECTICUT WHIG CONVENTION. We copy the following from the Boston Courier of the 13th ult.

"On Wednesday next a whig convention is to be held at Hartford, to appoint delegates to a national whig convention which will assemble at Harrisburg in the state of Pennsylvania, in December next, for the purpose of nominating candidates for president and vice president of the United States. The state convention will be composed of delegates from the

several towns, equal to the number of representatives which the towns are entitled to in the general assembly. The Hartford Courant thinks it would be inexpedient for the convention to express any partiality for any individual candidate lest it might embarrass the action of the convention when assembled at Harrisburg."

VIRGINIA ELECTION. To-day the great battle is fought in Virginia, between the loco focus and the loco-foco-Ritchie-conservatives on the one hand, and the whigs and the friends of Mr. Rives upon the other. There depend upon the result, a United States senator and a governor to be chosen by the legislature, and twenty-one members of congress.

The following is a table of the congressional candidates. Those in small capitals are state rights sub-treasury men, those in italics are conservatives, and those with an asterisk were members of the last congress.

<i>Districts.</i>	<i>Whigs, &c.</i>	<i>Loco focus, &c.</i>
1 Francis Mallory,*	Joel Holleman,	
2 James W. Pegram,	Francis F. Rives,*	
3 (No candidate),	John W. Jones,*	
4 Thomas S. Gholson,	G. C. Dromgoole,*	
5 John T. Hill,	DANIEL A. WILSON,	
6 Vincent Witcher,	Walter Coles,*	
7 Wm. L. Goggin,	Archibald Stuart,*	
8 Henry A. Wise,*	(No position),	
9 John Taliaferro,*	Robert O. Grayson,	
10 R. M. T. HUNTER,*	Francis W. Scott,	
11 John M. Botts,	Wm. Selden,	
12 James Garland,*	WM. F. GORDON,	
13 Daniel F. Slaughter,	Linn Banks,*	
14 Charles F. Mercer,*	Wm. T. P. Mason,	
15 Richard W. Barton,	Wm. Lucas,	
16 David Steele,*	Green B. Samuel,	
17 S. McD. Moore,*	Robert Craig,*	
18 Geo. W. Hopkins,*	John B. George,	
19 Pierre B. Wethered,*	Andrew Beirne,*	
20 Geo. D. Camden,	Joseph Johnson,*	
	Wilson K. Shinn,	
	Lewis Steenrod.	

21 Thos. S. Haymond, The Richmond Whig and the Richmond Enquirer, the respective organs of the two parties, have both expressed the most confident hopes of complete triumph.

The Whig counts on the election of ten whig and two conservative members of congress to three administration. It hopes for a gain of two or three in the senate, but not enough to overbalance the force of strong administration majority. In the house of delegates, it claims seventy-seven whig, eleven Rives conservative, and seven doubtful, leaving but thirty-nine certain for the administration. The Enquirer, on the other hand, expects fifteen tory members of congress; it calculates on no change in the senate; and puts down sixty-eight certain administration and nineteen doubtful of the house of delegates, leaving but forty-seven for the whigs and conservatives. A few days will tell the story.

LATEST FROM FLORIDA. Our attentive correspondent has furnished us with the following late news per steamboat Florida.

Garey's Ferry, May 17, 1839.

Dear sir:—Every thing is going on well and smoothly in the negotiation line, and in a very short time I expect to be able to apprise you of the successful termination of gen. Macomb's mission.—Col. Harney arrived from the south a few days ago, bringing with him a very important chief of the Micasukee tribe, he with fourteen others, came to colonel H. whilst on the southern coast, and says the Indians are anxious for peace, and will gladly accede to the general's terms. Gen. Jones (Sam) says that if he comes in, it will be after peace is made, and every thing settled. Coacoche entertains and expresses the same opinion. Several Indians have also visited the general, at Fort King, and promised to bring in more. Murders committed by straggling parties of Indians may still be heard of, but as soon as the news of our wish to make peace is known to all, no danger even of this kind is to be apprehended. [Savannah Georgian.]

The St. Augustine correspondent of the Charleston Courier, under date of the 24th May, writes as follows:—"two chiefs arrived last evening in the Isis, from Key Biscayne. They are on their way to Fort King in order to have an interview with gen. Macomb. Several Micasukes with a sub-chief have

recently come in at the latter post, and it is probable that they will soon come to some arrangement, by which all difficulty will be settled. It is not certain that the Indians will consent to emigrate, but the most powerful means of inducing them to this, are evidently to hold out to them prospects of remaining in the territory. This course appears to be followed."

From the St. Augustine News, 18th inst.

Sam Jones (Apiaka) sent in a deputation of about 20 Indians to lieut. col. Harney, at Key Biscayne, in consequence of an interview with the runners sent into the enemy's camp by order of gen. Macomb.—Apiaka would have come in proper person, but sent a very polite apology to col. Harney, in explanation of his absence. Sam is a wag in his own way.—Chittee Enathla (spake lawyer) and Ochee Hajo (mad gnat,) are the representatives of the tribe Seminole proper, and accompanied col. Harney in the steamer Isis on their way to Fort King. They are of Sam Jones' party, and have been sent by him to communicate with the general-in-chief.

The following is the substance of an order issued to the commanders of districts, &c. respecting the enemy, under date of 9th instant, from head quarters at Fort King:

"Major general Macomb having invited the hostile Indians to visit him at Fort King, and they having already shown their willingness to do so, directs that all scouting and active hostile operations be suspended until further orders. If it be necessary to pass from one post to another, or to move about in the vicinity of a station, the officers and soldiers so engaged will be instructed to keep in the road, which the Indians will understand to be for a friendly purpose, and not to molest or destroy them."

The express rider between Fort Fanning and Fort White, was fired upon by Indians on the 9th inst. He escaped, with loss of horse and accoutrements.

From Fort King of the 9th inst. we learn that a Micasukee sub-chief came in at that post, accompanied by seven warriors, and had a long talk with gen. Macomb. He seemed delighted with the prospect of peace and said he would return in a few days with his whole camp, consisting of upwards of one hundred, and also that he would send runners in all directions to collect the "scattered tribes." The general treated them with great kindness. When they are all in, it is the general's intention to offer them a pecuniary inducement to leave the country—a bounty to each individual. They seemed to be greatly taken with the general's natural kindness of manner.

INDIAN MURDERS. The following note is endorsed on the express way-bill from Columbus, Georgia, under date of Wednesday last, the 15th inst. It is from the postmaster at that place:

The steamer Siren, arrived this evening from Apalachiola, brings information of a horrible massacre committed by a party of Indians, on Friday night last, on the Apalachiola river, about 50 miles below the Chattoahochee and Flint. Seven or eight individuals of both sexes were murdered and their bodies burned. The Siren stopped at the spot on Sunday, and the crew and passengers interred the remains of the murdered.

MEXICO. By the schooner Watchman, which sailed from Metamoros on the 7th inst. we learn that the government still retain possession of that place. It is garrisoned with only three hundred troops, the rest having marched to join Bustamante. Nothing certain was known of the movements of the federalists, excepting such accounts as have reached us by previous arrivals. The W. has on board \$21,557 in specie. [N. O. Bulletin, 16th.]

The Mexican schooner Vera Cruzana, arrived here on Saturday evening, brings dates from Teapico to the 8th instant. From verbal information from the captain we learn, that Bustamante is yet encamped at about ten or fifteen leagues from the city, waiting for re-inforcements. The exact position of generals Mexia and Urea is not known; but it is believed they are in Puebla or its neighborhood, at the head of about 2,000 men. Tampico is well fortified, with a garrison between 500 and 1,000 men. The government forces are stated to muster near 3,000 men. [N. O. Com. Bul. May 20.]

CENTRAL AMERICA. Extract of a letter from Truxillo, April 29, 1859. The political horizon of this country is again cloudy and most gloomy. Civil war has again broken out and it is difficult to foresee where it may end. The states of Costa Rica, Nicaragua and Honduras having pronounced themselves independent of the federation, and for a reform of the whole political system, the hostile parties have already met twice in the state of St Salvador, and both been routed in the respective battles. Morazan is no longer president, his term having expired, but continues as generalissimo of the armies of the republic, and now at the head of the federal troops. Contributions have already begun—trade is very dull, and should it be likely that this state of things will continue much longer, we may be induced to leave the country together. [N. Y. Gaz.]

A NEW CONGRESS OF PANAMA. The annexed extracts from a late number of the "Diario del Gobierno," the government journal of Mexico, show that a congress, or amphipnetic council of plenipotentiaries, from all the republics of Spanish America, is still contemplated by the statesman of those countries. One of the questions to be submitted at the next session of the Mexican congress, is a treaty now pending for the meeting of the American assembly, or congress. Mr. Gorostiza, the secretary for foreign affairs, presented a memoir to the late congress of Mexico, upon this subject from which we extract.

"Venezuela, New Granada, Ecuador, Brazil, Chili, Peru and Bolivia.

Nothing important has occurred in our relations with these states. The difficulty of communicating with the first, and the fratricidal war in which the three last are engaged, have not allowed our minister in Lima to correspond with the former, or to fulfil in relation to the others, the truly American mission with which we were charged. If the governments in this fair section of the globe, shall unite and direct their efforts to the establishment of a system of external politics, founded on justice, and sustained by the union of all, then will they understand their mutual interests. Then, and not till then, will they secure from foreign nations the consideration which they so justly demand, and which, if perchance, they have not enjoyed, has resulted alone from seperation and disunion.

To effect this important object, the meeting of the general American congress, should be effected as early as practicable. This was a conception of the immortal Bolivar, and one of those sublime ideas which genius like his alone can conceive. This government will co-operate towards such a desirable end, and will, with earnestness, invite the other sister republic to unite in the proposed congress, through its representatives."

Senior Don Juan de Dios Canedo, minister of Mexico, at Lima, in a state despatch to the Peruvian secretary of foreign affairs, alludes to this subject.

"From the political convulsions which have agitated us, destroying the prosperity of our people, and the stability of our institutions, the intricate conviction arises, that the new states should hasten the installation of the great American assembly. The opinion is universal, that this is the only effective antidote to the general calamities of the continent. [Globe.]

WHEAT AND CORN CULTURE IN MAINE AND MASSACHUSETTS. In Maine, the aggregate is as follows:—Wheat, 1,107,849 bushels—bounty on wheat, \$87,562 30—corn, 1,630,996 bushels in the ear—bounty on corn, \$66,285 80. Whole bounty on wheat and corn \$153,931 10. In Massachusetts, raised last year 97,195 bushels of wheat—Maine 1,000,654 bushels more than that state. The little county of Kennebec, in a point of territory—produced 125,923 bushels, being 28,735 bushels more than the whole state of Massachusetts.

The Maine Farmer adds to the above estimates the following:

The gross amount of wheat and corn would not be less than 2,000,000 bushels, which with 500,000 bushels of rye, buckwheat, barley, &c. afford four bushels of bread stuffs to every inhabitant of the state. If to all this we add the potatoes, ruta baga, and other roots that enter into the food of man, who will say that Maine cannot raise her own bread? Take now into the account the lumber, fish, lime, granite, hay, oats, beef, pork, horses, wool, mutton, cider, apple, &c., and see, which we produce and export in great quantities, and, saying nothing of the business and wealth produced by manufactures and commerce—is there any reason to think that the world will ever be more populous and the richest state in New England? She is coming to this condition most rapidly."

MICHIGAN WHEAT. The Cleveland Herald of Tuesday, 21st inst, says:—"Michigan is turning out not only a good quantity but a good quality of wheat. The big Neptune, captain Signs, brought down yesterday a full cargo from St. Josephs, destined for Buffalo. A gentleman has left a sample with us, which is pronounced better than any Ohio wheat brought to this place, and urges upon Ohio farmers the necessity of taking more pains with their seed, or the farmers of Michigan will take the lead. The sample is very superior—large, plump and bright berry."

TRADE OF THE NEW YORK CANALS. That some idea may be formed of the magnitude of this trade, we mention the following fact.

In the early part of this month a break occurred in the Erie canal, between Schenectady and Utica, which took nearly three days to repair. During this short time, a line of boats collected on the canal of over four miles in extent.

To show the foundation on which this immense trade rests, we mention the following items (official, 1855) of the value of the annual industry of the state of New York. [N. Y. Jour. Com.]

Flour, from 2,051 grist mills,	\$20,140,000
Lumber, from 6,948 saw mills,	6,580,000
Leather, from 412 tanneries,	5,395,000
Iron, from 293 iron works,	4,249,000
Woolens, from 234 woolen factories,	2,483,000
Woolens, from 965 fulling mills,	2,894,000
1,061 carding machines	2,651,000
Cottons, 111 cotton factories,	3,030,000
Ditto, 15 dyeing and printing ditto,	2,405,000
Spirits, 87 distilleries,	3,008,000
Beer, 94 breweries,	1,381,000
Iron, 141 trippannies,	393,000
Pot and peal ashes, 693 asheries,	726,000
Cordage, 65 rope factories,	950,000
Glass, 13 glass factories,	418,000
Paper, 70 paper mills,	655,000
Oil mills, olive mills, &c.	459,000
Woolen, linen and cotton made in families, 8,782,973 yards,	2,029,000
	\$60,669,000

THE CANAL BREAKERS. All the breakers in the canal are now repaired, and the boats are passing with great rapidity. Not less than fifty arrived in Utica, from the east, on Tuesday; and an equal number passed down. It is estimated, by experienced boatmen, that, by Friday morning, every boat which has been detained, by the heavy break at Frankfort, will have passed on, and this, too, despite the humbuggish article of the Argus, about a "fortnight's" delay.

The break which occurred near the Frankfort break, on Sunday, although somewhat extensive, was, we understand, repaired in about twelve hours. It occurred at a point where the work of enlargement has been carried on during the winter; and where for the purpose of wheeing out the earth, the old embankment had been removed, and then rebuilt with large lumps of hard frozen earth.

It is this species of gross carelessness, and not the "mismanagement" of the whig superintendents, which has caused the break, of which so much complaint has been made. [Rochester Democrat.]

LUMBER TRADE. It is generally known that the lumber trade between Great Britain and her North American colonies is of great importance, but we are disposed to think that very few are aware of its extent. From a statistical table of the wrecks on shore and at sea, and the number of crews lost between the years 1834 and 1838 inclusive, it appears that of wrecks on shore there were 66; at sea 163; and of crews lost or never heard from, 73. Of how great importance and extent must be a commerce the current losses of which are so great, and of what value must the intercourse be, if in other departments of trade the losses bear any thing approaching to a comparison with this single branch. It must be borne in mind, however, that great as this trade certainly is, its advantages, with perhaps the exception of those of the lumber trade, do not accrue to the government of the mother country, the expenses of these colonial establishments being such as to overrun very far any receipts from them. If we are not mistaken, the estimate of cost and profit stands as three to seven, or in other words, whilst the receipts to the customs, &c. are £2,000,000, the outlays amount to £7,000,000. There are certainly advantages accruing, but they are incidental in their character, such as the nursery furnished for seamen, the depositary afforded for surplus population, and the field opened to individual enterprise. These are well worthy of consideration, and constitute an inducement for keeping up

relations which in a mere money point of view are not worthy of being preserved. So far as the colonies are concerned, their dependent condition relieves them of burthens which should they ever attain the position of independent sovereignties, will be found very onerous. [Bull. Amer.]

COMMERCE OF NEW ORLEANS. The collector of the port of New Orleans has furnished the collectors of the Louisiana with the following statement, showing the quantity or value of some of the leading articles of imports into that port during the year 1858.

Coffee,		} [21,708,044 lbs. adval. free]
Cocoa,		
Almonds,	575,000	}
Raisins,	250,000	
Wool, value under Sec. pr. lb.	1,272,700	
Glass ware, plain and cut,	115,650	}
Slates,	220,600	
Sugar, brown,	1,000 tons,	}
" white,	4,500,000 lbs.	
Iron, braziers rods,	3,576,726	}
" sheet and hoop,	31,282	
" rolled,	963,700	}
" hammered,	5,198 02	
Salt,	634,500 bush.	}
Silk goods,	value \$202,000	
Linens, bleach'd and unbleach'd	\$594,500	}
Blankets costing over 75 c. each	\$104,000	
" under 75 cts. each,	\$1,747	}
Cotton goods,	\$50,000	
Brandy fruits,	\$45,000	}
Millinery,	\$105,000	
Ready made clothing,	\$120,000	}
Wines of all sorts,	2,000,000 galls.	
Brandy,	105,000 "	

JAS. W. BREEDLOVE, collector.
Collector's office, New Orleans, May 17, 1859.

IOWA. The commissioners appointed to locate, under the act of congress, a suitable place for the seat of government of Iowa, have chosen a spot in Johnson county. The location was made without reference to the law of congress, which confines the selection to a certain specified township within the surveyed portion of the territory. The Burlington Gazette says, the site selected is well suited to the purpose—beautifully situated on the eastern bank of the Iowa, two miles northwest of the town of Napoleon, and within one mile of the centre of the territory, north and south. In the immediate vicinity of the location several extensive strata of gray marble have been discovered, which can easily be made available in the erection of buildings suited to the "dignity and state" of this favored region. The surrounding country, in richness and beauty, is equal to any portion of the territory. A rich vein of lead has recently been discovered in the neighborhood. Timber is also plentiful, and of first rate quality; water privileges are also numerous. The seat of government is to be called the "city of Iowa."

A REGION OF SPRINGS. At the village of East Liberty, in Logan county, Ohio, there are numerous fountain wells and springs, a short description of which may, perhaps to the philosophic mind, be matter of amusement and interest. East Liberty has something of an elevated station, lying in the eastern part of that county, between the head waters of Millcreek and Darby, which streams empty into the Scioto at least forty miles apart, and here their sources are nearly together. As we before said, the site of the village is considerably elevated, yet it is on the very frontier of an extensive plain, and, to the south, west, east and northeast. The generally undulating, and in the vicinity of Mad river, it is considerably hilly. About four years since, a well was dug in the village by Mr. John Mathis, to the depth of thirty-three or thirty-four feet, when a large stream of water burst within a few feet from the bottom of the well; and such was the rapidity of its flow, that, in less than three minutes, it filled the well nearly to the top, as it approached the surface it rose gradually slower; but run over at the top and still continues to run in a large stream.

Subsequently, there have been six or seven other wells dug, in various parts of the town, and all of which rose and ran in the same manner of the first one described; and, indeed, every well dug in the vicinity is a fountain. The method of walling these wells is, to throw in stones to the top, and until they fill them nearly to the surface promiscuously, whence commence their wall. Thus we can have a delightful stream of cold water in every citizen's door-yard. But I will mention another phenomenon. In the early part of May last, about a quarter of a mile above the town, on the bank of the Otter

... a large spring spontaneously burst out in a place where there had before no water ran, except a mere ooze out of the bank. The spring sent up a muddy water for some days, but at length it became clear; and, during the present dry season, with undiminished fullness, sufficiently to supply the grist mill situated in the limits of the town. But, of late, the citizens began to find their wells diminished in force, but attributed it to the dry weather. This spring, however, was found to increase in fullness, and a larger stream than of late flow from it, notwithstanding the long and increasing drought. But, on building a dam, and raising the head of the spring about three feet, all the wells in town were found to raise simultaneously to flow with their usual vigor.

[Bellevue Gazette.]

NEW YORK GENERAL BANKING LAW. The Albany Evening Journal publishes a list of the associations which have been formed under the general banking law, the amount of the securities which have been deposited with the comptroller, the amount and denomination of notes for which certificates have been given, and the number of circulating notes issued by the bank department. From this document it appears that up to the 30th of April last, forty-three banking associations, of which seven were in the city of N. York, have deposited \$2,737,090 in state stocks and \$351,336 31 in mortgages, making a total of \$2,996,406 31 as security for the ultimate redemption of their notes. Of the stocks so pledged, 69,000 consist of 6 per cent. Missouri stock; 877,000 of 6 per cent. Arkansas, 25,000 of 5 per cent. New York; 110,000 of 5 per cent. Maine; 160,000 of 5 per cent. Alabama; 5,000 of 6 per cent. Michigan; 324,000 in 5 per cent. Indiana; 50,000 of 6 per cent. Kentucky; and 400 of 6 per cent. United States.

The bank department has delivered notes to these associations to the amount of 48,382 amounting in the aggregate to \$1,590,818. Of this number 67,500 are one dollar notes, 162,840 were in two dollar notes, 21,614 were in three dollar notes, 174,300 five dollar notes, 21,610 in ten dollar notes, and 10 in one hundred dollar notes.

Besides this, orders have been given for notes to the amount of 4,251,111 dollars, of which 510,000 are to be of the denomination of one dollar, 334,048 of the denomination of two dollars, 50,000 of the denomination of three dollars, 359,200 of the denomination of five dollars, 63,300 of the denomination of ten dollars, 3,350 of the denomination of twenty dollars, 2,200 of fifty dollars, 2,350 of one hundred dollars, 60 of five hundred dollars, and 50 one thousand dollars.

Since the table from which the preceding statements are taken was prepared, several other associations have deposited their securities and received notes for circulation. Among these are the Bank of Commerce, New York; the Howard Trust and Banking company, of Troy; the Ballston Spa Bank, the Fort Plain bank, and the Bank of Verplanck.

BANK OF DARIEN. The Milford (Geo.) Central Union says: "The bills of this bank and branches are all received at par by the Central bank in payments of debts due to it. The amount recently redeemed of the bills of the Darien bank, at the mother bank and not the several branches, together with the amount paid into the Central bank, warrants the belief that a resumption of payments will shortly take place at this bank and its branches. The holders of the notes should not take any sacrifice on them."

MONEYED INSTITUTIONS OF ST. LOUIS. The legislature of Missouri has chartered several insurance companies with liberal privileges, and they are in course of operation under the most favorable auspices. Among these is the "Mutual Insurance company," of which Mr. H. S. Cox, former cashier of the branch Bank United States (St. Louis), has been appointed president, and Mr. T. O. Duncan, formerly of the same institution, cashier—and the Perpetual Insurance company, with a capital of three hundred thousand dollars, two-thirds of which we learn are owned by prominent men in Philadelphia and Boston. Both of these companies are authorized to make fire, marine and life insurance, to receive money on deposit, to deal in exchange, &c. and will be enabled to effect a great deal of good in a young city. When we consider that the legal rate of interest in Missouri is ten per cent. and that the insurance companies of St. Louis have, with all their heavy losses, paid from 30 to 40 per cent. per annum, it is not surprising that such stock is sought for by eastern

capitalists. If the whole stock is loaned out on adequate security at ten per cent. and the insurance business yield in itself 20 per cent. no doubt can exist of the ultimate and immense value of such stock. So profitable has been such business, that in one case, we are informed, after the first instalment of \$10 per share, two dividends of ten dollars each were made within 12 months, without any further instalment. Such has been the increase of St. Louis that its population is now, by census, eighteen thousand. In 1830 it was described in one of our gazettes as a "fourishing post-town." In 1834 it contained 8,000 inhabitants. In 1837 six hundred houses were erected, which were not sufficient to meet the demand, while the business of the city keeps upwards of one hundred steamboats in constant employ throughout the year.

[Baltimore Chronicle.]

LAYING THE FOUNDATION OF THE GENERAL POST OFFICE. On Saturday last the cornerstone of the general post office, situated on seventh and E streets, was laid, in the presence of the following officers of the government, with the usual ceremonies: The president of the United States, the secretary of the treasury, the secretary of war, the secretary of the navy, the postmaster general, and the attorney general.—The mayor of Washington, and many other distinguished citizens were also present.

The following is a copy of the inscription upon the plate affixed to the corner stone:

GENERAL POST OFFICE UNITED STATES.
FOUNDED 1775.
Building destroyed by fire 1836.
Re-built fire-proof 1839.
Martin Van Buren, president of the U. States.
Richard M. Johnson, vice president of the U. S.
John Forsyth, secretary of state, } Commission-
Levi Woodbury, sec. of the treasury, } ers on pub-
Joel R. Poinsett, secretary of war, } lic build-
Amos Kendall, postmaster general, } ings.
James K. Paulding, secretary of the navy.
Felix Grundy, attorney general.
Wm. Noland, commissioner of the public build-
ings, &c.
Robert Mills, architect.

The following deposits were made in a copper box, well secured from water and air: All the newspapers of the day published in the city of Washington, a copy of the constitution of the United States, list of the post offices in the United States, army and navy registers, coins of the United States, a testament, &c. [Nat. Intel.]

DANIEL WEBSTER. The following correspondence passed between this distinguished statesman and two of the merchants in Boston prior to his departure for New York:

Boston, May 6th, 1839.

Hon. Daniel Webster:
Dear sir: Having heard of your intention to visit Europe, we beg you to accept the accompanying suit of clothes made from American cloth, manufactured by Messrs. W. & D. D. Farnum, Waterford, Mass. which we have no doubt you will be happy to wear as a specimen of American manufacture. Very respectfully, your obedient servants,
MILTON & SLOCOMB.

Summer street, May 7, 1839.

Gentlemen: I accept with pleasure the present of the suit which you have been polite enough to send me. Both in material and making, the articles appear to me to be very superior, and I shall be proud to show them as proofs of the progress of American manufacturing skill. Yours, with much regard,
DANIEL WEBSTER.
Messrs. Milton & Slocumb, Faneuil Hall.

UNIVERSITY OF VIRGINIA. We have received a catalogue of the officers and students of the university of Virginia for the session of 1838-'9.

Recapitulation.	
From Virginia,	161
" Alabama,	23
" South Carolina,	23
" Georgia,	6
" Louisiana,	10
" Mississippi,	7
" Tennessee,	7
" Maryland,	1
" North Carolina,	3
" Pennsylvania,	3
" Ohio,	1
" Kentucky,	3
" District of Columbia,	2
" Florida,	2
Total,	247

Number of students in the different schools of the university of the present session:	
Ancient languages,	84
Modern languages,	81
Mathematics,	103
Logic,	66
Natural philosophy,	108
Chemistry and materia medica,	57
Medicine,	60
Anatomy and surgery,	64
Moral philosophy,	60
Law,	54
Civil engineering,	11

THE CARRIAGE WHEEL. A paper in the May number of the American Museum of Literature and the Arts has the following remarks on the wagon wheel:

"Next to agriculture, came the means of transportation. The fruits of the earth must not only be raised, but brought home. Conceive of the labor and loss of time to bring home each sheaf by itself, by human hands, and even of heasts of burden. The next thing to carry, is traction. But many things would be wasted and destroyed by that process. Something must be placed beneath them to prevent the injury. Still the surface of the ground was rough and difficult to pass over. A smooth bridge must be made to remedy its roughness, and level its inequalities. That bridge was found in the common wheel—an invention now never thought of as wonderful, but in fact, one of the most complete and perfect and useful for its purpose, that has sprung from the ingenuity of man. It is in fact, an interminable, portable bridge, with a highly polished surface, which the vehicle pulls up after it, and sets down before it as he goes, making the whole process of locomotion a most ready and extemporaneous affair. It is laid down and taken up with the greatest ease through wet and dry, over hills and dale, over stones and through the mud, and what is most wonderful of all it in fact shortens the distance, so far as friction is concerned, in precise proportion of the circumference of the wheel to the circumference of the axle-tree. Tongue cannot tell, imagination cannot conceive the benefits which this simple machine has conferred upon mankind. For its perpetual and universal use, it may be said to rank next to the plough, and as the vehicle of trade and travel, that effective stimulant of all improvement, it has played a most conspicuous part in the progress of mankind. Its inventor was one of the greatest benefactors of his race; and though his memory be lost in the night of ages—and no one can tell where his ashes are laid—how much better does he deserve to live in the recollections of the world, than Caesar or Napoleon, who trampled nations in the dust."

REMARKABLE PREDIGY. The Belfast (Ireland) Chronicle gives the following account of David McCreaney, living in the parish of Aughagallon, county of Antrim:

He was born without arms or legs, having only two short stumps in place of arms, and as to the legs, one is only a few inches long, with a diminutive, shapeless foot, without any joint intervening, so as to form a thigh and a leg. The other is almost as long as in a middle sized man, but greatly deformed. It is extraordinary what this decrepit man can perform, as there is scarcely any job in the farm yard he cannot do, viz: he can thrash, and has often done so the whole day before a hired man; he can harness and unharness a horse, clean a stable or cow house, tether a cow; tie up with the stumps, and throw on his shoulders a bundle of clover and grass 100 lbs. in weight; he can shave himself, holding the razor in his toes, also use the knife or fork in the same manner; he can dress and undress himself without any assistance, balance a cup or bowl on the flat of one of the stumps, drink out of it, and lay it down in safety; he can assist at the breakfast table, helping his mother to draw water, lifting the kettle of boiling water with his toes, and has occasionally helped himself to a cup out of the teapot in the same manner. These are only a few specimens of his bodily actions, which are far surpassed by his mental powers. It was unfortunate for himself that he never received any education; for, by the power of memory alone, there is scarcely any arithmetical question he cannot solve, and a great many mathematical ones, many specimens of which he can describe; and it is truly amazing and wonderful to hear him do so, owing to the astonishing stretch of memory required on some of those occasions.

POST OFFICE STATISTICS IN GREAT BRITAIN.—The number of letters annually transmitted throughout the kingdom is estimated at about

77,000,000; the gross receipts for postage in 1837, were £2,339,737 18s. 3d.; the total cost of management and transportation £298,632 8s. 2d. leaving a balance of £1,611,105 10s. 1d. as the revenue received by the government from that department. Besides the number of letters mentioned above, there is to be added 7,000,000 franked letters, and 44,500,000 newspapers, which are free of postage. A reduction of postage is recommended there as it is here. A committee who have investigated the affairs of the department propose a reduction.—The consequence of following the course recommended by them they say, would be to increase the number forwarded annually to 400,000,000.

DINNER TO VICTORIA. On the evening of the 24th, her majesty Victoria, for the first time since her accession to the throne, accepted of an entertainment from a subject. She dined in Berkeley square with the marquis and marchioness of Lansdowne. Her mother rode in the same carriage, and in the one that followed were Lady Hastings, &c. Only 24 covers were laid, and the company, of course, were almost exclusively of the highest rank, dukes, &c. among them the duke of Norfolk. In the evening there was a superb concert, and the magnificent suite of rooms filled with the choicest statuary and paintings, were all thrown open. About 350 attended, including the duke of Wellington, &c. The queen retired shortly after midnight.

MOCRA. Mocha, in Arabia, on the Red Sea coast, is situated in lat. 13° 20' N. 43° 17' E. and is under Turkish government. The city at a little distance, has an imposing appearance. Its white houses, with their turretted tops and mosques, with their spires shooting in the air, led me before I landed, to think quite favorably of it; soon after landing, however, and getting within its walls, I found my disappointment. The white houses do well to be seen only at a distance, for when near, the redness of their structure proves them to be as well suited for one part of their use as the other; that is for the stabling for horses and camels, as well as the accommodation of human beings. The streets are rather worse in point of dirt; they are the common receptacles of all kinds of dirt, not excepting the drainings of establishments from the upper stories, frequently proving unpleasant to the heads of persons passing under; and as they are never swept or cleaned, embankments of dirt are found on either side; they are unpaved and very narrow, but few being over twelve feet, and added to their other inconveniences, one, while walking through them, is every now and then jostled, either by a filthy cooly, probably with a dirty mat of dates upon his back, a loaded camel, or a jack-ass. If a person walks 50 yards without coming in contact with either of these, he does well; he yet, however, has to guard against stumbling over half starved dogs and decrepit and diseased beggars, that swarm the streets, and whose want of strength does not allow them to get out of the way—the latter are daily to be seen dying on the streets, presenting the most disgusting sight that can be conceived. There is a hospital in the city superintended at the expense of government, it is kept only for invalid Turks, and of course the Arabs or others are not allowed to enter; and the Mahomedan religion being strongly spiced with fatalism, neither Turks nor Arabs have much faith in the healing art of physicians; they are therefore but poorly supplied with them. [Lloyd's Price Current.]

FOREIGN NEWS.

The New York papers furnish us with the following items of news, in addition to what we published last week, by the ship England, capt. W. White, from Liverpool to the 24th ult. the day of her sailing.

ENGLAND AND IRELAND.

Ministers have been sustained by the house of commons in the government of Ireland. The following was the resolution proposed by lord J. Russell:

"That it is the opinion of this house that it is expedient to persevere in those principles which have guided the executive government in Ireland of late years, and which have produced the effectual administration of the laws, and the general improvement on the part of the United Kingdom."

Sir Robert Peel's amendment, which is of great length, went to defer a resolution of approval of the course of ministers respecting Ireland, until the resolution of inquiry into crime in that country, as adopted by the lords, had been carried out. It was lost by the following vote: for Peel's amendment 296, against it 318. A majority for ministers 22. Mr. J. Duncombe's proposed addition to lord J. Russell's resolution was then called for and ran thus:

"That it is also expedient to effect such further reforms in the representation of the people in parliament as would conduce to their contentment, and to the welfare of the country at large."

The result of the division was such as we had anticipated, although the tory advocates boldly asserted the majority for ministers would not exceed fifteen, promising to "eat all above that number without pickles."

This amendment was lost by a majority against it of 218.

The Maine question. The Liverpool Courier of the 24th says: a private letter, dated St. John, 31st of March, has been received by way of Derry, which states that "the border war is at an end, each party having agreed to withdraw their troops, and appoint a civil force to protect the timber on the disputed territory."

FRANCE.

The Chambers, April 18, elected its fourth vice president. The candidates were M. Etienne, one of the leaders of the coalition, and gen. Jacqueminot, a personal friend of the king, and one of the staunchest supporters of the ex-cabinet. Here was another direct contest between the court party, aided by the recreant doctrinaires and coalition. The result was

Number of votes	423
For M. Etienne,	212
Gen. Jacqueminot,	209

M. Etienne was then declared duly elected vice president, amid the acclamations of the left and left centre.

Three of the four vice presidents belong to the coalition; and if Passy be sincere in his repentance, the court is in a worse position than it ever was before.

From the London Times, April 23.

The Paris papers of the 21st have arrived by our usual express. They are divided in opinion respecting the reconstructions of the cabinet.

The "Journal des Deuats" states that the new ministry would appear on Monday in the "Moniteur," and that marshal Soult would be president of the council, with Messrs. Passy, Thiers, Dupin, Lafourcade, Sanzet, d'Argout, &c. for his colleagues. "It will be seen," says the Deuats, "that this cabinet is exclusively chosen from the ranks of the left centre."

ENGLAND AND ITALY.

The marriage of Prince Doria Pamphili; of the illustrious house of Daria, with lady Mary, daughter of earl Talbot, was performed with great ceremony at Rome, by the cardinal Giustiniani. The pair went then to St. Peter's to return thanks, and afterwards set out for Turin to visit the king, (a cousin of the prince), on their way to England.

The bishop of Petersburg is dangerously ill.

BELGIUM AND HOLLAND.

We have great satisfaction in announcing that the long protracted negotiations on the affairs of Belgium and Holland have at length been brought to a termination. The treaties between Holland and Belgium, and between those two powers and the five powers represented in conference, were signed on Friday afternoon, the 19th of April. The treaty is substantially the 24th article of that of 1831, and is mutually satisfactory to both parties.

SPAIN AND PORTUGAL.

The rumor of the battle between the Carlists under the count of Moralia (Cabrera) and the Christians under Van Halen, alleged to have taken place near Montelban, in Lower Aragon, on the 9th April, turns out to be false.

Madrid papers to the 13th instant inclusive, with letters from Bayonne to the 16th, have been received in London. They announce the disgraceful flight of general Van Halen from before Sagura, occupied by Cabrera.

On the 7th, the Madrid mail was stopped by a band of mounted Carlists near Baylen, and the escort, consisting of six individuals, mercilessly murdered.

In La Mancha the Carlist butcher Palillos, has refused quarter to every Christiano falling into his hands. All that are taken are instantly shot.

Cabrera surprised the military hospital of Daroca on the night of the 10th, and carried away with him the sick and wounded, and the soldiers left for their defence.

It was said that Van Halen contemplated retreating from before Sagura, and that Don Carlos meditated a new attempt on Madrid.

TURKEY.

Letters to the 27th of March state, that the sultan had acceded to the desire of baron Roussin to send a plenipotentiary to Mehemet Ali, relative to the fulfilment of the treaty of Kutaiho; and also agreed to send another envoy to determine the form

of feudal sovereignty for the pasha. The sultan was agreed to the proposition of the English French ambassadors, that in the event of the Turkish fleet leaving the Dardanelles, an Anglo French division of 6 ships of the line, 4 frigates, &c. should watch their movements, 5 ships of the line under admiral Stopford to go to Alexandria, and 3 under the French admiral, Lalande, to Tunis. The naval conflict (unless a Navarino one) between sultan and dey would be prevented.

EGYPT.

The *Courrier Francais* publishes an extract of a letter from Alexandria, dated the 3d instant, which states that only three or four battalions of troops remained in that city, and not half a dozen in Cairo having been sent into Syria, in the anticipation of hostilities with the army of the sultan.

We have received the following from a correspondent at Cairo, dated the 26th ult:—"The pasha of Egypt has declared to colonel Campbell his intentions to abolishing slavery immediately in all countries subject to his authority."

EAST INDIES.

Mr. Waghorn's portion of the overland mails for India reached London April 18th. The dates Calcutta, February 12; Madras, February 19; Bombay, February 23. The favorable account from the frontier which have been communicated by government are fully confirmed by this arrival. From Calcutta we are glad to learn, that the state of commercial affairs was more satisfactory. Produce was generally advancing, and staples in demand for European markets. The importation of bullion had also been abundant, and money plentiful. Early in the month indigo had been purchased freely at a slight advance, but buyers seem anxious for further advices from the home market. In the meantime holders were firm; the crop was estimated at 80,000 mds. and the purchases which had been made were chiefly on French account. Bull against shipments for England had been negotiated at 2s. 6d. 6 months sight, and ten months; against French shipments, payable in London, 2s. 2 1/2 sd. to 2s. 2 1/4 sd. and the United States at 2s. 2 1/2 sd. per company's rupee. The exchange on London was 2s. 2 1/2 sd. six months, and freights £4 10s. to £4 15s.

THREE DAYS LATER FROM ENGLAND.

By the packet ship Shakspeare, capt. Comwell, arrived at New York last evening, from Liverpool, brings dates from that place to the 27th of April, and from London to the day previous. The news brought by her is of no political moment.

The cotton market is represented as quiet, few sales having been made, some of which had been at slightly lower rates than those of the week before. One-eighth to a farthing is the decline quoted.

Accounts from Manchester are gloomy. The are rumors of a change of cabinet. Great anxiety prevails in ministerial circles, an anxiety felt, seems as much by the queen as by any one.

The Shakspeare brings 200 steerage passengers. London, April 25—half past one. Up to the present time we have no information of the arrival of the New York packet of the 1st inst.

Consols continue as in the early part of the morning, 92 3/4 money, and for the account 93 with little doing.

London, April 26. The reports recently current of an intention on the part of the Bank of England to raise the rate of discounts from this day, have not so far been confirmed. "The result of the usual weekly meeting to-day, but the notice anticipated did not make its appearance. The funds continue with little variation, and business in them inactive. Consols were 93, buyers for money; an 93 1/4, buyers for account. Bank stock, 196 1/2 to 197 India stock, 255 to 6. Exchequer bills 43s. to 45s premium.

The transactions in foreign securities were extremely unimportant.

Anxiety of the queen regarding the fate of her ministers. We are informed from a private source that such was the anxiety of her majesty to learn the fate of the motion in the house of commons of Friday night (or rather on Saturday morning), that the queen did not retire to rest until two hours past midnight. One of her majesty's pages of the presence was in waiting at the house to convey to the queen the result of the division, which reached Buckingham palace within five minutes after it had taken place. We believe that the duchess of Kent did not retire to her chamber until the arrival of the information, which was immediately communicated by her royal highness to her anxiously waiting daughter. [The Britania.]

The rumor which has been prevalent during the last fortnight in naval circles, of the intention of ministers to send a demonstration fleet to the Baltic,

out to be correct. It is to consist of twenty-two to be commanded by Admiral Gage, and seen that information which has reached the foreign office of the aggressive disposition has recently been manifested by Russia, has this determination. [United Service Gazette of discovery. During the past week the yard at Chatham have presented a scene of a great battle, in consequence of the fitting out of iron steamships intended for scientific discoveries in the southern latitude, under the command of James C. Ross, R. N. A.

Several banks have been allowed to accumulate to an extent at the mouth of Cowes harbor, that but vessels of very small draught will soon be sent.

London, April 25, (evening). Accounts from the continent state, that Lord Posaony and the admiral Roussin have requested from their governments that the English and French squadrons in the Mediterranean should be considerably reduced, so that troops should be embarked on them, to act according as circumstances require, and to make a diversion against one or the other. The sultan has recalled to Constantinople the Seraskier Hassan pasha, to learn his own wish what state his army is in, he has hopes of attacking with success the army.

FRANCE.

The ministry had as yet been formed by the general M. Passy, the president of the chamber of deputies, who has assumed his former position as a member of the cabinet, very much to the surprise of the friends of his coalition. He persists in a desire to make Thiers minister of foreign affairs, which Marshal Soult is bitterly opposed. The papers contain the following account of the affairs:

Paris, 25th April, (evening). The conclusion of the debate in the French chamber of deputies on Tuesday up to the delivery of the mails for London, will be found in part of the Sun. Among the most remarkable speeches was one by M. Passy, the president of the chamber, who declared that since his election he had informed the king that too much had been wasted in useless negotiations, and a cabinet, including M. Thiers ought not to be appointed. His majesty acceded, and the affair came to nothing in consequence of the king's refusal to give the foreign department to Thiers.

Marshal offered M. Thiers the department of the interior, which the friends of M. Passy prevailed upon him to refuse, and in the end M. Passy very properly too. He thought M. Thiers had a right to the portfolio of affairs, and he would not consult his own honor and the welfare of France, in accepting any other.

This speech, from the new convert to the policy, elicited marks of general surprise upon the chamber. The friends of the minister the 14th of April looked as if they had been a voting for M. Passy, who now boldly asks old position as one of the leaders of the party. The marquis of Dalmeida in the name of the king, marshal Soult, assumed all the responsibilities of the rejection of the claims of M. Thiers, and was not to blame, as he had allowed the king to exercise his own discretion.

Paris, Tuesday, April 23. Half past the debate on the interpellations, as they are called in the chamber of deputies, on the subject of the ministerial crisis, being to some prejudice of a fall determination in the crown and danger the peace of Europe, the French were advanced. For the account the three sessions opened at 31f. 35c. improved to 31f. 50c. and at 31f. 40c. being 15 cents higher than yesterday. The five per cents. from 110f. 60c. rose to 110f. 50c. declined to 110f. 50c. and closed at 110f. 50c. a rise of 30 cents.

Theacker season has opened on the northern coast of France with great promise of success. A storm in the port of Pecamp a few days ago destroyed 60,000 fish.

The telegraph between St. Petersburg and London has just been completed. On the 12th first telegraphic despatch was received in announcing that the emperor had been serried, but was quite recovered. Yesterday, (April 17), about two o'clock a fire broke out in a baker's house at Stockholm, limited in less than an hour and a half 190 persons were prey to the flames, and 113 families were driven into misery. The fire was not extinguished when the accounts last.

[Antwerp paper.

Antwerp, Tuesday, April 23. The market continues in an exceedingly depressed state, both for

goods and yarn, and prices yesterday were generally lower than on the preceding Tuesday. In yarn there was a decline of fully 2d. per lb.; in printing cloth, of about 1d. 3d. per piece; making a total reduction of about 1d. per lb. in yarn, and 9d. per piece in cloth, from the prices obtained about a month ago, whilst cotton commands about the same rates as at that time and as prices were then unremunerating, it may be readily conceived that great losses are now sustained on every thing sold, and more especially upon yarn. Of course, under such circumstances, the production is rapidly diminishing; many mills are working short time, others are stopping altogether; and we fear that the condition of the working classes is likely to be very seriously affected, unless some improvement should speedily take place. [Manchester Guardian.

Huddersfield market April 23. There was a dull market in almost every description of goods, which cause a gloomy foreboding for the spring trade.

Blackburn. A more stagnant and unsatisfactory state of business can scarcely be imagined than the present; and many are now becoming impatient. Yarns and cloth are both lower in prices generally; and, in some of the better kinds of power loom prints are from 9d. to 1s. per piece.

LATER FROM EUROPE.

The packet ship Louis Philippe, at New York, brings Paris papers of the 30th April, and Havre of 1st May. The ship Bowditch, also at New York, sailed from Liverpool on the 28th April.

The London Morning Herald says, "rumors of ministerial changes are rife in whig radical coteries, and are seriously discussed in conservative newspapers."

The apprehensions excited by a report that the Bank of England was about to increase the rate of discount, have entirely subsided.

London, April 26. Considerable alarm has been excited by the apprehension of an increase of the rate of discount by the Bank of England, because such a course would be deemed harsh and unceremonious at the present moment; however, it is asserted that the directors never seriously entertained the project, therefore it was not even discussed by them. The knowledge of this fact may go far to allay the fears of the timid. The banks in Lancashire and other distant provinces, which have hitherto depended on the London market for rediscounts will probably find some difficulty in obtaining accommodation to the same extent as before; but this must teach them to be more cautious in their advances, until circumstances alter; if they conduct their business with prudence, they will not suffer any great harm from a gentle check. Of late the London money market has been actually drained by the great demand for the currency.

Courier.

We have but few alterations to notice in the value of American stocks. Fives, (pound sterling), Alabama, 90; Alabama, 82; Louisiana, 81; Louisiana, (Baring's), 93; 94; Louisiana, (Lazard's), 96; sixes, Mississippi, 93; fives, do. (in pound sterling), 92 to 93; six, Ohio, 1856, 98 to 99; fives, New York, 90 to 92; Pennsylvania, 91 to 93; U. S. bank shares, £24 7s. 6d. to £24 10s.; fives, New York city, 87; six, Virginia, 93; Florida, (in pound sterling), 95; Maryland, 1 discount to par; fives, South Carolina, (in pound sterling), 96; Harrisburg and Lancaster rail road, 90 to 91.

BELGIUM.

A letter from Brussels states that the United States have renewed their claim on Belgium for an indemnification to American citizens for damage done to the property during the siege of Antwerp. The recent stay of Mr. Van Buren, jr. in Belgium, is believed to have been connected with negotiations relating to this affair, and it was expected to form the subject of long discussion in the chambers.

RUSSIA.

Extract of a letter from St. Petersburg of the 9th instant. "Every thing here breathes war; the emperor, it is said, will go to Kiew, even before the marriage of the duke de Luttenberg, to review the army of the south, and to deliver the command of it to marshal Paskevitch. General Witt is charged to negotiate with prince Metterich for the rupture of Austria with England in case of a war in the east; and it is said that the emperor has offered as an inducement to Austria, the incorporation of Servia, Bosnia and the Montenegrin country, with Hungary, taking for Russia, at the same time, Wallachia and Moldavia."

FRANCE.

Up to the 28th, the negotiations at Paris for the construction of a ministry, appeared to be on the eve of consummation; but as usual another explosion occurred, and the baseless fabric was scattered to the winds. After consultations of Soult and Broglie with the king, a meeting of the parties took place, when M. Dupin declined the proposition of taking the presidency as a mere nominal office, of

hussier or high constable to the cabinet. As to Fassy, marshal Maison and M. Thiers, neither would agree for the other to fill the place. Marshal Soult was not in the programme of the new cabinet.

Prince de Joinville is to command the new frigate La Belle Poile.

SARDINIA AND THE UNITED STATES.

The king of Sardinia has shown great wisdom in the liberal treaty he has just concluded with the U. States. Not only all our own products, excepting salt gunpowder and manufactured tobacco, are admitted, but the produce of other countries exported from America. Our cotton and tobacco will find a great market at Genoa, for its transit thence into the interior of Germany. It is a singular fact that the first commercial treaty made by Sardinia is with America—a land discovered by a Genoese.

The East India company are actively enlisting recruits in London, for their service in the Levant and in the east. The movements of the autocrat excite apprehensions.

A line of balloons, it is said, will shortly be established, by Mr. Green, between Cheltenham and London.

Market markets, April 30.—Cotton. Great flatness prevailed in our cotton market throughout the whole of last week. The intelligence from the interior as well as from England, and more particularly from Manchester, being of an unfavorable tenor. U. S. of ordinary sorts, which had hitherto been scarce and comparatively higher than good qualities, have now, owing to the recent arrivals, become plentiful, and sell at a decline of 1f. 1f. 50.

Yesterday, (Monday), the market opened with the same want of spirit, and even in a greater degree, the accounts brought by the English mail, being of a still more gloomy character. The sales of the week having been 2,899 bales, including 1,016 bales New Orleans, at 102f. a 113f.; 360 Mobile, 105f. a 117f.; and 335 upland, at 104f. a 111f. Import 847 bales.

May 2.—Cotton. The cotton market continues in the same torpid state, and prices are irregular, with a downward tendency, in the face of the firmness manifested by the principal holders. The falling off in our deliveries for the last four months, compared with the same period last year, amount to more than 50 per cent, and stocks show a considerable increase.

Liverpool cotton market, April 27. Without improvement in the demand or increase in the extent of sales, our market presents the same discouraging aspect we noticed last week; prices have been less steady with a more general tendency to give way. We reduce our quotations for all kinds 1-4 per lb.; in Egyptian sales are being made 13 to 2d. below the highest point, and in Sea Island at least 1d.—Speculators seem to have abandoned the market, as nothing has been done by them this week. Exports have taken 300 bales of American, and 70 Manrahams. The sales to-day are 1,200 bales of all kinds. The import this week is 21,739 bales, and the sales are 7,800.

CANTON.

Seventeen days later from Canton have been received by the bark Trenton, captain Hallet, at New York.

The Chinese authorities hold out on the opium restrictions, which create considerable disturbances. A commissioner has been appointed by the emperor to visit the sea ports, and report on the actual state of commerce.

Canton, January 26. A number of war boats have, it is said, been ordered to proceed to Hongkong to drive away the boats stationed there.

The foreign passage boats have received notice to come to Canton to receive the Hoppo's licence for plying between this and Macao; but we understand that several obstacles are still in the way of settling about them, the Hoppo insisting on compliances and guarantees both from the chamber of commerce and Cohong, which these bodies demand.

Owing to contention between the Hoppo and the Hong merchants, occasioned by the former's insisting on making a new Hong merchant of an individual known to be indebted to a large amount, chops for the lading and discharging of vessels were refused to be granted during two days, but the trade continues now without interruption. The Hoppo's eagerness to touch the fees from the new Hong, amounting to 30 or 40,000 taels, made him thus solicitous about it, and the Hong merchants refusing their guarantee the matter has for the present been allowed to drop.

INTERESTING FROM MEXICO.

From the Louisianaian.

We are indebted to the kindness of a friend for a copy of the following interesting letter from the city of Mexico. The writer expresses a warm, but just indignation at the wrongs inflicted upon our coun-

trymen by the faithless and barbarous Mexicans—having been an eye witness of many of the outrages to which he alludes, his indignation is quite natural, although he expresses it in language which, to those at a distance, may seem intemperate.

"City of Mexico, 10th 23, 1839.
MY DEAR SIR:—Your letter of the 20th ult. with its inclosure, was received by the 10th inst., for which I return you my grateful acknowledgments. You inform me that judge Ellis has been ordered to hold himself in readiness to proceed to Mexico, and that I may expect him soon. This is joyful news, so far as my private wishes are concerned; but for our countrymen, whose grievances have been suffered too long to remain unredressed, I cannot but feel, in common with all Americans, acquainted with these things, extremely mortified, for if our own government expects that the claims of our fellow citizens upon this country will ever be liquidated by pacific means, it will be disappointed. Must we then believe that the delay of atonement for their manifold wrongs is to be interminable? Negotiation is a futile and absurd way of bringing the Mexicans to a sense of justice—experience has amply proved it to be so. Nothing but the strong arm of power will effect that object. Indulgence is attributed to timidity—fornearance is construed into inability to punish them. They deserve neither the one nor the other. So far from this system being of any avail to convince them of what they owe to justice and the rights of civilized nations, spoliation, rapine and murder have been repeated over and over again upon the property and lives of our countrymen, under the eyes and with the connivance of the authorities of Mexico. Do you think impunity can possibly have any other effect than to excite them to repeat these outrages? After so many fruitless attempts to obtain justice by negotiation, is it not farcical to send an embassy hither at this time?"

"Our government has so long turned a deaf ear to the complaints of our countrymen, that they are tired out, and deem it useless to renew them, and thus the Mexicans are led to think that we are abandoned to their tender mercies, that they have only to inflict what injuries they please, and we are bound to suffer without remonstrance. If we appeal to this government for protection, they tell us to apply to the judiciary, to whose department the subject really appertains, is composed of men who are totally irresponsible, and leagued with the unbridled robbers and assassins—who, by the by, are no worse than the villainous judges, whose duty it is to punish them. It is useless to expect a decision from these judges in the case of an outrage committed by their cut-throat countrymen upon a foreigner, however glaring the proofs may be, and we are obliged to submit in silence. Our own government is well apprised of these things—and that it looks on with as much apathy as if it were under no obligation to give protection to American citizens.

"But there are some Americans who are determined to make these things known to the nation, and to let their country see what indifference the rights of her sons in Mexico are regarded, and whether the blame attaches to the legislative or executive agents; whoever is in fault, he ought to be held up to public reprehension.

"The affairs of this capital go on as you might expect they would under president Santa Ana. The few liberal journals told too many truths of the past and the present for the sensitive nerves of that worthy, and on the 8th inst. his excellency issued a decree for their suppression—an outrage upon the liberty of the press, which was directly contrary to the fundamental laws of the country. Mr. Lebrun, the minister of the interior, refused to sanction this tyrannical decree, and he was forced to resign. Mr. Furubide, the "official mayor," subscribed the death warrant of the independent press. Mr. Yermende, the editor of the "Voto Nacional," had previously been thrust into the dungeons of the holy inquisition. The decree forbids, under the severest penalties, the expression of opinions derogatory to the church, state or military establishment. To detect and bring to light all violations of this most arbitrary enactment of the tyrant's will, a rigid system of espionage is set in motion, and woe to the hapless "heretic" whose lips are not kept sealed.

"His excellency has taken under his especial guardianship, the hacienda and all its arteries, and the minister of the treasury is not permitted to pay out of the alcaboas without his consent.

"I hear that congress is in a state of great excitement, in consequence of an order given by acting president Santa Ana, directing the military commanders of the department to seize, without ceremony, all the funds accruing from the revenue of those departments, thereby assuming absolute power for himself and his mandarins. The congress begins to think this measure an unconstitutional assumption of power. Printed sheets are thrown about the

streets almost every night, in which Santa Ana and his adherents are described in the strongest language, as military despots and tyrants. It is reported that Santa Ana is with twenty leagues of Puebla, with one hundred and fifty mules loaded with arms and ammunition, twelve pieces of artillery, some of them large, and two thousand five hundred men. It is thought by some that he will make a dash upon the city, in which case he might capture it with much ease.

"An express arrived yesterday morning from Vera Cruz, with despatches from admiral Baudin, claiming from this government compensation for property lost by the burning of the custom house there, belonging to the French citizens. It is also said that he demanded satisfaction for the abuse heaped upon him and his government by the *Diario del Gobierno*, stating that as the president has power to stop other presses by which he himself is abused, he certainly has power to do the same thing by a press which is under his immediate direction and control."

TWO AMERICAN BRIGS SEIZED BY THE FRENCH SQUADRON IN RIO LA PLATA.

From the Salem Register, May 20.

We are indebted to Briggs' Bulletin for the following interesting intelligence received by the Susan, which arrived here this morning from Rio Janeiro, which place she left April 7th.

The American brigs, America and Eliza Davidson, sailed from Montevideo, with a full cargo for Lobosera Chica, a port in the Argentine republic, on the coast of Patagonia, and beyond the limits of the blockade declared by the French admiral of Buenos Ayres and the coast of the river La Plata. They arrived at Lobosera Chica without meeting any French vessels of war, discharged their cargoes and commenced taking in a freight which had been sent by land from Buenos Ayres. In the meantime, the French corvette Pezair, arrived at Lobosera, sent by admiral Leblanc to seize the brigs, which were seized accordingly, and carried as prizes to the French squadron at Montevideo, for having infringed a blockade which never existed in fact or on paper.

The consignees of the brigs demanded them of the French admiral, but he refused to give them up, unless they would give bonds for their value, and submit the case to the decision of the French court of admiralty, a proposition which the consignees rejected without hesitation. The commander of the American squadron, as soon as he heard of this infringement of the rights of neutral vessels, wrote to the French admiral, protesting in the strongest terms against the proceeding; which was unanswering by precedent, and would not be tolerated by the government of the United States—and demanded the immediate and unconditional surrender of the brigs.

This intelligence was conveyed to Rio by the American brig *War Dolphin*, which left Montevideo on the 21st March, at which time the French admiral had not replied to the American commodore. The Journal says that the news occasioned quite a sensation at Rio, and the commercial world were highly interested to learn the end of the matter.

[*Mer. Jour.*]

The above news has excited considerable attention here, it being understood that one of the brigs had been chartered by the agent of a house in this city. By request, we publish the following letter from lieutenant Mackenzie, to the merchant at Buenos Ayres, which shows the views taken by the then commanding officer on the station. Lieutenant M.'s power ceased, of course, on the arrival of a superior officer; but we understand, from good authority, that commodore Nicholson entertains precisely the same views as those expressed by lieutenant M. in regard to the illegality of the seizure, and we cannot doubt, that a prompt release of the vessels has already been effected through his instrumentality. The conduct of the U. S. officers on that station has been such as invariably to command the respect of all nations, and their presence has been of great advantage to the interests of our citizens in that quarter.

U. S. ship Fairfield, Buenos Ayres, 6th March, 1839.

SIR: In reply to your letter, this day received, referring to the application made to me by you, in Montevideo, on the 20th January last, as to the legality of sending an American vessel to the port of Lobosera Chica, on the coast of Patagonia, within the limits of the republic of Buenos Ayres, to discharge and take in cargoes, I have the honor to state, that I gave it as my opinion, that that port could not be considered within the limits of the blockade instituted by the French admiral on the 28th March last; which was confined to "the port of Buenos Ayres, and the coast of the river belonging to the Argentine republic." I also gave it as my opinion, that American vessels, going to Lobosera Chica, could not be molested by any French vessels of war appearing

off that port, and that if a blockade should be instituted subsequent to their arrival, they would be entitled to a suitable delay to complete their cargoes before being ordered off. I informed you, at the same time, that if the American vessels which you proposed sending there, should be in any danger of molestation by French cruisers that might be sent to that port, I would proceed at once with the Fairfield to protect her; or if the nature of the port did not permit the approach of so large a vessel as the Fairfield, I would despatch the U. S. brig *Dolphin* to that service. I have the honor to be, very respectfully, your most obedient,

ALEX. SLADELL MACKENZIE,

Lieut. U. S.

esp. Buenos Ayres.

NORTHERN FRONTIER.

From the New York American.

The folly and wickedness of a few men on the side of the northern and eastern frontiers, are held up to fresh difficulties, which nothing but the most honest purposes of the regular officers in command in both services, to maintain the peace, and to enforce the laws of the two nations, could prevent from breaking out into open hostilities.

The annexed letter, which we find in last week's Commercial, details a new instance, in which violence was the source of a wrong and outrage on an American vessel, which, the moment the wrong forces appeared, were redressed and atoned for.

"Steamboat U. S. Lake Ontario, May 20, 1839.
"DEAR SIR: In accordance with your request, I proceed to state the circumstances attending the seizure of the American schooner G. S. Welch, the collector, col. Fraser, of the port of Brockville, and her subsequent delivery to her master as owner by the same officer.

"The schooner is owned at Oswego, and laden with about 90 tons of merchandise, consigned by itself to owners in Brockville, Morrisburg and Ogdensburg—the former a Canadian port, two latter American ports, on the river St. Lawrence.

"A part of the cargo consisted of a cannon and its carriage—the gun dismounted, the wheels removed from the carriage, and the whole placed on the deck of the vessel, and consigned regularly to the collector, by bills of lading to the captain of an artillery company at Ogdensburg.

"The schooner arrived at Brockville about on Friday, the 17th—and, as is usual in such cases, reported her cargo for Brockville to the collector, and received from the deputy collector, 'permit' to land the Brockville consignments, then to depart on her voyage.

"While discharging this cargo, she was seized by the collector, col. Fraser, and taken from possession of the master. The latter, however, suffered with his crew to remain on board, but not allowed to exercise control over any thing belonging to the schooner or cargo—not even so much as to work her pumps.

"The cannon was now taken from her deck, and a mob suffered to mount and parade it in front of the streets. They were also allowed to commence the lading of the vessel, to start boxes on her deck, and break open and pilfer of liquor or fruit, and to commit other acts of violence. It is true these depredations in amount were considerable, but the circumstances seem to show a neglect of duty on the part of the officer, col. Fraser.

"On hearing that the schooner was detained at Brockville, under circumstances as above detailed, colonel Worth, commanding the U. S. forces on this frontier, proceeded to Brockville in the States steamer Onida, with a small military force, where he arrived on the evening of the 18th, immediately addressed a communication to col. Fraser, requesting to be informed why the schooner was detained. In the absence of col. Fraser, it was ascertained by his deputy, only to assure col. Worth that the schooner would himself return on the following morning. No answer was received at 2 o'clock, P. M. of that date. On the 19th, colonel Worth crossed the river to the village in the Onida, and without coming ashore, sent a message again requesting information as to the cause of the detention of the schooner. The answer returned was, that the cannon had been taken into the town should be immediately returned on board, and the schooner suffered to depart.

"About the same time a body of regulars arrived from Kingston in the steamers Trent and Kingston, by which the guard at Brockville was strengthened, and under the direction of the gun was restored, and the vessel allowed to resume her course.

"A portion of the mob, however, were very violent in their opposition to the surrender of the cannon, and very abusive towards the officers engaged in attending to the delivery—so much so that the colonel, commanding the majesty's force, caused two or three of the ringleaders to be arrested and taken to the guard house.

"No cause was assigned for the seizure of the schooner, other than the fact of her having the piece of ordnance on board. And it also appeared that the collector was instigated, or perhaps driven to the commission of the act by the populace, whom the civil authorities had not the power to control. The more respectable portion of the people of rockville, however, were entirely opposed to the procedure, as entirely unwarrantable, and exerted themselves in every way to cause a speedy return of the vessel and property. I have the honor to be, sir, your obedient servant.

HENRY FITZHUGH.

"J. E. Snell, esq. M. P. P." As regards the eastern frontier, some of our people have, it seems, been playing the fool. A captain, in charge of an armed posse, has, contrary to the spirit and letter, as we believe, of the arrangement between general Scott and sir J. Harvey—which contemplated that the American warden and his force should not extend their authority beyond a brook—made an excursion to the north of St. John's, and driven off, by force, a party of timber by the British warden, Mr. McLaughlin, seize certain timber cut in the disputed territory. The agent of Maine, Mr. McIntyre, was not present—or he would, we presume, have restrained his vexatious and unnecessary, not to say unlawful, demonstration of zeal on the part of capt. Nye. As it is, we must rely upon the honesty and liberal purpose of the authorities of the United States and of Maine, as subordinate to them, to carry out, in their true spirit and meaning, the arrangement which restored harmony to the north eastern border; until final negotiations between the governments of the two nations shall definitely settle the question.

MAINE BOUNDARY.

From the Portland Advertiser.

We copy the following "border news" from the Bangor Democrat. It will be seen that the "trouble" of troubles we published a few days since on the Bangor Whig, were not entirely without foundation, though they are not of so serious a nature as we were led to apprehend from the account so published. Mr. MacLaughlin, it appears, had set Fish river, and some of the logs there had been adrift, but by whom, it had not been ascertained. By the remarks of the Democrat, it seems that Mr. MacLaughlin had written a letter to our ad agent, expressing a wish to meet him there, for a purpose of protecting the timber.

BORDER NEWS.

We understand that the land agent recently received a letter from Mr. MacLaughlin, dated Frederick, in which he said he was on the point of starting with a posse of 30 men to visit the St. Francis of the Fish river, any saying he should be gratified to meet him there, the object of both as the same, to cure the timber cut by lawless people last winter. He further said that a few days fore, while at Madawaska, he had occasion to address a letter to the officer in command of the posse Fish river, and had received a very laconic answer. The following letters will explain the state of things that quarter. Whether the rafts were deserted by the trespassers on the approach of MacLaughlin and offered to run down the river, or were cut adrift by MacLaughlin and his posse to secure them, is not certain. There is no probability that he will attempt to cure in the same way the timber in Fish river, under the care of Nye.

Bangor, May 17th, 1839.

Sir: The inclosed letter, with a copy of a communication from Alvin Nye to MacLaughlin, was received this day.

Having reference to an expedition highly important, as the post at Fish river is at the termination of a road to the St. Johns to be opened this summer, which our state takes a deep interest, it is forwarded to you for your disposal as you may deem proper. It is to be hoped that Mr. MacLaughlin will not make his threatened visit, if he should, and of a hostile character, I have confidence in Alvin Nye, that a reception will be such as will afford small inducement for a repetition. Very respectfully, your obedient servant,

CHARLES JARVIS.

Fort Jarvis, Fish river, May 10, 1839.

Sir: Since my last communication of the 3d ult. several times have occurred which I deem proper to make known to you by a special messenger. On Tuesday the 7th inst. I received information at James MacLaughlin, esq. was at Madawaska

with a party of fifty men and some Indians, on his way to this river to take the timber now in our boom and to drive me off. On the next day I received information in which I had the confidence, that Mr. MacLaughlin, with a party of thirty men and some Indians, armed with guns and bowie knives, had passed the mouth of Fish river, on their way to the Allagash, with the avowed intention of driving the lumber out of the jurisdiction of the state.

I considered my instructions required me to take every measure in my power to retain the lumber within the state. In discharge of this duty I took with me fifteen of my men on Thursday morning and descended the river to the mouth, and then ascended the St. John's about ten miles, where my previous information was fully confirmed, and I further learnt that Mr. MacLaughlin was on the Allagash turning the lumber into the stream.

I then addressed a note to Mr. MacLaughlin which I sent by two of my boatmen, hoping to receive a satisfactory explanation, but having no time to lose, I proceeded with my men to within about five miles of the Allagash, where we met rafts of timber, without men, coming down the river, occasionally running on to bars and rocks and breaking up. When within about two miles of the mouth of the Allagash, I met my messenger returning, who informed me that he had seen Mr. MacLaughlin, who would not write me, that he had used him roughly, and had told him that he might say to me that he would meet me on the Fish river. I continued on my way to the Allagash, where I met twelve of MacLaughlin's boats returning with their men and baggage. I proceeded up the river until I had got above all the timber which was running, and came to the conclusion that the whole of MacLaughlin's party had gone down the river. I then turned about and descended about nine miles, when I found the party which I had met encamped on the south side of the St. John's. I asked them what was their object, and where Mr. MacLaughlin was of this they would not inform me, but that their orders were to turn off a brow of timber which was then secure on the bank. I ordered them to leave the logs and timber and to move down the river, which order they obeyed. I followed about seven miles, where we encamped for the night.

The next morning I continued down the river to Fish river, which we ascended to our fort and found all in good order as we had left. For further particulars you are referred to the bearer. Your obedient servant,

ALVIN NYE, Ass't provis. land agent.

Charles Jarvis.

St. John's river, St. Francis's settlement, May 10th, 1839.

To James MacLaughlin, esq. provincial warden. Sir—Having received information of your having ascended the St. John's river with a party of men, with the avowed intention of driving the timber and logs now within the jurisdiction of the state of Maine, into the province of New Brunswick, I am under the disagreeable necessity of informing you that such an act will be in violation of the rights of the state.

I request you therefore to desist, as my instructions are such that I cannot admit of the timber being moved from this territory. Your obedient servant,

ALVIN NYE, as't P. L. agent.

MAINE AND GEORGIA.

From the Southern Recorder.

Executive department, Trenton, N. J. March 12th, 1839.

Sir: In compliance with the directions therein contained, I have the honor to enclose a copy of a joint resolution adopted at the present session by the legislature of this state—with a copy of the report of a committee on which the same is founded: And to remain with great respect, your obedient servant,

WM. PENNINGTON, Governor of New Jersey.

His excellency the governor of Georgia.

The joint committee to whom were referred the report and resolutions of the legislature of the state of Georgia, relative to the neglect or refusal of the governor of the state of Maine, to surrender upon the demand of the governor of Georgia certain citizens of the former state charged with the commission of a crime against the laws of the latter, have had the same under consideration and respectfully submit the following report thereon:

The duty of every state or nation, not to permit its territory to become an asylum for criminals, but to surrender upon request, those who have fled to it to escape the punishment due to the crimes which they have committed in another country, may be regarded as a well established principle of the laws which regulate the intercourse of civilized nations. And this has been questioned by some whose opinions are entitled to great respect, it is supported by reason, usage and weight of authority. It is

a settled rule pervading the criminal jurisprudence of the whole civilized world, that no state can rightfully punish any crime, however enormous, perpetrated beyond its own limits. If therefore the perpetrator of the grossest offences against humanity, can but escape from the jurisdiction of the country where the crime was committed, he will go unpunished, unless the government to which he has fled will lend its aid in bringing him to justice. Were the means of impunity so easy, it would be impossible to give force and efficacy to laws designed to restrain the evil passions of mankind, especially among those inhabiting the borders of a country. A regard for justice, therefore, as well as for the safety of their own citizens, and the avoidance of perpetually recurring causes of misunderstanding and complaint, requires that governments should mutually aid each other in arresting and subjecting to the rigor of the laws, these whom other motives are insufficient to withhold from wrong and violence. Accordingly the duty of surrendering fugitives from justice, is now generally recognized and acted on throughout the civilized world.

The principal difficulty has been in determining how far the rule should be extended, and what offences should be considered as falling within it. While some writers confine its application to crimes against the laws of nature, others would carry it further, and embrace within its operation, offences which are made such only by the positive laws of the state. Between sovereign and independent states, the extent of which it shall be applied, is commonly regulated by agreement, and provisions for that purpose have been inserted in several of the treaties made by the United States, with foreign powers.

But its duty, as between the different states of the union, does not depend either on its obligation or its extent, upon the law of nations. The illustrious men who had the courage and patriotism to declare and achieve their independence, had also the sagacity to perceive that the intimate union and harmonious connection which they sought to establish between them could not be maintained without some provision that should prevent each from becoming an asylum to fugitives from the others. They therefore inserted in the articles of confederation, a clause requiring fugitives from justice to be delivered up for punishment to the state where their crimes had been committed. The same principle somewhat modified was adopted into and now forms part of the federal constitution, to the following terms, viz: "A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime." This language, it will be perceived, is broad and comprehensive, and in the opinion of the committee ought to be liberally construed. It extends to all crimes—by which are manifestly intended, crimes against the laws of the state from which the fugitive has escaped. Each state is entitled to prescribe such rules for the government of its own citizens and the regulation of its own internal affairs, as it may see fit, subject only to the constitution of the union. By the laws of nations, a citizen of one country, whose business or pleasure carries him into another, is entitled, except in case of war, to the protection of its laws, and in return, he is bound equally with its own citizens, to respect and obey those laws, though it may palliate, and in a moral view justify its guilt, will in a court of laws, afford no justification for their infraction.

The constitution of the United States, which secures to the citizens of each state all privileges and immunities of citizens in the several states, does not in terms and cannot in reason, lessen the force or extent of this obligation. A citizen of New Jersey who should go into the state of New York, and there do an act, which within the limits of this state he might lawfully do, but which the laws of New York had made a crime, and should then return to his home, would be within the language and spirit of this clause of the constitution, equally with a citizen of New York, who had done the same act and had then fled hither to escape the punishment which he knew would overtake him if he remained. And whether the citizen of New Jersey, unconscionable of offence, should return leisurely and openly, after accomplishing the purpose of his journey, or should flee hastily, and by stealth, he would equally "flee from justice" within the meaning of the constitution.

Nor is it requisite that the guilt of the fugitive thus demanded, should be established and proven before the authorities of the state where he is found, are bound to deliver him up. Even between states wholly independent and disconnected, the law of

nations requires only that reasonable grounds for the charge, sufficient to put the accused upon his trial, shall be shown; and with good reason, as the witnesses by whom the crime is to be proved, will naturally and usually be in the country where it was committed, and it might be highly inconvenient for them to pursue the fugitive. But whatever ground there might be for doubt as to the nature of the charge, or the evidence by which it should be supported, if the constitution was our only guide, has been removed by the action of a congress, which numbered among its members many who had taken part in the framing or adoption of that instrument.

An act of congress passed February 12th, 1793, provides, "That whenever the executive authority of any state in the union, or of either of the territories northwest or south of the river Ohio, shall demand any person as a fugitive from justice, of the executive authority of any such state or territory to which such person shall have fled, and shall moreover produce the copy of an indictment found on an affidavit made before a magistrate of any such state or territory, as aforesaid, charging the person so demanded with having committed treason, felony or other crime, certified as authentic by the governor or chief magistrate of the state or territory from whence the person so charged fled, it shall be the duty of the executive authority of the state or territory to which such person shall have fled, to cause him or her to be arrested and secured, and notice of the arrest be given to the executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear." This law prescribes the duty of the executive authority of a state upon whom a demand is made, in plain terms, and reduces within very narrow limits the examination which he is to make before acting. If a duly authenticated copy of an indictment, or of an affidavit, as aforesaid, be presented to the person demanded with acts which by the law of the state where they were done amount to a crime, and the proper evidence of those laws are produced, he has no right to inquire, whether the indictment or affidavit is true, but is bound at once to take measures for causing the person so charged to be arrested and secured. He may not pause to inquire whether the person demanded is guilty of the charge made against him, or whether the laws against which he is accused of offending, are right or proper, or whether from excitement in the public mind or from any other cause, he is in danger of being denied a fair and impartial trial. None of these questions lie in the path of duty marked out for him, and which he ought to pursue without deviation or reluctance.

Such is the opinion of the committee, are the rules by which the conduct of the several states of the union towards each other, on this delicate and important subject, ought to be regulated. And were there no other motive for the faithful and prompt observance, than the fact that they are part of the supreme law of the land, that alone ought to be abundantly sufficient.

New Jersey has never yet refuse a ready and willing obedience to this or any other requirement of the constitution; and the committee hope and trust that she never will. She has ever regarded with feelings of veneration and attachment, that glorious monument of the wisdom and patriotism of our fathers, and recognised the sacredness of the obligation which she assumed by its ratification. But aside from the imperative duty thus imposed, and the many and great benefits arising from the union which that constitution has cemented, the interest and safety of the several states, if wholly independent and unconnected, would require the adoption and observance of similar rules of intercourse; lying as they do contiguous to each other, separated only by narrow rivers, and in many instances only by imaginary lines, with the means of passing from one to another so numerous and rapid, the criminal code of each must inevitably become the laughing stock of the vicious and abandoned, if the crossing of a boundary line should ever be a security against punishment. It needs no labored argument to prove that in the matter at hand, the path of duty, and of interest is one and the same, and should be carefully and cheerfully followed.

Upon the conduct of the executive of the state of Maine in the particular case which has given rise to the report and resolutions referred to them, the committee express no opinion. There are no documents before them to show by what reasons and motives that conduct was guided—and if there were, they would not feel themselves entitled to pass upon them. The states between which this difficulty has unhappily arisen, are the political equals of New Jersey, and much as she may regret that any contrariety of feeling and opinion should

exist between them, she claims no right to thrust upon either her unsolicited umpirage. But she may, without offence, challenge each to a friendly and generous strife with her, and with each other in the faithful discharge of all the duties of our social compact, and in devotion to the welfare and happiness of our common country.

A. ARMSTRONG,
JAPHET IRELAND,
WILLIAM STYLES,
JOHN SUMMERS, JR.,
JESSE RICHARDS,

March 4th, 1839.

STATE OF NEW JERSEY—JOINT RESOLUTION.

Be it resolved by the council and general assembly of this state, That the report of the joint committee, to whom were referred the report and resolutions of the legislature of the state of Georgia, be accepted, and that the governor be requested to transmit copies thereof to the governors of the states of Georgia and Maine.

In council, March 6th, 1839. This joint resolution having been three times read and compared in council.

Resolved, That the same do pass.

By order of council, A. PARSONS,
Vice president of council.

House of assembly, March 7th, 1839. This joint resolution having been three times read in the house of assembly.

Resolved, That the same do pass.

By order of the house of assembly,
LEWIS CONDICT, speaker.

MR. STEVEN'S ADDRESS.

To the people of Adams county, Pennsylvania.

FELLOW CITIZENS: In accordance with your wishes I presented myself to the body now exercising the duties of the house of representatives of this commonwealth, and desired to have administered to me the oath prescribed by law. A majority of that body, using the same constitutional and unlawful means which invested me with official authority, refused to allow me to occupy that seat, to which I had been called by the free choice of my fellow citizens. Under the most shallow, hypocritical and false pretences, they have declared my seat vacant, and imposed upon you the expense of a new election, to be held on the 14th day of June next. In doing so they have committed an unprecedented outrage on the rights of the people. If suborned by that people, liberty has become but a mere name. Already is the constitution suspended, and the most sacred contracts between the state and individuals are violated with the most daring and reckless audacity. The tyrants, who have usurped power, have determined to oppress and plunder the people. It is for you to say whether you will be their willing slaves. If they are permitted finally to triumph, you hold your liberty, your lives, your reputation, and your property, at their will alone.

I had hoped that no circumstances would occur, which would render it necessary for me to again a candidate for your suffrages. Both my inclination and my interest require me to retire from public life. But I will not execute that settled intention, when it will be construed into cowardice or despondency. To refuse to be a candidate now, would be seized upon by my enemies as an evidence that I distrust the people, and am afraid to intrust to them the redress of their own wrongs. I feel no such fear or such distrust. Without intending any injurious comparison, I have always said, what I sincerely believe, that the honesty of Adams county have more intelligence, and not less honesty, than the people of any other county in the state. To me, a people, I can have no fear in appealing against lawless aggressions. To them I do appeal, to restore to me that which was their free gift, and therefore my right, and of which I have been robbed by those who "feel power and forget right."

I present myself to you as a candidate to fill that vacancy which was created to wound my and your feelings. I do not wait to receive a party nomination from my friends. The question now to be decided is above all party considerations, and would be disgraced by sinking it to the level of a party contest. Every freeman must be impelled to resist this public outrage as a personal wrong to himself. Every thing dear to him in his country, his liberty, the liberty of his children, and the title to his property, admonish him to rise above every paltry personal and party consideration, and rebuke tyranny at that great tribunal of freemen—the ballot box.

While, however, you are determined, resolute and energetic, let me implore you not to imitate the example of our oppressors; but do every thing calmly and temperately. This admonition is hardly necessary to the orderly citizens of Adams county,

ly; but when oppression is so intolerable, as at present, it is difficult for the most peaceable and quiet men to control their indignation. With respect and gratitude, I am your obedient servant,

THADDEUS STEVENS.

Harrisburg, May 23, 1839.

GENERAL ASSEMBLIES OF THE PRESBYTERIAN CHURCH.

From the Philadelphia Inquirer, May 25,

NEW SCHOOL.

Friday, May 25, Morning session. After prayer, the roll was called, and the minutes read and approved.

Dr. Hill, from the committee on the state of the church, reported in part; and his report was accepted and laid on the table.

Mr. Wisner, from the committee to prepare a declaration on the present condition of the Presbyterian church, made a report which was accepted and re-committed.

Judge Darling from the committee, then read the following report, which was received:

Terms of compromise.

Whereas, the committee of twelve, appointed by the general assembly of 1835, at the session at the First Presbyterian Church in Philadelphia, did, through their legal council in November last, previous to the trial before judge Rogers, and equitable, for the pacification of the church, by which terms this body is willing to abide; and, whereas, there has been falsely imputed to us a spirit of litigation which we always deplored—therefore,

Resolved, That the following plan of peaceable division be published—that all may know our strong desire for peace, and to whom the blame of litigation, past and prospective, belongs.

"In order to resume an amicable and equitable adjustment of difficulties existing in the Presbyterian church of the United States, it is hereby agreed, by the respective parties, that the following shall be the articles on which the division shall be made and continued:

Art. I. The successors of the body which held its sessions in Reamstead court, shall hereafter be known by the name and style of the "General Assembly of the Presbyterian Church in the United States of America." The successors of the body which held its session in the First Presbyterian Church, shall hereafter be known by the name and style of "The General Assembly of the American Presbyterian Church."

Art. II. Joint application shall be made by the parties to this agreement, to the legislature of Pennsylvania, for a charter to incorporate the trustees of each of the respective bodies, securing to each the immunities and privileges now secured by the existing charter to the trustees of the general assembly of the United States Presbyterian church, subject, nevertheless, to the limitation and articles herein agreed on, and when so obtained, the existing charter shall be surrendered to the state.

Art. III. Churches, ministers and members of churches, as well as presbyteries, shall be at full liberty to decide to which of the said assemblies they will be attached; and in case the majority of legal voters of any congregation shall prefer to be connected with any presbytery connected with the assembly to which their presbytery is not attached, they shall certify the same to the stated clerk of the presbytery which they wish to have; and their connexion with such presbytery shall thenceforth cease.

Art. IV. The theological seminary of Princeton, the western theological seminary, the board of foreign missions, the board of domestic missions, the board of education, with the funds appertaining thereto, shall be the property and subject to the exclusive control of the body which, according to this agreement, shall be chartered under the title of the "General Assembly of the Presbyterian church in the United States of America."

This agreement shall not be considered as a secession on the part of either body from the Presbyterian church in the United States, but as a voluntary and amicable division of this church into two denominations, each retaining all the ecclesiastical and pecuniary rights of the whole body, with the limitations and the articles above specified."

NOTE.—The only reply which the committee received to these articles of agreement, was that they could not be accepted; that the old school party would agree that the members of the constitutional general assembly, and those who adhere to it, might leave the Presbyterian church without molestation from them; and that they should not be called "Seceders."

The unfinished business of the preceding day, viz: the minute on the subject of slavery, was reviewed.

Mr. Caskil, on leave, withdrew an amendment which he had offered.

Mr. Rankin moved to amend, so as to read "great moral evil from the churches."

Mr. Graves then moved to postpone this amendment and the whole report, with a view to introduce a substitute:

The motion to postpone, was carried.
The substitute of Mr. Graves was taken up, and after some discussion, the assembly adjourned till 3 1/2 P. M. concluded with prayer.

In the afternoon session, the discussion on slavery was resumed, and several members spoke.

The question was closed by the passage of the following resolution:

"Whereas, certain memorials have been sent up to this assembly from several presbyteries, desiring some action on the subject of slavery; And whereas these memorials have been read and freely discussed by this body: And whereas, this assembly is made up of members from different portions of our extended country, who honestly differ in opinion, as well in regard to the propriety as the nature of the ecclesiastical action in the case; therefore

Resolved, That this assembly does most solemnly refer to the lower judicatories, the subject of slavery, leaving it to them to take such order thereon, as in their judgment will be most judicious, and adapted to remove the evil.

A season of prayer and appropriate religious exercises then followed. After which the trial of Mr. Tappan was resumed, and occupied the remainder of the day.

OLD SCHOOL.

The thanksgiving resolutions had not been disposed of at the hour of adjournment on Thursday.

Friday.—The assembly opened with prayer.

The minutes were read and adopted.

Leave of absence was granted to Messrs. A. Smith, Kelton, Henderson, and Woodbridge.

The protest and complaint of the synod of Cincinnati was taken up, and at the request of the party most interested, leave was given to withdraw it.

The committee on mileage made a report, which was accepted and adopted.

The committee on psalmody made a report, which was accepted and adopted.

The following gentlemen were declared elected to fill vacancies in the board of domestic missions: Ministers—Samuel Miller, W. B. Sprague, Fred. Herron, Henry B. Weed, Wm. M. Engles, C. Van Rensselaer, W. M. Murray, Elisha McCurdy, Alexander O. Patterson, Charles C. Benton.

Laymen—Solomon Allen, Joseph Lennox, W. Nassau, Robert Stewart, Wm. R. Thompson, James Field.

Resolved, That Dr. Miller, A. Alexander, and James Carrahan, be a committee to inquire whether any, and if any, what measure ought to be adopted for securing to the children and young people of our church more full advantages of Christian education than have hitherto been afforded.

The committee on overture No. 5, made a report, which was ordered to be placed on the docket.

The assembly passed to the order of the day, viz: the receipt of the annual report of the board of missions. The report was presented and read. Addresses were made, and on motion, the report was referred to a committee.

Nominations were made and tellers appointed in relation to vacancies in the board of foreign missions.

The committee on overture No. 15, made a report, which was adopted as follows:

Resolved, That the general agent of the board of foreign missions be ex-officio a member of the executive committee.

Resolved, That the board be authorized to increase the number of vice-presidents to twelve.

The committee on overture No. 13, made a report, which was accepted.

A matter in relation to the boundary line of the synod of Mississippi and Alabama was debated at considerable length, and referred to the next general assembly.

Members of the board of foreign missions (for 4 years). The following gentlemen were reported as elected:

Ministers—Elias W. Crane, C. C. Cuyler, D. D.; S. Chamberlain, D. D.; C. Cummings, D. D.; T. L. Dinwiddie; S. S. Davis; J. M. Dickey; Wm. L. Breckinridge; D. Elliott, D. D.; Thomas Goulding, D. D.; Samuel L. Graham, D. D.; Jacob Green; Ashbel Green, D. D.; Francis Herron, D. D.; James Hoge, D. D.; in the place of the Rev. T. D. Baird, Wm. C. Anderson.

Laymen—Robert Archer, M. I. Bevan, N. Brewer, I. T. Bryan, James N. Dickson, Jos. D. Engles, Nath. Ewing, James Fitzgerald, John Hannan,

W. Harris, Alex. Henry, Robert Jaffray, John Kerr, James Lenox; in place of Samuel Boyd, Walter Lowrie.

The thanksgiving resolutions were then again taken up for consideration.

COMMODORE PREBLE.

The following interesting memoir of this gallant officer, is copied from the Courier of Portland, Maine, his native city.

COMMODORE PREBLE. Our contemporary the Argus, is mistaken in its information relative to the birth of our renowned townsman commodore Preble. In speaking of the ship launched in Portsmouth to which his name has been given, it says, the vessel received the name of Preble, "in honor of the distinguished commodore whose place of nativity was the town of York, within this state, within half a dozen miles of where the vessel was built."

As we cannot afford to lose the reputation of giving birth to this distinguished son, we propose to furnish a brief notice of him, and thus retrace some of the prominent acts of his life. Commodore Preble was born in this town in August 1761; his father, Jedediah Preble, moved here from York about 1750, and married in 1754 for his second wife, a daughter of Joshua Bangs, who came here from Cape Cod, and from whom the island at the mouth of our harbor is named. The general was born in York, from which all of the name in this state sprung, in 1707. He was long a respectable merchant in town; but in the French war with true military ardor he joined the army under gen. Wolfe in charge of a company, was present at the capture of Quebec, and was near that lamented officer when he fell. He was gradually promoted to the rank of brigadier general of the provincial troops, and at the close of the war in 1763 held command of the garrison on the Penobscot.

He was twice wounded during the war. In 1775 he was appointed major general of the Massachusetts troops but declined on account of his age. He was appointed a mandamus councillor under the crown in 1773; was the first senator from the county under the new constitution, twelve years representative of the town and two years a judge of the court of common pleas. He died at last laden with years and honors in 1784, aged 77 years.

Edward, the commodore, inherited the spirit and enterprise of his father; always bold and daring in his youth, he sought the earliest opportunity for the display of those qualities which could not be satisfied in the sphere of civil life, for which his father at first designed him. As early as 1779 he entered the British navy of the revolution as midshipman in the Protector, a state ship of 20 guns. On his first cruise he captured a British letter of marque of 36 guns; but on the second, she was herself captured by a frigate and a sloop of war. By the friendship of col. Tyng, a refugee and a friend of his father, he was released, and soon afterward entered the sloop of war Winthrop, as first lieutenant. While in this ship he was stationed in the Penobscot, where he distinguished himself by capturing an armed brig of superior force to the Winthrop, with a tender of 14 men.

After the peace of '82, there being no employment for him in the service, he performed various voyages as a shipmaster to different parts of the globe. But in 1788 on the establishment of a navy by the U. S. he was one of the five lieutenants first appointed and was entrusted with the command of the Frigate. The next year he received a captain's commission and was promoted to the command of the Essex of 36 guns. In this ship he rendered valuable service to our commerce in the Indian and Atlantic oceans; and in 1800 he conveyed home from the East Indies 14 American merchantmen valued at several millions of dollars. On this voyage he gave chase to a French corvette which he would have overtaken had not the wind died away which permitted her to escape by means of her sweeps. On his return he was appointed to the Adams for the Mediterranean, but was obliged to decline the command from ill health.

In May, 1803, having sufficiently recovered his health, he was appointed to the command of the squadron destined to the Mediterranean, consisting of seven sail, to protect the commerce and the sea-board of the U. S. then continually exposed to Tripolitan freebooters. He proceeded to his destination in the Constitution frigate, then as now, the favorite ship of our navy. By his firm and vigorous conduct for more than a year during which he had charge of this squadron, he secured peace with Morocco and inspired such terror in the other Barbary powers of the American arms as elevated her name and effectually protected her commerce from the depredation of these marauders. President Jefferson in his message of Dec. 1803 mentions "the promptitude and energy" of commodore Preble and "the conduct of our officers generally," as meriting "entire approbation."

It was during this service that our navy performed those brilliant feats which approach to the romantic age of chivalry and which spread its renown through the civilized world. Among these was the destruction of the Philadelphia frigate by a party of volunteers under command of Stephen Decatur. This ship had unfortunately grounded and fallen into the hands of the Tripolitans. The frigate lay in the harbor of Tripoli within half gun shot of the castle and principal battery, with her guns mounted and loaded, and two corsairs full of men riding near. Decatur with 70 volunteers entered the harbor in the most gallant manner at night, boarded and carried the frigate against all opposition, slew 20 or 30 of her crew, and drove the rest overboard, and set fire to the ship without the loss of a man.

Other instances of personal valor and intrepidity were displayed by our gallant officers and men, more resembling the conflicts of the crusaders, than the systematic battles of modern times. The Turks were astonished at their desperate courage, and asked if those men that fought so brave Americans, or infernals in Christian ships, sent to destroy the sons of the prophet. An instance of deep self-devotion occurred in the blowing up of a fire ship by com. Preble into the harbor for the destruction of the Tripolitan flotilla. Capt. Somers had charge of this expedition accompanied by Lt. Israel, our valiant townsman Lt. Wadsworth and ten men. The fire ship having gained the inner harbor was boarded and captured by two of the enemy's gallees containing 100 men each. At this moment the fire ship with 100 barrels of powder, exploded! and friend and foe were buried in one common grave. The effect was awful, every battery was silenced and desolation was spread around.

On his return in 1804, congress voted the thanks of the nation to commodore Preble for his efficient services in the Mediterranean, with an emblematic medal, which was presented to him by the president in terms of esteem and admiration. He did not long survive to serve his country or enjoy his honors. In 1806 his health declined: on the 25th of August, 1807, he breathed his last, in the 47th year of his age.

Commodore Preble bore in his air and countenance the signatures of his character, his features expressed strong passions, but at the same time manly and generous feelings; his attitude was erect, his step firm and his whole appearance commanding. He was a rigid disciplinarian, yet he won the affection and esteem of those who served under him by his sincerity and generosity. He married in 1801 a daughter of the late Nathaniel Deering of this town, and left but one child in the house now occupied by Mr. Moorhead as a tavern; this at the time of his death was one of the respectable old establishments of the town which had lived through the revolution. The front yard, now occupied with brick stores, extended to the street, and was filled with ornamental trees and shrubbery. The estate had been occupied by his father after the war. The spirit of modern improvement has divested it of all its beauty and its venerable associations.

LAW CASES.

United States district court—May 21.

Judge Betts presiding.

Hughes & Gynett vs. Jesse Hoyt. This was an action to recover back duties alleged to have been illegally exacted by the custom house amounting to \$3,515 70, and which the plaintiffs had paid under protest. The articles on which the duties had been imposed were shawls, which the plaintiffs had at different periods imported from France. They are known in commerce by the name of Thibet, Broche and Tartan worsted shawls, and are composed either of worsted and cotton, wool and cotton, or worsted, or wool, and silk. The custom house charged them with a duty of 50 per cent, as if they were woollen goods.

Mr. Lord, for the plaintiffs, contended that no matter of what materials the articles were composed of, that as shawls they were exempt from duty; or if not exempt as shawls, that as they were manufactures of silk and worsted, or were worsted stuff goods, or either or all of those grounds they were exempt from duty.

Several witnesses were examined on both sides, and it appeared that this description of shawls was generally, if not universally, classed in commerce as worsted goods. And that some of those, on which the plaintiffs had paid the duty, were composed of worsted and cotton, some of them composed of worsted and silk, and some of them composed of cotton or silk and wool.

The weight of evidence went to show that whatever might be the materials of which they were composed, wool to a greater or less degree formed a part of some of them, and some others of them were all wool.

The court charged the jury—in regard to those laws which impose duties, it is contended on the part of the custom house, that the *onus* lies with the merchant to show that the article is clearly free of duty, as in the case of any other plaintiffs.

The officers of the government have the privilege of charging such duties as they are instructed to do, and the merchants are obliged to pay such duties as are demanded, as they could not otherwise get their goods. But this does not vary the obligation of the government to make out their right to the duty. The very laws which impose duties, make it incumbent on those who collect the duties, to show with reasonable evidence that they were entitled to it.

It is said on the part of the plaintiffs that by the acts of 1832 and 1833, shawls as a class are free of duty. The court, however, thinks that the term shawl is not used in such a general sense, but was restricted, by its place in the sentence, to shawls either of worsted, or silk and worsted. And this was the view formed by the court in the case of Elliott and Swartwout, 10th Peters.

The next question was—supposing the chief component parts of them to be worsted, or silk and worsted, would the fact, that part of the shawl being composed of wool, rendered it liable to the woollen duty? According to my view, the language of the court in the case of Elliott and Swartwout, would subject them to a woollen duty, if wool is a component part of the shawl.

It is contended on the part of the plaintiffs that the articles are so much like worsted, and worsted and silk, as to be so classed by dealers in them, and therefore exempt as worsted, or worsted and silk shawls, although there may be some wool in them.

On this part of the subject, the court laid it down as a rule, that if at the time these laws were passed, the articles were known and understood to be, and were called worsted, or worsted and silk goods, although there might be a portion of wool in them, they were free of duty. But if not at that time so classed, although subsequently so classed, they were subject to duty.

In regard to the presence of wool in the article, the law did not regard the quantity. If it contained any quantity of wool, it was subject to the duty of woollen goods.

Verdict for the plaintiffs—\$2,471.

For the plaintiffs, Mr. Lord; for the custom house, Mr. Butler.

The amount paid by the plaintiffs was \$3,518 70, and the difference between that sum, and the amount of the verdict, was allowed by the jury to remain with the custom house, on the ground that they had a right to charge a woollen duty on such of the shawls as were wool or partly composed of wool.

Important to importers of twist. United States circuit court.—Judge Betts presiding.—*Samuel F. Dorr vs. Jesse Hoyt.* This was an action brought by the plaintiff, an extensive importer of French goods, against the defendant, the collector of this port, to recover back the sum of \$53 60, being the amount of duties charged on an importation of "twist."

These duties had been charged under the decision of the comptroller of the treasury of 1833, and the entry was made, and the duties levied, as upon sewing silk, at the rate of \$2 28 per lb.

The plaintiff contended that this particular article, *twist*, was not in itself silk, but that it was composed of goat, or mohair and silk, and that it would not serve the same purpose as sewing silk, and that under the tariff it was provided that articles of importation of which silk forms a component part, were free of duty, and it was further contended that according to mercantile usage, *twist* was not sewing silk, under which class the duty had been claimed and exacted.

The entry and payment of the duty, under protest, were admitted, and the plaintiff called a manufacturer of twist, who testified to the article being composed partly of goat, or mohair, and partly of silk.

For the defence it was contended and appeared that, under the decision of the comptroller of the treasury of 1833, this article had been entered as all goods of the like kind, and classed as sewing silk by the custom house authorities.

On cross-examination, however, of the defendant's witnesses, it came out that the component parts of the article *twist*, were as contended by the plaintiff.

The court said that all articles manufactured partly of silk, or of which silk was a component part, were entitled to be admitted free of duty.—The custom house department had established, as it appeared by the testimony adduced in this case, a

rule which the merchants had protested against, and this was a question for the jury to pass upon. The jury, without leaving their seats, found a verdict for the plaintiff for the amount claimed, namely, \$53 60; thus sustaining the protest of the merchants, that *twist* is not liable to payment of duty.

For the plaintiff, Daniel Lord, jr.; for the defendant, B. F. Butler, esq.

From the *Ostego Republican*.

The Cooper libel. James Fenimore Cooper, vs. Andrew M. Barber. For defendant Morehouse & Lathrop, attorneys; and J. A. Spencer, S. S. Bowne, and Lyman J. Walworth, counsel. The suit brought by Mr. James Fenimore Cooper against the editor of the *Ostego Republican*, for the publication of an alleged libel on the novelist, some two years since, was tried at Montgomery county circuit on Wednesday last, judge Willard presiding, and terminated in a verdict of \$400 for the plaintiff. The libel itself, it will be recollectcd, consisted solely in our republishing an article from the *Chenango Telegraph*, in which Mr. Cooper was handled rather severely than otherwise, and which had reference exclusively to a dispute which had sprung up between the plaintiff and his neighbors, relative to the occupancy or use of a small strip of land up the *Ostego lake*, which for years and years had answered the purpose of resort for the surrounding villagers during the hot summer months. The intrinsic value of this piece of land would certainly not exceed ten dollars! In republishing the *Chenango article* we accompanied it with what we deemed at the time, and still hold to be a correct version of the matter at issue, taking care to correct such of the statements in the former as were at variance with the facts, and actuated throughout with the honest and avowed purpose of giving a frank and fearless expose of an affair, which had already crept into the columns of the newspaper press, and was then widely circulating in a distorted, incorrect and exaggerated form.

For thus assuming a position friendly to Mr. Cooper—for no reasonable man will view it in any other light—the novelist commences forthwith a suit against us, and pushes it even to a final issue in a court of justice.

It was contended on the part of the defence in this case, and subsequently admitted by the court, that not a particle of libellous matter existed in the stricture of the defendant, while no justification of the obnoxious matter of the *Telegraph* was set forth the whole together indicating upon its face, as we have before stated, the honest intentions of the defendant, and a disposition to give to the public what was repeatedly called for, from various and highly respectable quarters, viz: a plain, unvarnished statement of facts, without fear, favor or the hope of reward.

The court, however, excluded the entire testimony of the defence in proof of the facts stated, as the truth in evidence, it was alleged, did not amount to a justification nor could be given in mitigation of damages—and instructed the jury accordingly to find a verdict—not simply a *verdict*, but a "respectable" verdict, (we use the precise term of the judge in favor of the plaintiff in the suit of Mr. James Fenimore Cooper.) To this decision of the judge, the defendant's counsel took exceptions, and an application will be made to the supreme court for a new trial.

The plaintiff summed up the cause himself in his own behalf, and Joshua Spencer, esq. of Utica, for the defendant. The speech of Mr. Spencer was acknowledged on all sides to be one of the most forcible and eloquent addresses ever made to a jury.—We regret that our notes were not sufficiently full to enable us to lay it before our readers with a degree of accuracy that would do justice to the speaker himself.

As this suit may be deemed still pending, we shall delay our intention, for the present of going into a thorough and minute history of the whole transaction—from its commencement to its close.

Important decisions. The supreme court of Louisiana decided at New Orleans on the 14th inst. in the case of the *Atchafalaya bank vs. Dawson*; that the forfeiture of bank charters by the suspension of specie payments does not accrue to individuals or to any person or party, but to the state which gave them; and it alone can avail of forfeiture and take away the charters. That although by a clause in the charter of the *Atchafalaya bank* and some others, in case of suspension of specie payments for 90 days, the charter is *ipso facto* forfeited, yet the bank continues to exist, and can sue and be sued until the state choose to institute proceedings, and take from it its charter. In other words, that bank contracts between the state which grants and the corporators or stockholders who accept and receive them.

REPORT OF THE CLERK OF THE HOUSE OF REPRESENTATIVES U. STATES, In compliance with the "act to authorize the appointment of additional paymasters, and for other purposes, passed July 4, 1836.

Office of the house of reps. of the U. S. March 18, 1839.

In obedience to the 6th section of the "act to authorize the appointment of additional paymasters, and for other purposes," passed July 4, 1836, which requires "the secretary of the senate and clerk of the house of representatives, as soon as may be after the close of each session of congress, to publish a statement of all appropriations made during the session; and also a statement of the new offices created, and the salaries of each; and also a statement of the offices, the salaries of which are increased, and the amount of such increase," the clerk of the house of representatives submits the accompanying statements.

H. A. GARLAND, clerk ho. of reps.

Statement of appropriations made during the 3d session of the 25th congress of the United States of America, specifying the amount and object of each.

THIRD SESSION 25TH CONGRESS.

For the support of government for the year 1839.

H. R. 891.

For pay and mileage of members of congress and delegates	\$370,944 00
For pay of officers and clerks of the senate and house of representatives	43,400 00
For stationery, fuel, printing, and all other incidental and contingent expenses of the senate	33,000 00
For stationery, fuel, printing, and all other incidental and contingent expenses of the house of representatives	100,000 00

H. R. 951.

For compensation to the president and vice president of the United States, the secretary of state, the secretary of the treasury, the secretary of war, the secretary of the navy, and the postmaster general	60,000 00
For salary of the secretary to sign patents for public lands per act of March 2, 1833	1,500 00
For clerks and messengers in the office of the secretary of state	20,300 00
For the contingent expenses of the department of state, including publishing and distributing the laws	25,000 00
For compiling and printing the biennial register	1,800 00
For the superintendent and watchmen of the northeast executive building	1,500 00
For contingent expenses of said building, including fuel, labor, oil and repairs	3,350 00
For compensation to the clerks and messengers in the office of the secretary of the treasury	16,450 00
For compensation to the clerks in said office, per act of 23d June, 1836	3,600 00
For compensation to the first comptroller of the treasury	3,500 00
For compensation to the clerks and messengers in the office of the first comptroller	19,300 00
For compensation to the second comptroller	3,000 00
For compensation to the clerks and messenger in the office of the second comptroller, including the compensation of two clerks transferred from the office of the fourth auditor	12,250 00
For compensation to the first auditor of the treasury	3,000 00
For compensation to the clerks and messenger in the office of the first auditor	15,900 00
For compensation to the second auditor of the treasury	3,000 00
For compensation to the clerks and messenger in the office of the second auditor	17,900 00
For compensation to the third auditor	3,000 00
For compensation to the clerks and messengers in the office of the third auditor	27,250 00
For three additional clerks, under the act of the 20th April, 1818, to enable the third auditor to execute the act of 6th April, 1838	2,400 00
For compensation to two additional clerks, employed under the act of the 18th January, 1737, for the payment of losses and other property lost or destroyed	2,400 00
For compensation to the fourth auditor	3,000 00

For compensation to the clerks and messenger in the office of the fourth auditor	15,950	For compensation to clerks and messengers for the office of the commissioner of pensions, authorized by the act of 9th May, 1836	13,450	For compensation to clerks in his office, per acts of 9th May, 1836	6,300
For an additional clerk in the same, to carry into effect the act of the 3d of March, 1837, for the more equitable administration of the pension fund	1,000	For contingent expenses of said office	3,000	For compensation to the surveyor general for Illinois and Missouri	2,000
For compensation to the fifth auditor	3,000	For compensation to clerks and messenger in the office of the paymaster general	7,100	For compensation to clerks in the office of said surveyor general, per acts of 9th May, 1836	3,820
For compensation to the clerks and messenger in the office of the fifth auditor	9,800	For contingent expenses of said office, including two hundred dollars for arrears	700	For compensation to the surveyor general of Arkansas	2,000
For compensation of two clerks in the office of the fifth auditor, according to the act of the 7th July, 1833	2,000	For compensation of clerk and messenger in the office of the commanding general	1,500	For compensation of clerks in the office of said surveyor general	2,800
For compensation to the treasurer of the United States	3,000	For contingent expenses of said office	300	For compensation of the surveyor general of Louisiana	2,000
For compensation to the clerks and messenger in the office of the treasurer of the United States	10,750	For compensation to clerks and messenger in the office of the adjutant general	7,650	For compensation to clerks in the office of said surveyor general, per acts of 9th May, 1836	2,500
For compensation to the register of the treasury	3,000	For contingent expenses of said office	1,600	For compensation of the surveyor general of Mississippi	2,900
For compensation to the clerks and messengers in the office of the register of the treasury	24,200	For compensation of clerks and messenger in the office of the quarter master general	7,300	For compensation of clerks in the office of said surveyor general, per acts of 9th May, 1836	5,000
For compensation of the commissioner of the general land office, per act of 4th July, 1836	3,000	For contingent expenses of said office	1,000	For compensation of the surveyor general of Alabama	2,000
For compensation of the recorder, solicitor, draughtsman, and assistant draughtsman, clerks, messengers, and packers, in the office of the commissioner of the general land office	107,850	For compensation of clerks and messenger in the office of the commissary general of purchases	4,200	For compensation of clerks in the office of said surveyor general, per act of 9th May, 1836	2,200
For compensation to the solicitor of the treasury	3,500	For contingent expenses of said office	800	For compensation of the surveyor general of Florida	2,000
For compensation to the clerks and messenger in the office of the solicitor of the treasury	3,950	For compensation of clerks and messenger in the office of the commissary general of subsistence	4,300	For compensation of clerk in the office of said surveyor general	3,500
For expenses of stationary, printing and all other contingent expenses of the treasury department, viz:		For contingent expenses of said office	3,200	For compensation of the surveyor general of Wisconsin, and of the clerks in his office, per act of 12th June, 1833	3,100
For the office of the secretary of the treasury, including copying, and expenses incurred in consequence of the burning of the treasury building	12,500	For compensation of clerks and messenger in the office of the chief engineer	5,650	For extra clerks and draughtsmen in the offices of the Surveyors general, to be apportioned according to the exigencies of the service	8,000
For translating foreign languages, and for receiving and transmitting passports and sea-letters, in the office of the secretary of the treasury	300	For contingent expenses of said office, including one thousand dollars for expenses attending the removal of the office	1,500	For extra clerks to describe field-notes of survey, for the purpose of having them preserved at the seat of government, to be expended in case fire-proof vaults are not furnished for their preservation, at the following offices, viz:	
For stationing and printing public accounts	1,400	For compensation to clerk and messenger in the office of the surgeon general	1,650	Of the surveyor general northwest of the Ohio	4,500
For the office of the first comptroller	2,000	For contingent expenses of said office	500	Of the surveyor general of Illinois and Missouri	3,830
For the office of the second comptroller	1,500	For compensation of clerks and messenger in the ordnance office	8,650	Of the surveyor general of Arkansas	3,000
For the office of the first auditor	1,000	For contingent expenses of said office	1,000	Of the surveyor general of Louisiana	4,500
For the office of the second auditor	1,000	For compensation of the clerks and messenger in the topographical bureau	2,300	Of the surveyor general of Mississippi	4,200
For the office of the third auditor	1,000	For contingent expenses of said office	1,235	Of the surveyor general of Wisconsin	4,290
For the office of the fourth auditor	1,000	For compensation of superintendent and watchmen of the northwest executive building	2,250	For compensation to the commissioner of public buildings in Washington	2,300
For the office of the fifth auditor	1,000	For contingent expenses of said building, including rent of bounty land office, for labor, fuel, oil and repairs, and for the contingencies of the fire engines and apparatus	4,700	For compensation to three assistants to the commissioner, as superintendent of the Potomac bridge, and for the expense of oil for the lamps	1,950
For the office of the treasurer of the United States	1,500	For compensation of the clerks and messengers in the office of the secretary of the navy	12,850	For compensation to officers and clerks of the mint	20,400
For the office of the register of the treasury	3,000	For contingent expenses of said office, including three thousand dollars for extra clerk hire	6,000	For pay of laborers in the various departments of the mint, and for contingent expenses	23,000
For the office of the solicitor of the treasury	1,000	For compensation of the commissioners of the navy board	10,300	For incidental and contingent expenses, including the wastage of gold and silver, fuel, materials, stationary, water, rent, and taxes	13,000
For parchments, books, stationary, advertising, rent of an additional building, and contingent expenses of the general land office, and for books and blanks for the district land offices	19,753	For compensation of the secretary of the navy board	2,000	For new machinery	3,000
For compensation of superintendent and two watchmen for the additional building for the use of the general land office	1,050	For compensation of the clerks and messenger of the navy board	8,450	For specimens of ores and coins to be reserved at the mint	1,000
For compensation of the superintendent and watchman of, the southeast executive building	2,100	For contingent expenses of said office, including seven hundred dollars for arrears of extra clerk hire	2,500	For compensation to the officers and clerk of the branch mint at Charlotte, North Carolina	6,000
For contingent expenses of the building occupied by the treasury, including fuel, oil, labor, repairs, furniture and for rent, amounting to three thousand two hundred and fifty dollars per annum	12,000	For salary of superintendent and watchman of the southwest executive building	1,250	For pay of laborers in the various departments of the same	3,600
For compensation to the clerks and messengers in the office of the secretary of war, including the messenger in the bounty land bureau	13,300	For altering and painting passages in said building	1,800	For wastage of gold, and for contingent expenses of the same	5,100
For contingent expenses of the office of the secretary of war	3,000	For contingent expenses of said building	3,350	For compensation to the officers and clerk of the branch mint of Dahlonega, Georgia	6,000
For books, maps and plans for the war department	1,000	For compensation to three assistant post-masters general, per act 3d July, 1833	7,500	For pay of laborers in the various departments of the same	3,800
For compensation of extra clerks, when employed in said office	3,000	For compensation to clerks and messengers in the general post office	48,600	For wastage of gold, and for contingent expenses of the same	4,100
For compensation of the commissioner of Indian affairs	3,000	For topographer and additional clerks in said office, and a clerk to keep the appropriation account	11,600	For compensation to the officers and clerks of the branch mint at New Orleans	12,900
For compensation of the clerks and messengers in the office of the commissioner of Indian affairs	16,400	For contingent expenses of said office, including \$4,000 for rent and fuel for the auditor's office	12,500	For pay of laborers in the various departments of the same	22,600
For contingent expenses of said office	2,000	For compensation of two watchmen	600	For wastage of gold and silver, and for contingent expenses of the same	17,100
For compensation of the commissioner of pensions	3,000	For compensation to the auditor of the post office	3,000	For compensation of the governor, judges and secretary of Wisconsin territory	9,100
For compensation of clerks transferred from the office of the secretary of war to the office of the commissioner of pensions	4,800	For compensation to clerks and messengers in said office	55,500	For contingent expenses, pay and mileage of the members of the legislative assembly, pay of officers of the council, printing, furniture, stationary, fuel and other incidental expenses	23,000
		For eleven additional clerks in said office	13,200	For compensation of the governor, judges and secretary of the territory of Florida	14,370
		For contingent expenses of said office, including the expense of quarterly books, stationary, printing and pay of laborers	4,700		
		For compensation of the surveyor general northwest of the Ohio	2,000		

For contingent expenses, pay and mileage of the members of the legislative council of said territory, pay of the officers of the council, printing, furniture, rent, stationary, fuel and other incidental expenses	23,215	For salary of the principal and two assistant librarians, pay of the messenger, and for contingent expenses of the library	3,950 90	For surveying the public lands in the state of Illinois, and for surveys not yet completed	12,000
For compensation to the governor, judges and secretary of the territory of Iowa	8,200	For the purchase of books for the library of congress	5,000	For repairs of the custom house at Key West	1,625
For contingent expenses, pay and mileage of the legislative assembly, pay of officers, printing, furniture, stationary, fuel and all other incidental expenses, including an arrearage of sixteen thousand three hundred and fifty-four dollars, for 1838	37,104	For stationery, fuel, printing, and all other contingent expenses of the senate, in addition to former appropriations	40,000	For the third payment to Luigi Persico, under the contract with him for a group of statutes for the capitol	4,000
For compensation to the chief justice, the associate judges, and district judges of the United States	92,900	For stationery, fuel, printing, and all other contingent expenses of the house of representatives, in addition to former appropriations	100,000	For the third payment to the artists engaged in executing paintings for the rotunda of the capitol	8,000
For compensation of the chief justice and associate judges of the district of Columbia, and of the judges of the criminal and orphans' courts of said District	12,700	For salary of the principal gardener, for alterations and repairs of the president's house and furniture, and for superintendance of the grounds	1,200 2,465	For engraving a chart of the bay and harbor of New York	5,000
For compensation to the attorney general of the United States	4,000	For preparing, printing and binding documents ordered by the resolutions of the senate of 2d of July, 1836, and 2d of March, 1837, relating to the establishment of the seat of government; plans and surveys for the improvement of harbors and rivers, roads and canals; to be disbursed under the direction of the committee to audit and control the contingent expenses of the senate	15,000	For paying the clerks in the custom house at Philadelphia the arrears of their salaries from 1832 to 1837, so as to make the same equal to what they received in the last mentioned year, on the same principle that has been applied at New York	15,000
For compensation of clerk and messenger in the office of the attorney general	1,300	For expenses arising under the act for the relief of certain insolvent debtors of the United States	3,000	For procuring such books and papers relating to Spanish grants of land, formerly belonging to the late Spanish surveyors in the territories of Orleans and Florida, as may be useful to protect the interests of the United States, and to be expended only with the approbation of the secretaries of the state and treasury departments, after an inspection and examination of said books and papers, by a competent person or persons at the general land office	20,000
For contingent expenses of said office	500	For an appropriation carried to the surplus fund on the 31st of December, 1836, for a brick wall around the custom house at New Orleans	5,500	For the support of the United States penitentiary in the city of Washington, for the year 1839, including the pay of officers and agents, rations, clothing, beds, bedding, hospital stores and medicines, repairs to buildings, fuel, raw materials to be worked up, allowance to discharged convicts, and other contingencies, as per estimate of board of inspectors	12,537 36
For compensation to the reporter of the decisions of the supreme court	1,000	For completing the marine hospital at Mobile	15,000	For the survey of the southern boundary of the territory of Iowa,	969 05
For compensation to the district attorneys and marshals, as granted by law, including those in the several territories and arrearages	14,842	For an appropriation carried to the surplus fund on the 31st of December, 1837, for the repair of the pier and wharves at the public stores on Staten Island	2,313 75	For the survey of the public lands north of the Wisconsin and Neenah rivers, in Wisconsin	6,000
For defraying the expenses of the supreme court and the district courts of the United States, including the district of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties and forfeitures, incurred in the year 1839 and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offenses committed against the United States, and for the safe-keeping of prisoners, in addition to former appropriations	128,000	For constructing the custom house at Boston	75,000	For three new cupolas over the library of congress	1,482 24
For the payment of pensions granted by special acts of congress	1,050	For constructing the custom house at New York	150,000	For branch pipes and stop cocks to water the capitol grounds	350 30
For the support and maintenance of light-houses, floating lights, beacons, buoys and stakages, including the purchase of lamps, oil, keepers' salaries, repairs, improvements and contingent expenses	394,331	For furnishing one hundred and fifty-six rooms in the new treasury building, including one thousand dollars for shelves and cases in the various rooms occupied by the register	16,600	For repairing the water pipes from the Tiber, north of the capitol, to the capitol	500
For survey of the coast of the United States, including the compensation of the superintendent and assistants	90,000	For carrying into effect the acts relating to the Smithsonian legacy, to be paid out of the funds arising from that legacy	10,000	For compensating Charles Gordon for services rendered under the resolutions of the senate of the 2d of July, 1836, and the 28th of June, 1838	1,800
For the compensation to two keepers of the public archives in Florida	1,000	For surveying the public lands, in addition to the unexpended balance of former appropriations	15,000	For completing the special repairs heretofore proposed in the president's house, including a deficiency in a former appropriation	1,511 22
For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted in due course of settlement at the treasury	12,000	For surveying the public lands in Louisiana, at a rate not exceeding eight dollars per mile, in addition to the special appropriation for this purpose, per act of 2d of March, 1837	15,000	For the purchase of two fire engines for the capitol, the marine barracks, and the navy yard, including apparatus, and for suction and hose for the Peseverance fire company	10,100
For salaries of ministers of the United States to Great Britain, France, Spain, Russia, Prussia and Austria	54,000	For the construction of the post office, for the construction of the new treasury building	50,000 100,000	For the service of the general post office for the year 1839, in conformity to the act of 2d of July, 1836, viz:	5,100,000
For salaries of the secretaries of legation to the same places	12,000	For the construction of the patent office	50,000	For the transportation of the mails	\$3,529,000
For salaries of the charges des affaires to Portugal, Denmark, Sweden, Holland, Belgium, Brazil, Chili, Peru, Central America, New Granada, Venezuela, Texas and Naples, including an arrearage to the charge d'affaires to Texas of one thousand two hundred and eighty-four dollars	59,784	For alteration and repairs of the capitol, and incidental expenses	1,198	For compensation of post-masters	1,091,000
For salary of a minister resident of the United States to Turkey	6,000	For lighting lamps and keeping in order the public grounds around the capitol, the iron water pipes, and wooden fences	6,306	For ship, steamboat and way letters	35,000
For salary of the dragoman, and for contingent expenses of the legation to Turkey	6,500	For attendance on the western gates of the capitol	547 50	For wrapping paper	25,000
For contingent expenses of all the missions abroad	30,000	For removing a light house on Goat Island, being the balance of former appropriations carried to the surplus fund	8,706 73	For office furniture	6,000
For salaries of the consuls of the United States at London and Paris	4,000	For deepening the straight channel of the east pass to Appalachicola, Florida, being the balance of an appropriation transferred to this improvement, and since carried to the surplus fund	9,900	For advertising	28,000
For expenses of intercourse with the Barbary powers	17,400	For improving the harbor of Saybrook, by removing the bar at the mouth of Connecticut river, being the balance of an appropriation carried to the surplus fund	15,710	For mail bags	48,000
For the relief and protection of American seamen in foreign countries	40,000	For an outfit of a charge d'affaires to Holland	4,500	For blanks	34,000
For the contingent expenses of foreign intercourse	25,000	For completing the warehouse at Baltimore	30,000	For mail locks, keys and stamps	12,000
For clerk hire, office rent, stationary, and other expenses in the office of the American consul in London, per act of 19th January, 1836	2,800	For balance due on account of the first volume of the Documentary History of the United States	5,602	For mail deprecations and special agents	15,000
For interpreters, guards and other expenses incidental to the consulates in the Turkish dominions	5,500	For the balance due H. Randall for a lot of ground upon which the engine house of the Union fire company has been erected	300	For clerks for offices	200,000
				For miscellaneous	67,000
				For outfit and salary for a special minister to Great Britain	18,000
				For the erection of a jail in the city of Washington	31,000
				For taking the sixth census or enumeration of the inhabitants of the United States	20,000
				For carrying into effect the convention between the United States of Ameri-	

ca and the republic of Texas for marking the boundary between them:		wanted, and of the authorised furniture for the barrack rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of storehouses for the sut-keeping of subsistence, clothing and for other military supplies; and of grounds for summer cantonments, encampments and military practice		Fort Fort Adams, at Newport	10,000
For the salary of the commissioner	2,600			For the fort at New London harbor	5,600
For the salary of the surveyor	2,000			For Fort Schuyler, at New York	10,000
For the salary of the clerk	1,200			For repairs of Castle William and Fort Columbus and officers' quarters at New York	3,000
<i>Provided</i> , That the salaries of the said officers shall not commence until they shall be ordered into service.				For Fort Delaware	10,000
For other expenses of the survey of boundary required by said convention, including the purchase of instruments, wages to persons employed, and other contingencies	10,000			For Fort Monroe	10,000
H. R. 1,061.		For allowance made to officers for the transportation of their baggage, when travelling on duty without troops	60,000	For Fort Caswell	5,000
For the construction of a road from Dubuque, in the territory of Iowa, to the northern boundary of the state of Missouri	20,000	For the transportation of troops and supplies, viz: Transportation of the army, including the baggage of troops when moving either by land or water; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the frontiers and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals	205,000	For fortification in Charleston harbor, South Carolina, and for the preservation of the site of Fort Moultrie	10,000
To pay the expense of a survey of Red Cedar creek, and an estimate with a view to the improvement of the navigation thereof	1,500	For the incidental expenses of the quartermaster's department, consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members and witnesses; extra pay to soldiers, under an act of congress of the 2d of March, 1819; expense of expressers from the frontier posts; necessary articles for the internment of non-commissioned officers and soldiers; hire of laborers; compensation to clerks in the offices of the quartermasters and assistant quartermasters at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works, and in the performance of other duties; expenditures necessary to keep the two regiments of dragons complete, including the purchase of horses to supply the place of those which may be lost and become unfit for service, and the erection of additional stables	102,000	For the fort at Oswego, including the construction of the necessary barracks	20,000
For the opening and construction of a road from Burlington towards the seat of the Indian agency on the river Des Moines	5,000			For barracks and other buildings at Sacket's Harbor	10,000
For the improvement of the road from Burlington, in the territory of Iowa, to De Lagunes, in Illinois	2,500			For barracks and other buildings at Plattsburg	20,000
H. R. 1,081.				For construction of barracks, quarters, storehouses, hospitals and stables, and the necessary defences of the posts it may be deemed proper to establish for the better protection of the western frontier	80,000
For the erection of public buildings in the territory of Florida	20,000			For the support of the military academy for the year 1839, viz:	
For building a pier at the northern extremity of Winnebago lake in the territory of Wisconsin	500			For pay of officers, cadets and musicians	59,228
For placing buoys at the mouth of Neenah river at the head of Great Bay, in said territory, to mark the channel thereof	500			For subsistence of officers and cadets	40,004
H. R. 1,134.				For forage of officers' horses	3,986
For the further survey and an estimate of the cost of improving the navigation of the Fox and Wisconsin rivers, and connecting the same by a navigable canal or water communication	2,000			For clothing of officers' servants	290
For the construction of a road from Racine by Janesville to Sniipee, on the Mississippi	10,000			For defraying the expenses of the board of visitors at West Point	2,000
For the survey and construction of a road from Sauk harbor, on Lake Michigan, to Dekorre, on the Wisconsin river	5,000			For fuel, forage, stationery, printing, transportation and postage	12,581 45
For the construction of a road from Fond du Lac, on Lake Winnebago, by Fox lake to the Wisconsin river	5,000			For repairs, improvements and expenses of buildings, grounds, roads, wharves, boats and fences	7,221 60
H. R. 1,136.				For pay of adjutant's and quartermaster's clerks	950
For the removal of obstructions at the mouth of the Suwannee river, and for the survey of the same river	15,000			For increase and expenses of the library	1,000
For the survey of the Yellow river, Florida	500			For miscellaneous items and incidental expenses	731 50
For the repair of the road from Jacksonville to Newnansville, Florida	5,000			For the department of engineering	300
For the construction of a road from Jacksonville to St. Mary's, Florida	7,500			For the department of philosophy	1,200
S. 35.				For the department of mathematics	97 54
For the support of the penitentiary in the District of Columbia	8,689 40			For the department of chemistry	827 50
	\$9,010 081 57			For the department of drawing	285
<i>For the support of the army for the year 1839.</i>				For the department of tactics	360
H. R. 897.				For the department of artillery	275
For the pay of the army	\$1,534,832			For a reservoir	3,118
For the subsistence of officers	470,754			For two fire engines, with hose complete	1,900
For forage of officers' horses	111,115			For the completion of the buildings for the library, and the engineering, philosophical and chemical departments, in addition to the appropriation of 1838	16,649 50
For payments in lieu of clothing to discharged soldiers, and to officers in lieu of clothing for their servants	59,400			For payment to the Missouri volunteers, whose horses were lost or cast away at sea, or which perished or died in consequence of suffering at sea, in the voyage from New Orleans to Tampa Bay, in the year 1837	33,600
For subsistence, exclusive of that of officers	1,122,831			H. R. 892.	
For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture	473,435			For the protection of the northern and northwestern frontier of the United States	500,000
For the medical and hospital department	24,430			H. R. 1,176.	
For the regular supplies furnished by the quartermaster's department, consisting of fuel, forage, straw, stationery and printing	245,500			For the defence of the United States, in certain cases, against invasion	10,000,000
For barracks, quarters, store houses, embracing the repairs and enlargement of barracks, quarters, storehouses and hospitals at the several posts; the erection of the temporary cantonments at such posts as shall be occupied during the year, and of gun houses for the protection of the cannon at the forts on the seaboard; the purchase of the necessary tools and materials for the objects				H. R. 469.	
				For paying three companies of militia in the state of Indiana, called into the service of the United States	1,578 89
					\$16,557,233 65
				<i>For the naval service for the year 1839.</i>	
				H. R. 896.	
				For pay of commissioned, warrant and petty officers, and of seamen	\$2,352,625 64

For pay of superintendents, naval constructors, and all the civil establishments at the several yards	44,000	where there are no public quarters assigned, incidental labor in the quartermaster's department, expenses of burying deceased persons belonging to the marine corps, printing, stationery, forage, postage on public letters, expenses in pursuing deserters, candles and oil for the different stations, straw for the men, barrack furniture, bed-sacks, spades, axes, horets, picks, and carpenter's tools.	17,977	For the Winnebagoes	92,660
For provisions	600,000	For military stores, pay of armorers, keeping arms in repair, drums, files, flags, accoutrements and ordnance stores	2,000	For the Menomones	32,650
For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission	1,000,000	For completing the hospital at New York	20,000	For the Chippewas of the Mississippi	35,000
For medicines and surgical instruments, hospital stores, and other expenses on account of the sick	75,000	For conveying Schuylkill water to the naval asylum at Philadelphia, and for all necessary repairs	9,760	For the Chippewas of Saginaw	5,800
For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire	30,000	For current expenses of the hospital and its dependencies near New York	1,500	For the Chippewas of Menomones Winnebagos and New York Indians	1,500
For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts	26,000	For completing the hospital buildings at Pensacola, and building a wharf for loading the sick	4,000	For the Sioux of the Mississippi	42,510
For improvement and necessary repairs of the navy yard at Brooklyn, New York	7,500			For the Yancton and Santee Sioux	4,230
For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania	8,000			For the Onatias	3,940
For improvement and necessary repairs of the navy yard at Washington	26,000			For the Sacs and Foxes of the Missouri	12,570
For improvement and necessary repairs of the navy yard at Gosport, Virginia	64,000			For the Iowas	8,950
For improvement and necessary repairs of the navy yard near Pensacola	25,000			For the Sacs and Foxes of the Mississippi	54,540
For ordnance and ordnance stores	65,000			For the Sacs, Foxes, Sioux, Iowas, Omahas and Ottos and Missouries	3,000
For defraying the expenses that may accrue for the following purposes, viz: For the freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; travelling expenses of officers and transportation of seamen; house rent for pursers where no house is provided; for funeral expenses; for commissions, clerk hire, office rent, stationery, and fuel to navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowance to persons attending courts martial and courts of inquiry; for printing and stationery of every description, and for working the lithographic press, and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery, and for the repair of steam engines in navy yards; for the purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for taxes and assessments on public property; for assistance rendered to vessels in distress; for incidental labor at navy yards, not applicable to any other appropriation; for coal and other fuel, and for candles and for oil for the use of navy yards and shore stations; for repairs of magazines or powder houses; and for no other purpose whatever				For the Ottos and Missouries	5,640
For contingent expenses for objects not herein before enumerated	3,000			For the Kansas	6,046
For pay of the officers, non-commissioned officers, musicians and privates, and subsistence of the officers of the marine corps	174,300			For the Osages	14,496
For provisions for the non-commissioned officers, musicians, and privates, serving on shore, servants, and washerwomen	45,050			For the Kickapoes	5,500
For clothing	43,660			For the Kaskuskias and Peorias	3,000
For fuel	16,270			For the Brankesbaws	500
For keeping the present barracks in repair until new ones can be erected, and for the rent of temporary barracks at New York	10,000			For the Delawares	10,444
For the transportation of officers, non-commissioned officers, musicians and privates, and expenses of recruiting	6,000			For the Shawnees	7,180
For medicines, hospital stores, surgical instruments, and pay of matron, freight, larrage, toll, wharfage, and cartage, per diem allowance for attending courts of inquiry, compensation to judge advocates, house rent	4,139			For the Senecas and Shawnees	2,060
				For the Seneca	2,660
				For the Choctaws	57,625
				For the Chickasaws	6,000
				For the Creeks	46,440
				For the Quapaws	4,660
				For the Florida Indians	9,610
				For the Pawnees	12,000
				For the Cherokees	7,640
				For the Ottawas and Chippewas	62,465
				For the Caddoes	10,900
				For the following expenditures in the Indian department, the appropriations having been carried to the surplus fund on the 31st December last, viz:	
				For blacksmith's establishments	27,508 66
				For treaty stipulations	15,432 84
				For the expenses of treating with the Chippewas of Sagnaaw	97 13
				For the expenses of Indian deputations	2,630
				For the education of Indian youths	20,541 25
				For holding treaties with certain Indian tribes	447 50
				For locating reservations,	205 13
				For purchase of rifles for Pottawatomies	112 38
				For carrying into effect the treaty with Ottawas and Chippewas	43,701 24
				For the removal of the Choctaws from the Mississippi,	19,910
				For the removal and subsistence of Indians	77,855 70
				For carrying into effect the treaty with the Miami Indians of the 6th of November, 1838, viz:	
				For the payment to be made upon the ratification of the treaty, by a provision contained in the 3d article of the same	60,000
				For the first of ten annual instalments, stipulated to be paid by the same article	12,563
				For the payment of claims provided for in the 4th and 5th articles	150,000
				For the expenses of valuing buildings and improvements upon the ceded lands, and for the erection of others, as stipulated by the 7th article	3,300
				For the expenses of surveying and marking the boundary lines of the Miami lands in the state of Indiana, as stipulated by the 9th article	200
				For the expenses attending the examination of claims which have accrued since the 23d day of October, 1831	2,500
				For the expenses of the commission to examine claims under the treaty with the Miamis of the 10th day of November, 1837, not covered by former appropriations for that object	2,000
				For the payment of the Pottawatomies of Indiana for the corn crop abandoned by them upon their emigration west of the Mississippi, which was appraised by agents appointed by the government	742 50
				For the payment to the same Indians of the value of 12 log houses appraised in the same manner, and destroyed before their removal	600
				For the expenses of the removal and subsistence of these Indians	50,000

For the expenses of fencing and breaking up ground for tillage for the Omaha Indians, as stipulated by the 3d article of the treaty with them of 1836, in addition to the sum of \$1,200 appropriated in the year 1837	800	For the support of two blacksmith establishments, building a grist and saw mill, pay of attendants and assistants, tools for the mills, and the erection of mill houses	7,500	For the transportation of the militia or volunteers, while marching to and from the scene of operations	30,000
For the salary of the farmer to be supported among the said Indians, as stipulated by the same article of the same treaty	800	For furnishing cows, calves, hogs, ploughs, harnesses, axes and hoes, as stipulated by the treaty	7,300	For miscellaneous expenses of all kinds, not embraced under the foregoing heads, and which, from their contingent character, cannot be specified	400,000
For the balance of the expenses incurred by the commission for the examination of claims under the 2d article of the treaty with the Sac and Fox Indians of the Mississippi, of October, 1837, over and above the former appropriation for that object	1,500	For the erection of houses for chiefs, and furnishing wagons, carts, oxen and chains, as stipulated by the treaty	6,980	For accoutrements and arms for infantry and cavalry, including militia infantry, and cavalry, ammunition for men and field artillery, and repairs of arms, and for contingencies	71,000
For the support of a miller for the Sac and Fox Indians of the Mississippi, as stipulated by the 3d article of the treaty of September, 1836	600	For the payment of claims for depreciations	30,000	For the purchase and maintenance of a service three vessels of light draught of water, to cruise along the coast of Florida, for the protection of the lives and property of the citizens	50,000
For the expenses of procuring rations for these Indians for one year, as stipulated by the 3d article of the same treaty, over and above the provision heretofore made for that object	14,657 37	For the expenses of a commissioner to examine and settle those claims, for the payment of the purchase money for reservations	2,500	For paying the value of the horses and equipage of the Tennessee and other volunteers who have any time been in the service of the United States in the territory of Florida, and which were turned over to the government by order of the commanding general or other commanding officer; said value to be ascertained by the appraisement of said value when the volunteers entered the service	114,315
For the balance of the expenses incurred in examining claims under the 2d article of the treaty of September, 1837, with the Sioux Indians, by the commission appointed for that purpose over and above the former appropriations for that object	500	For the reimbursement of the annuity deducted in the year 1825	3,000		52,000
For compensation to a commissioner and clerk to be appointed to re-examine the claims under the last mentioned treaty, the re-examination to be made in the Indian country	500	For the reimbursement to the Clermont band of the annuity deducted in the year 1829	3,000		\$4,856,774
For the payment of the expenses of the investigation into the frauds practised in the reservation to the Creek Indians for the year 1839	5,000	For the payment to the Iowa Indians of the interest at five per cent. for one year upon the sum of \$157,500	7,875	<i>To promote the progress of the useful arts.</i>	
For the payment of the expenses of the removal and subsistence of the Creek Indians, to be applied in payment of claims settled by the examining officer, and to reimburse to other appropriations funds used for the removal and subsistence of these Indians, including outstanding claims not yet settled	85,000	For building ten houses for the Iowa chiefs, as per stipulation of the treaty	2,000	S. 256.	
For carrying into effect the treaty with the Creek Indians of the 23d day of November, 1838, viz: to make the payment in stock animals, stipulated to be made by the 2d article of the said treaty	50,000	For the completion of the surveys under the treaty with the Delaware Indians, and for the expenses of locating the Miames and Winnebagoes	2,000	For two assistant examiners, each to receive an annual salary of \$1,250	\$2,500
to pay the interest at 5 per cent. for one year upon the sum of \$350,000, pursuant to the stipulations of the 3d article of the said treaty	17,500	To enable the executive to purchase from Wapau-seh, a Pottawatamie, five sections of land reserved for him by the 2d article of the treaty of the 20th October, 1832	4,000	For publishing a classified and alphabetical list of patents	1,000
to pay the claims of the McIntosh party, pursuant to the stipulations in the 5th article of the said treaty	21,103 33	For defraying the expenses of holding a treaty, under the direction of the secretary of war, with the Stockbridge Indians	2,000	To pay for the use and occupation of rooms in the city hall by the patent office	3,659 22
to purchase stock animals for the Creeks removed as hostiles, as stipulated by the 6th article of the treaty	10,000	For the employment of physicians to vaccinate the Indians, to be expended under the direction of the secretary of war	5,000	For the purchase of necessary books for the library of the patent office	1,000
to meet the expenses of the purchase and distribution of stock animals, according to the requirements of the 2d and 6th articles	3,000	For paying the travelling expenses and board, while detained in the city of Washington, of the delegations of the Stockbridge, Munsee and Seneca tribes of Indians, in proportion to the distance they have travelled, or may travel, in returning to their respective tribes, a sum not exceeding	2,000	For the collection of agricultural statistics, and for other agricultural purposes	1,000
or the payment to the Cherokee Indians of the value of the improvements upon the missionary reservations, pursuant to a stipulation in the 4th article of the treaty of December, 1835, in addition to the former appropriation for that object	15,111 25	To enable the secretary of war to have executed under his direction twelve maps for the use of the war department, and of the senate, showing the position of the lands, of each Indian tribe in amity with the United States	1,000	To the chief justice of the district court, for services in relation to the patent office	100
or compensation to the commissioner under the above treaty, in addition to the appropriations of 1836 and 1838, for that object	8,000	For defraying the expenses of surveying and marking the boundaries between the Indian tribes west of the Mississippi	10,000		\$9,259 22
or carrying into effect the treaty of the 7th day of February, 1839, with the Chippewas of Saganaw, viz: for the payment of the purchase money of forty acres of land ceded by the first article of the treaty	320	For the location and temporary support of the Seminole Indians removed from Florida	10,000		45,065 27
or the expenses incurred in the negotiation of the treaty	125	For the purpose of holding a treaty with the Seminole Indians	5,000	<i>House of representatives.</i>	
or carrying into effect the treaty with the Great and Little Osages of the 11th day of January, 1839, viz: for the payment of the annuity stipulated in the second article	20,000			Private claims*	\$31,965 73
					Senate.
					13,099 51
					\$45,065 27
				RECAPITULATION.	
				Civil and diplomatic	\$9,010,031 57
				Army, fortifications and military academy	16,556,253 65
				Navy	5,130,781 61
				Revolutionary and other pensioners	2,499,020 15
				Current expenses of the Indian department	1,755,007 23
				Preventing and suppressing Indian hostilities	1,856,771 00
				To promote the progress of the useful arts	9,259 22
				Private claims	45,065 27
					\$36,862,212 78
				<i>Statement of the new offices created, and the salaries of each; and, also, a statement of the offices the salaries of which are increased, and the amount of such increase, during the third session of the twenty fifth congress; made in pursuance of the 6th section of the act of the 4th July, 1835, to authorise the appointment of additional paymasters and for other purposes.</i>	
				NEW OFFICES.	
				Special minister to Great Britain, salary and outfit	\$18,000 00
				Minister resident to Turkey	6,000 00
				Commissioner to carry into effect the convention between the United States and Texas for making the boundary between them	2,000 00
				Commissioner and clerk to re-examine claims under the 2d article of the treaty of September, 1837, with the Sioux Indians	5,500 00
				Two assistant examiners in the patent office, at \$1,250 each	2,500 00
				To the chief justice of the district court of the District of Columbia, in consideration of the duties imposed on him by the act in addition to an act to promote the progress of the useful arts	100 00
				Two additional clerks in the office of the clerk of the house of representatives of the United States, at \$1,500 each	3,000 00
				SALARY INCREASED.	
				Principal gardener—salary increased from \$1,000 to \$1,200	200 00
				*Several acts were passed for the settlement of private claims; but as the amounts are to be ascertained by settlement by the accounting officers, the aggregate cannot be carried out in this statement.	
				†These clerks were employed in the office previous to the appropriation, and paid out of the contingent fund.	
					\$1,755,007 25
					\$392,831
					251,623
					92,000
					300,000
					100,000

CHRONICLE.

Real estate in Baltimore. The large three story dwelling and double lot of ground, with extensive back buildings, situated on M. Street, opposite to the south front of the Carey and belonging to the estate of the late E. R. Partridge, were sold at auction yesterday, for \$21,800. There is a ground rent on the property, which may be purchased out for \$6,000; making the fee simple cost, therefore, \$27,800. The property is situated in a handsome and improving part of the city, and the amount for which it was sold is a proof that there is an improvement in prices of real estate in Baltimore, now in progress.

Cal. Stone. The New York Express says, the governor has nominated Col. Stone of the Commercial, to go to England, and search for colonial documents interesting to the state of New York. This is a good nomination, and will give general satisfaction.

William Leggett, esp. of New York, formerly editor of the Plaindealer, has been appointed confidential agent from the United States to the republic of Central America.

The U. S. ship *Levant* arrived at Havana on the 24th inst. from Vera Cruz, whence she sailed on the 23rd, in company with which it was sold in Opatario. The commodore parted company on the 3d inst. and proceeded to Pensacola with the Ontario. From one to two hundred sail of American vessels were lying in the harbor of Havana.

The senate of Connecticut balloted on Friday for a United States senator, but no choice was had. The house on its part elected, as was mentioned on Saturday, Thaddeus Betts, a whig. It was thought probable that the Van Buren men would vote Mr. Sherman, who then stand a fair chance of being elected. Mr. Sherman is a whig—Ralph Ingersoll is the Van Buren candidate.

Steamboat accident. We learn that the steamboat Eric, capt. Benson, on her passage up yesterday, when near Newburgh, collapsed a flue, by which accident the boat was disabled, and one of the firemen severely, but it is thought not dangerously, scalded. The mail and passengers were taken off and brought up by the steamboat Arrow, capt. Dean.

The New York annual conference of the Methodist Episcopal church on Friday elected its delegates to the next general conference. The following is the result of the ballot.

Whole number of votes 173; necessary to a choice 90.	
Rev. Dr. Bangs,	150
" F. Reed,	125
" P. Rice,	122
" C. W. Carpenter,	114
" P. Sanford,	99
" Dr. Lockard,	90
" Jos. Holdich,	103
" M. Richardson,	103

A second ballot was then had for two members to complete the number—163 members were present; necessary for a choice, 85. The following were elected:

Rev. Dr. O. Vander,	81
N. White,	101

[N. Y. Com. Adv.]

The Middletown Sentinel says the prospects of legislative aid in behalf of the Wesleyan university in that town, is not very favorable. If any appropriation is made, the editor supposes it will not exceed \$5,000 or \$6,000.

The population of Louisville, Ky. is estimated at 32,000. In 1839 it was 19,336.

Among the passengers for New York, by the ship Floridian, which sailed yesterday, is Miss Anna Wheeler, the interesting protegee of the Mobile rifle company. It will be in the recollection of many of our readers, that some years since, on the sudden death of Mr. Morris, a dealer, a popular member of that rifle corps, his brother soldiers united in paying every public tribute of respect to his memory; and as a father substantial and abiding testimony of their esteem, undertook the charge of raising and educating his daughter, then a little child. That trust they have faithfully executed, and have provided ample funds for her increasing education required by her rapid growth. The child, now an intelligent girl of ten or eleven years of age, has been sent to the north to receive, at the best schools there, every advantage of mental and moral cultivation, such as her liberal benefactors desire to bestow upon the orphan of their deceased friend. We are glad to be assured that this act of noble sensibility has been worthily bestowed, and that their protegee exhibits all the signs of a gentle and docile disposition, and the proofs of a superior capacity, which must gratify the hearts of her young protectors. [Mobile Register.]

Death of Mrs. Grant. We learn from Oromiah, Persia, that Mrs. Grant, wife of Dr. Grant, American missionary at that station, departed this life on the 14th January, after an illness of 13 days. Her disease was bilious fever.

The first Baptist church in Providence, R. I. will celebrate its two hundred anniversary this autumn. It was founded in the days of Roger Williams.

"The tie which binds two willing hearts." There were forty applications for divorce before the supreme court of Ohio in a single term.

The Raymond, Miss. Times, of the 3d instant, comes to us with about nine-eighths of a column of reading matter, the remainder of the paper being completely filled with a verisimilitude of scurrilous libel.

[N. O. Bee.]

River Osage. This river, which twenty years ago was deemed to be an exclusive possession of the whites, is now bordered by thriving settlements. It empties into the Missouri some hundreds of miles from the Mississippi, and is not remote from the western boundary of the state of Missouri. A steamboat nearly regularly between the Osage and the settlements near the mouth of the Missouri, and the country is rapidly filling up with farmers. The result of the immigration tends that way, and in the course of twenty years, the lands watered by the Osage, will be as thickly settled, and as productive as any other portion of the mighty west.

Rail road accident. As the Carrollton train of cars was coming to the city last evening, between six and seven o'clock, the locomotive ran off the track, a short distance this side of Greenville, upsetting the two adjoining cars, and breaking the third. Two young men were severely injured, one of them was attached to the train. There were a number of ladies in the cars, who fortunately escaped unhurt.

[N. O. Picayune 17th.]

We learn from the Army and Navy Chronicle that the board of engineers and naval constructors, of which capt. M. C. Perry, of the navy, is president, was ordered to re-assemble in Washington, on Thursday, and that the board was accordingly organized on that day, all the members being present.

The state of Alabama is about to build a penitentiary at Wetumpka, at a cost of \$84,599. The contract for its erection has been given to Mr. Thomas of Nashville.

Manufacture of pins. On a visit to Derby, Conn. some weeks since, I had the pleasure of inspecting the pin manufactory of Dr. Howe. The apparatus is the invention of the doctor, and is one of the most ingenious and beautiful pieces of mechanism in the whole circle of the arts. It is impossible for me to give you any adequate description of it. Those who have any fondness for mechanical ingenuity must see it for themselves. Generally speaking, one of them was attached to the machine, which the pins are to be made is passed in at one end of the machine, cut into the requisite length and passed from point to point, till the pins are headed and fitted for the process of silvering and putting up. The whole process may be distinctly seen, and as one pair of forceps holds the pin along to its neighbor, it is difficult to believe the machine is not in an elegant being. The pins are all of one solid piece of wire, and possess an advantage in this respect over those upon which the head is wound, and thus liable to come off, often to the great inconvenience of tender fingers. The process is exceedingly rapid. I think Dr. Howe informed me that one machine will make 17,000 pins in 11 hours, and a new machine which he had just put in operation would make 27,000 in the same time. Formerly it required several men to make one pin—now to head it, one to point it, &c. and then only a few thousand could be made in a day—but one man could superintend twelve of these machines, and at the lowest estimate manufacture 200,000 pins daily.

Thread. On a late visit to Pawtucket, we called at the thread manufacturing establishment of capt. N. B. S. Dwyer & Son, and was astonished to see to what perfection the manufacture of thread had arrived in this country. The whole of this extensive concern is under the control of capt. Dwyer, who by his perseverance, untiring industry and enterprise, has brought this branch of American industry so near to perfection.—They employ five cotton mills in the manufacture of thread, and one wool machine, amounting to two hundred hands, (exclusive of those used in the thread and army and navy.) They manufacture one hundred and thirty thousand dollars worth of thread per annum, of the finest and most beautiful texture, equal in every respect to any made in this country. The manufacture of thread in Pawtucket, of which there are several excellent establishments, has been a long time taking the place of the threads formerly imported from England. And we are pleased to hear they are all liberally patronised; the thread they manufacture is of a far better quality and cheaper than that formerly imported from England.—The colors are fast, and of every hue, from the snowy white to the deep scarlet and the most delicate pink.

[Providence Journal.]

Religious toleration. The following law was passed by the general assembly of New York, at its recent session. No writ, process, warrant, order, judgment, decree, or other proceeding of any court, or office of justice of the peace, which will be served or executed upon the seventh day of the week, commonly called Saturday, day or upon any person whose religious faith and practice is to keep the seventh day as a day set apart by divine command, as the Sabbath of rest in prayer and dedication to the worship of God, shall be valid except in cases of breach of the peace, or apprehension of persons charged with crimes and misdemeanors. The service of any such proceeding, in all other cases shall be utterly void.

No person shall be subject to do or perform military duty, on the seventh day of the week, whose religious

faith and practice is the same as stated in the first section of this act, except in cases of invasion, insurrection or in time of war.

Safety fund notes. The agreement made between the western safety fund banks and the bank of the state of New York, Lumber Manufacturers and Merchants' Exchange banks in this city, has been renewed for another year. It has worked well since it was adopted. By this agreement the safety fund banks notes are bought at half per cent. discount by the city banks, and the country banks are entitled to twenty-days time for the redemption of their notes and engagements, to keep their accounts with the contracting city banks. [Jour. of Com.]

Destruction of the Real Estate bank at Decatur. The Brandon, Mississippi, Sentinel, of the 6th, has a paragraph to the effect that the editors had received information by a gentleman direct from Decatur, that the Real Estate bank at that place was set on fire by a mob, and burned, together with all the books and papers. Nothing was saved. He also stated that if the mob was not quelled, they would wreak their vengeance on the persons and property of the directors. So much for mob law in Mississippi.

In the large list of checks and bills received from William Gill, the post rider, who lately robbed the express mail destined for Nashville and north, were the following, drawn in favor of gentlemen in the city of Louisville:

Three bills drawn by W. H. Lambeth & Thompson, in favor of Messrs. Pope, Davis & Co. on James Donaldson, esp. New York, all dated 16th April; one for \$2,500, one \$3,500, one \$4,000—duplicate of the 17th April.

Bill drawn by James Erwin, in favor of Messrs. H. B. Hill & Co. for seven thousand dollars, on general James Shelby, of Lexington, Kentucky, dated 17th April, 1839.

The whole amount of the bills and checks received amounts to about \$120,000. The following was the list of letters for Louisville:

L. B. Walpole to H. White, dated 16th April; J. Erwin to H. Hill, dated 17th April; J. Kirkman to J. Kirkman, dated 17th April; R. W. Gilbreth to McCure & Gilbreth, 17th April.

Gill was examined on the 11th inst. and committed to jail to await his trial before the circuit court in September.

Colonization. The resolution offered by the rev. Dr. Alexander, of Princeton, in the old school general assembly, the other day, commending the colonization society and its objects was carried without debate, with but one dissenting voice. The resolution is as follows:

Resolved, That this general assembly, approving the objects of the American Colonization society, and rejoicing in the success which by a gracious Providence has been granted to this benevolent enterprise thus far, would renew the recommendation to the churches under their care, formerly made, to take up a collection to the funds of said society, on or about the fourth day of July, annually.

Two good to be lost. A gentleman was called upon to give a disquisition on designations inscribed on a lot of bells, recently imported and supposed to be of Spanish manufacture. On examination he found that these inscriptions looked as little like Spanish as any thing else, being apparently some very ill-used members of the alphabet, turned topsy turvy. He excused himself, therefore, from the task of deciphering on the ground that he had never seen a Spanish alphabet, and did not make much progress in the Spanish *bell's* letters. [N. Y. Cour. & Eng.]

Death of Gen. Holstein. We have to announce the sudden death of our venerable and estimable fellow citizen, gen. H. V. Du Coudray Holstein. He died at his residence in Chapel street, on Thursday evening, or apoplexy, at the advanced age of 76.

The deceased was a native of Germany, where we believe, he received the thorough knowledge of German and French literature which has since enabled him to sustain himself and family here. At an early age he entered the French army, and served many years as a staff officer under Napoleon. He took refuge in this country upon the restoration of the Bourbons, and has since been a resident of this state. At the time of his death, he was at the head of the French department in the Albany female academy. Though almost constantly employed in this capacity, he still found time to contribute to the literary periodicals and newspapers, and to prepare for the press elegant French and German works. He was a principal contributor to the *Lecturer's* published in this state. The series of articles entitled "the gallery of Lou Phillippe," which appeared in this paper, were from his busy and graphic pen.

We shall not at this time attempt to do justice to a character of this truly good man; nor have we the time to give even a sketch of his life and his labors, and eventful life. We leave this to those who enjoy more of his intimacy and confidence while living, a few who know and appreciate his worth. [Albany Arg.]

Sarah Walton, the woman against whom a bill was found at the last September session of the court over and terminer, on a charge of infanticide, was acquitted on Thursday last at the request of the attorney general, without any evidence being offered in case. [North American.]

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[VOL. LVI.—WHOLE No. 1,445.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WM. OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE OREGON TERRITORY. We have embraced the earliest occasion of our having sufficient space for it to publish the able and instructive report, made in the house of representatives at its last session by the committee of foreign relations, on the subject of the Oregon territory, to which it seems to be high time that the public attention was more particularly turned. It is no more than fourteen years ago that a bill for the occupation of that territory was introduced into the house of representatives by Mr. FLOYD, then a representative from Virginia, (since governor of the state), now deceased, who supported it with great earnestness and zeal. That bill passed the house of representatives by a vote of more than two to one, but, in the senate, was, after debate, ordered to lie on the table, on the motion of Mr. LOWRIE, then a senator from Pennsylvania.

Mr. LINN, of Missouri, has, with equal earnestness, recently pressed the subject on the attention of the senate; and now we have the elaborate report published to-day, understood to be the production of Mr. CUSHING, of Massachusetts. So that movements towards occupation of the territory, and organization of government therein, have been made successively, from the south, the west and the east; which, though so far without success, can hardly fail to end in some decisive legislation on the subject by the next congress. [Nat. Int.]

THE VIRGINIA ELECTION. We have as yet received from no county the complete returns of the election held throughout Virginia on Thursday last. In some of the counties, owing to threatening weather, the election was continued over by keeping the polls open after Thursday, as is in such cases authorized by law. The partial returns we have seen from Fairfax and Spotsylvania counties (the only ones heard from) were not particularly favorable to the whig cause. [Ibid.]

HARMANUS BLEECKER, ESQ. The appointment of this gentleman as charge d'affaires of the United States at the Hague is at once a source of surprise and satisfaction to his fellow townsmen of Albany. Mr. Bleecker's high character and varied attainments have long commanded the respect of his numerous friends at home, and will unquestionably add to the credit of his country abroad. [Albany Daily Advertiser.]

WM. H. CRAWFORD'S letter to Charles Jared Ingersoll, on the subject of the Bank of the United States.

Woodtown, Dec. 5, 1831.

Dear Sir: Your friendly letter, on the subject of the Bank of the United States, has been received by the course of mail. The opinion which I formed of the constitutionality and expediency of the Bank of the United States, when I was a member of the senate, was the result of a careful examination of the constitution of the United States, made without any preconceived opinions. That opinion is recorded in two speeches made in the senate in the year 1811. Since that time I have had no occasion for renewing the question.

My opinion remains unaltered, I was secretary of the treasury more than eight years, and during that time I had ample evidence of the great utility of the Bank of the United States in managing the fiscal affairs of the union. I am persuaded that no man, whatever his preconceived opinion may be, can preside over the treasury one year without being deeply impressed with the expediency of the Bank of the United States in conducting the finances of the union. The provision in the constitution, which gives congress the power to pass all laws which may be necessary and proper to carry into effect the enumerated powers, gives congress the right to pass the bank bill, unless a law, most proper to carry into effect the power to collect and distribute the revenue, should be excluded by that provision.

The opponents of the constitutionality of the bank place great stress upon the word "necessary," contained in the grant of power, and insist that no law can be necessary but such without which the power could not be carried into effect. Now this construction appears to me to be indefensible.

It does seem to me that the words "necessary and proper" cannot exclude a law that is most proper to carry the power into effect. Yet the unconstitutionality of the bank can be pronounced only

upon that construction. It does appear to me that the framers of the constitution never could have intended to exclude the passage of a law most proper to carry a power into effect by another law. My construction of the grant of power to pass all laws which may be necessary to carry the enumerated powers into effect, includes the power to pass all laws which may be necessary and proper to carry the enumerated powers into effect in the most perfect and complete manner, and in an incomplete and imperfect manner.

I have not seen a complete development of the president's plan of a bank. It is possible that, by his plan the transmission of the revenue may be effected. The advantage of this security to the public is incalculable. It ought not to be relinquished unless it can be satisfactorily proved that the Bank of the United States is unconstitutional.

This, I think, cannot be satisfactorily shown.—My speeches are recorded, and can be republished if necessary. They contain the result of the best investigation I was able to give the subject. I am persuaded I could not improve upon it now, if I had the power of investigating the subject, which I have not. I am, sir, your friend, &c.

W. H. CRAWFORD.

RESOURCES OF THE WEST. Few persons, we suspect, thoroughly realize what are the capabilities of the valley of the Mississippi, though every body has been talking and writing about them these twenty years. A writer in the New York Review sets this matter in a most forcible light as follows:—

"Look at it in that valley are one million four hundred thousand square miles, or eight hundred and ninety-six millions of acres, while Great Britain and all its islands, contains but about eighty-eight thousand square miles, or fifty-six and a half millions of acres. And what is the character of this vast region? One-third of it, at least, is capable of cultivation, and thick settlement, and one-third is four hundred and sixty-six thousand square miles in extent, about seven times as great an area as all the available land in England, Ireland, Scotland, Wales and the islands. Look at it more minutely, and you find it, from the cleared fields of Ohio and Indiana, to the edge of the barren prairies of Missouri, and from the wild rice swamps of the north, to the cypress swamps of the south, fertile beyond example, almost level, or slightly undulating, and accessible in every direction. Never was there a finer country for the agriculturist: standing at his farm house-door, in the interior of Ohio, Indiana, or Illinois, a thousand miles from the salt water, he may see his produce almost on its way to New York, or Europe; in a very few years, five complete lines of water and railway communication will exist between the interior of Ohio and the ocean; four are now in operation. Nor is that valley destined to be less eminent in manufacturing than agricultural. The state of Ohio, if we may rely upon her geologist, Mr. Maier, contains as much bituminous coal, of good quality and easy access, as all England and Wales; and Ohio in this respect is, he thinks, no richer than western Pennsylvania, western Virginia, and Kentucky; judging from the little that is known, Indiana, Illinois and Missouri, are probably underlain to a considerable extent by the same great mineral treasure. Nor is it coal alone that abounds in that region. Kentucky and Ohio, extends a bed of iron ore twenty miles in width. Tennessee is filled with iron; immense beds were lately opened in Indiana—and who has not heard of the Missouri mountain of that most precious metal. Already do Pittsburg and Cincinnati, yearly, manufacture some 7 or 8 millions of dollars worth of iron articles for export to other points; and lead abounds also; salt is met with in inexhaustible quantities; lime is universally distributed; and the finest freestone found in the greatest profusion.

Here, then, is a land, the soil and climate of which favor tillage in the highest degree; the interior of which is far more easy of access than the interior of any country in Europe, and filled with mineral wealth. Within its limits, grow maize, wheat, hemp, flax, tobacco, cotton and sugar. It is a land which scarce needs foreign commerce; it is a world within itself, there is scarcely one considerable article of commerce, if we except coffee and some dyestuffs, which the Mississippi valley cannot furnish.

The first flint glass made in America, was at Pittsburg; the porcelain earth found within the limits of that region, rivals that of China; the lakes abound in fish; and the burr stone of Ohio, may compare with the best of France.

Now, what, in the common course of things, must be the result of this wealth and capability? A dense population, a population of not less than one hundred and twenty millions of people; nay, if we base our calculations on the present population of France, of not less than one hundred and sixty millions, that is to say, a population greater than that now living in Great Britain, Ireland, France, Holland, Spain, Portugal and Germany.

LOWER CANADA. "On Thursday morning," says the Montreal Herald of Saturday last, "several loyal families from La Tortu and the surrounding towns arrived in town, in consequence of the treats to which they have lately been subjected by the rebels, and the fears entertained that their lives were in danger. Among the number is Mr. Vitty, who was so severely wounded when Mr. Walker was killed at the breaking out of the rebellion last year. The third act in the tragedy of Lower Canadian rebellion has now commenced, and we doubt not, it will terminate as the previous ones have, in the discomfiture of the rebels, but at a much greater sacrifice of life and property."

SMALL POX AND VACCINATION IDENTIFIED. An English paper mentions that Mr. Creely, a surgeon of Aylesbury, has demonstrated the important fact, that small pox and cow pox have the same origin, the latter being small pox communicated to the cow. Mr. Creely inoculated cows with small pox matter; the vesicle produced in the animal had every appearance of the vaccine pock. To ascertain the point, children were inoculated with matter taken from the cow thus justifiably infected, the result was a fine, genuine vaccine vesicle. To establish the fact satisfactorily, these children were submitted to small pox disease. Twenty-five successive inoculations have now been performed with this new virus, which may truly be named *variola vaccina*, and it continues to produce the most satisfactory results; the matter has been employed in Bristol with perfect success. The importance of this discovery cannot be too highly appreciated. The Philadelphia Inquirer states that the identity of the two diseases was ascertained some years ago by Dr. Jos. KLAPP, of that city, who made the same experiments which have been lately used in England with similar results. Reference is made to the 5th vol. of the Philadelphia Medical Museum, by John Redman Cox, M. D. where the whole doctrine is stated. If we mistake not some experiments of a like nature were once made in Baltimore, to the entire satisfaction of medical men.

SPECIAL OR GENERAL PARTNERS. A case was tried in the United States district court in New York yesterday, in which Elijah T. Hubbard and Henry Carrington were plaintiffs, and Edward M. Morgan, Wm H. Jessup, Henry T. Morgan, and Knowles Taylor, were defendants, to test the question as to whether this latter defendant was a special or general partner in the firm of Edward M. Morgan & Co. of Wall street.

The action was an action of assumpsit, and was brought to recover the amount of a balance of an account alleged to be due the plaintiffs, who resided and were in business in Illinois on the 22d of January, 1838. The amount claimed was \$10,179 75, with interest.

It appeared that Mr. Taylor had put \$75,000 into the firm as a special partner, but had neglected to comply with the provision in the law authorising special partnerships, which requires that "the business of the partnership shall be conducted under a firm in which the names of the *general partners* only shall be inserted without the addition of the word 'company,' or other general term;" for the word company was used in the certificate of partnership used before recorder Riker, and in all subsequent transactions. Judge Betts therefore instructed the jury that Mr. T. had lost the privileges of a special partner, and they accordingly rendered a verdict for the plaintiffs of \$11,125 75—which binds him.

[Newark Daily Adv.]

A case was decided in the superior court on Monday, which may serve as a caution to men holding official situations, that trivial carelessness or neglect may sometimes be attended with very serious consequences. Wm. P. Hallett, esq. was sued for the recovery of a judgment which had been obtained against a Mr. Charles Morris, and the amount of which had not been recovered in consequence of Mr. Hallett's having overlooked, in examining the records of the supreme court, a previous judgment against Morris for \$15,000 or \$16,000. The amount for which Mr. Hallett was now sued was nearly \$4,000, and before the case had been submitted to the jury, it was made out so clear that his counsel, in his behalf, consented to the payment of it with costs.

[N. Y. Transcript.]

DEVOTION. There is a sweet and simple custom prevalent in Iceland, which marks the habitual devotion of its inhabitants. Whenever they leave home, though for a short journey, they uncover their heads, and for the space of five minutes silently implore the protection and favor of the Almighty. Dr. Henderson, from whom the fact is derived, and who observed it in the Icelanders who often attended him on his excursions, also remarked it in the humblest fishermen when going forth to procure food for their families. After having put out upon the sea, they row the boat into quiet water, at a short distance from the shore, and bowing their uncovered heads, solicit the blessing of their Father in Heaven. Even at passing a stream, which in their country of precipices is often fraught with danger, they observe the same sacred custom. This affecting habit of devotion has been imputed to the fact, that from their isolated situation and mode of life, the mother is almost the only teacher, and her instruction seems to have become incorporated with their very elements of being.

The old fashioned courtesy and sterling beauty of the following correspondence, so characteristic of the men of the old school, will commend it to the admiration of our readers. It is derived from Spark's invaluable compilation of the Washington papers:

DR. FRANKLIN'S LETTER.

Philadelphia, 16th September, 1789.

"DEAR SIR: My malady renders my sitting up to write rather painful to me; but I cannot let my son-in-law Mr. Bache, call for New York, without congratulating you by him on the recovery of your health so precious to us all; and on the growing strength of our new government under your administration. For my own personal ease, I should have died two years ago; but, though those years have been spent in excruciating pain, I am pleased that I have lived them, since they have brought me to my present situation. I am now finishing my eighty-fourth year, and probably with it my career in this life; but in whatever state of existence I am placed hereafter, if I retain my memory of what has passed here, I shall with it retain the esteem, respect, and affection, with which I have long been, my dear friend, yours, most sincerely,

B. FRANKLIN.

TO BENJAMIN FRANKLIN.

New York, 23d September, 1789.

"DEAR SIR: The affectionate congratulations on the recovery of my health, and the warm expressions of personal friendship, which were contained in your letter of the 16th instant, claim my gratitude. And the consideration, that it was written when you were afflicted with a painful malady, greatly increases my obligation for it.

Would to God, my dear sir, that I could congratulate you upon the removal of that excruciating pain, under which you labor; and that your existence might close with as much ease to yourself as its continuance has been beneficial to our country and useful to mankind; or, if the united wishes of a free people, joined with the earnest prayers of every friend to science and humanity, could relieve the body from pains or infirmities, then you could claim an exemption on this score. But this cannot be, and you have within yourself the only resource to which we can confidently apply for relief, a philosophic mind.

If to be venerated for benevolence, if to be admired for talents, if to be esteemed for patriotism, if to be beloved for philanthropy, can gratify the human mind, you must have the pleasing consolation to know, that you have not lived in vain. And I flatter myself that it will not be ranked among the least grateful occurrences of your life to be assured, that, so long as I retain my memory, you will be recollected with respect, veneration, and affection by your sincere friend,

GEO. WASHINGTON

THE ELECTRIC GIRLS OF SMYRNA. We mentioned some time since, on the authority of a Smyrna paper, the departure of the remarkable electric girls

from that city for France. The following letter from a Paris paper gives an account of the progress and apparent failure of their expedition:—

[Boston Daily Ad.]

The two Smyrna girls whose persons present such remarkable electric phenomena, landed, as you are aware, at Marseilles in the beginning of last month. In hopes of realizing a splendid fortune, they intended to exhibit themselves in France and other parts of the continent. Immediately on their arrival, several persons, including various men of science and professors, visited them and ascertained the following phenomena. The girls stationed themselves facing each other at the ends of a large table, keeping at a distance from it of one to two feet, according to their electric dispositions. When a few miles had elapsed, a crackling resembling that of the electric fluid, spreading over a sheet of gilt paper, which was always made in advance from the elder to the younger sister. A key, nail, or any piece of iron, placed upon the table, instantaneously stopped the phenomenon. When the iron was adapted to the under part of the table, it produced no effect upon the experiment. Saving this singular circumstance, the facts observed constantly followed the known laws of electricity, whether glass insulators were used, or whether one of the girls wore silk garments. In the latter case the electric properties of both were neutralized. Such was the state of matters for some days after the arrival of the young Greeks, but the temperature having become cooler, and the atmosphere having loaded itself with humidity, all perceptible electric action seemed to have deserted them. One may conceive the melancholy of these girls, and the disappointment of the two Greeks, their relations, who have come with them in order to share their anticipated wealth.

[Marseilles Letter.]

SAGACITY OF DOVES. Much has been written and spoken upon the sagacity of animals, and so interesting is this subject to most people, and especially to youth, that almost every parent has been beguiled the severities of a winter's evening by narrating to his children some well-attested facts of animals, illustrative of their surprising sagacity. These anecdotes are generally related of quadrupeds, the dog, the horse and the elephant; but I shall relate one of that emblem of beauty and innocence, the dove.

Early in the present winter, my dove-cote was broken into, from the scaffold, by a stranger cat, in the darkness of night, and two of the peaceful inmates were surprised and devoured, in the presence of the family, by this merciless invader. As soon as the morning came, they all forsook their home, and gave such tokens of fright as induced us to search for the cause, when the remains of the slain, in the apartment which had then proved their asylum, at once dispelled all doubts in regard to the cause of the present distress. But another painful question arose with my children, whose sympathies with the little sufferers were now at their height:—"How could the old creature get into the dove house?" My young son had the frankness to dispel this perplexity.

Owing to the severity of the weather, a few days previous, he thought he would feed his doves without calling them from their retreat, and went to the room on the scaffold, removed a board, cast in the grain, but did not take sufficient caution in replacing the board. We at once secured the apartment against another invasion, and replenished it with food; but although the weather continued intensely cold, and the wind boisterous, the doves would in no way enter their habitation by day or by night; but sought their security at the expense of their comfort, by perching upon the carriage house, barn or dwelling house. But in each of these places the ruthless spoiler surprised them, and continued to reduce their number, eluding all our efforts to take her by trap, or otherwise. At length, fearing that the whole covey would fall a prey to her rapacity, I resolved to lie in ambush with powder and buck-shot, and await her approach.

The plan was successful. Between eleven and twelve o'clock at night, the old marauder advanced slowly and cautiously forward to renew her depredations upon the little innocents, but at that moment she fell a sacrifice to her murderous daring. The little doves, from the roof of our dwelling, and by the aid of the light of the moon, saw her bounding and agonizing in death. The next morning, while the children were rejoicing over the fall of their common enemy, and a monster in size she was, among our domesticated feline race the doves participated in the general joy, as indicated by their flying to, circling upon the wing, and hovering over, the slain, and then returning to their deserted habitation, cooing and strutting, in conscious se-

curity, after an exile of more than two months. The following night they took roost in their own house, but stationed one at each window for a sentinel. As this order was strictly adhered to each successive night, we were led to apprehend there might be a remaining foe on the premises. Another ambush on my part was successful in taking the surviving partner in crime, and from that moment, the sentinels have been recalled, nidification has been resumed, and all appears blithesome, and full of hope.

[Congregationalist.]

SINGULAR FORESIGHT. Six hundred years ago, a monk of the order of St. Francis foretold most of the great discoveries which have adorned later ages. This monk was Roger Bacon. His whole life was devoted to study, and he narrowly escaped being punished as a magician, through the very envy and jealousy of his brethren. He has left a work which earned for him the surname of "The Wonderful Doctor." In this book, the title of which is *de Secretis Operibus Naturæ et Artis*; there are many things that will astonish the scientific. "A substance may be prepared," says he, "which, in even very small quantities, will produce a violent report in the air, kindle like a train of fire, and destroy whole castles and armies."

A century afterwards, a German taught the Venetians the use of powder which was first employed in their wars with Genoa. "Moreover," says he, "we may cut glasses, or kind of mirrors, some of which will be able to enlarge objects, or bring them near, and others to diminish, or remove them farther; some to make them appear upside down, others to right them again." Is not this the exact idea of spectacles, telescope and microscopes, which made their appearance some ages afterwards? "It is possible," says he, "to discover a mode of moving in the air, of descending and walking about on the bottom of rivers and the ocean." Diving bells and balloons have since been made known, to prove the correctness of Bacon's assertions. "It is moreover possible to build ships that might be managed by one man, and surpass in swiftness all ordinary vessels, even if full of rowers. Lastly, a kind of carriage may be constructed, which, without being drawn by horses, could go over an incredible space." Not to speak of our modern inventions, the attempts which have been made for five hundred years to resolve these two problems of Bacon's are innumerable. Boats with wheels, propelled by a more or less ingenious mechanism, have been almost perpetually attempted since the days of our learned monk.

In 1740, the canals of Belgium and Holland were covered with them, and in France and elsewhere new experiments have been made, and are still making in this branch. As to carriages without horses, it is well known that in the middle of the sixteenth century, Simon Stevinus invented a car with masts and sails, which moved at the rate of about two miles an hour. Marries of Nassau, prince of Orange, had a similar one, which he took great delight in, and so had William the third in England, who was fond of showing it off to the great astonishment of the court and citizens. Many other carriages have been set in motion by a system of wheels and springs like those of a watch. These inventions are doubtless far inferior to our steam, which moves not only boats and wagons, but ships and trains of cars; but it is an act of simple justice to call to mind at times the far-sighted philosopher, who six hundred years ago, affirmed that such hidden powers existed.

DEATH WARRANT OF JESUS CHRIST. Of the many interesting relics and fragments of antiquity which have been brought to light by the persevering researches of modern philosophy, none could have more interest for the philanthropist and the believer, than one which we copy below. "Chance," says the *Courier des Etats Unis*, "has just put into our hands the most imposing and interesting judicial document to all Christians, that ever has been recorded in human annals: that is the identical death warrant of our Lord Jesus Christ." The document was faithfully transcribed by the editor, and is in the *Register*.

Sentence rendered by Pontius Pilate, acting governor of Nazareth under Gualdice, stating that Jesus of Nazareth shall suffer death on the cross.

In the year seventeen of the emperor Tiberius Cesar and the 25th day of March, the city of the holy Jerusalem, Anna and Caiphas being priests, sacrificators of the people of God, Pontius Pilate, governor of lower Galilee, sitting on the presidential chair of the Patory, condemns Jesus of Nazareth to die on the cross between two thieves—the great and notorious evidence of the people saying—

1. Jesus is a seducer.
2. He is seditious.

3. He is an enemy of the law.
 4. He calls himself falsely the King of God.
 5. He calls himself falsely the King of Israel.
 6. He entered into the temple, followed by a multitude bearing palm branches in their hands.
 Order the first centurion, Quillus Cornelius, to add him to the place of execution.
 Forbid to any person whatsoever, either poor or rich, to oppose the death of Jesus.

The witnesses who signed the condemnation of Jesus are, viz.—1. Daniel Robani, a Pharisee; 2. Annas Rorabable; 3. Raphael Robani; 4. Capet, a priest.

It shall go out of the city of Jerusalem by the name of Struenus."
 The above sentence is engraved on a copper plate; on one side are written these words:—"A similar tale is sent to each tribe." It was found in an antique vase of white marble, while excavating in the ancient city of Aquila, in the kingdom of Naples, in the year 1820, and was discovered by the commissaries of arts attached to the French armies. At the expedition of Naples, it was found enclosed in a box, of ebony in the sarcophagus of the charmer. The vase is in the chapel of Caserta. The French translation was made by the members of the commission of arts. The original is in the Hebrew language. The charmer requested earnestly that the plate should be taken away from them. The request was granted, as they feared for the sacrifice they had made to the army. M. DEXON, one of the savans, caused a plate to be made of the same model, on which he had engraved the above sentence. At the sale of his collection of antiquities &c. it was bought by Lord HOWARD for 2,890 francs. Its intrinsic value and interest are much greater. A few years ago there was found at Caiskilk, in New York, a shekel of Israel," of the time of our Saviour. On one side was the representation of a palm leaf, on the other, a picture of the temple, with the words underneath, "Holy Jerusalem," in the Hebrew language. Relics like these, properly authenticated, are about them an inexpressible sacredness and veneration. They seem to blend two worlds, and to vary human curiosity from the finite to the infinite.

[Phil. Gaz.]

Portrait of Quakerism. Poulson's American Daily Advertiser furnishes the following extract "a letter from queen Caroline, (wife of George the third), to the princess Charlotte.
 Did I court applause, I would preface this letter with an apology, for the ignorance of hinting at religious principle. To suppose the great swayed their conduct, by a respect for religion is an affront to the delicacy and refinement of their taste. Hence, the day set apart by the laws of their country, for religious service, they deride and insult as vulgar and obsolete institution; should you propose to them a renewal of family devotion, which included the guiltless evening entertainments of their ancestors, you would become an object of derision, rather than of their contempt.
 The same tenets, the same and simple manners of the gospel, are now trodden under foot. Can we wonder, if that profession, which asserts these truths, and preaches these morals, be treated with a similar contempt? But irreligion knows no bounds, hence once let loose; and Christianity herself has been obliquely insulted, within those consecrated walls, where decency and policy, in the absence of reason and virtue, would forever have held her in regal reverence.
 But, notwithstanding the general contempt of religion among the great, you are not to imagine the present age is deep in speculations of infidelity. To such things; for that would imply a certain attention to these subjects—a certain degree of self-reverence and thought—and this would clash with the ruling manners of the times. Indeed there have often wanted laborious husbandmen, who have faithfully sown their tares—not in the night season, but in the broad daylight. These have at length put up into a large and fruitful crop of irreligious implicit faith; for implicit faith, is belief or disbelief, without evidence; and why they disbelieve, of the present age can tell. They have other pretensions, than the meager sophisms of irreligion; and are therefore well content with the conclusion without the premises.
 Fortunately for mankind, there has arisen out of this vile system of disputation, anarchy of belief or disbelief, a religion called the religion of the bankers; and although the great have nothing to do with this simple original worship, I shall make a few remarks upon it, because I am conscious, you are as yet ignorant of its beauty, importance and truth.
 It appears to me, my Charlotte, that the progress made by this interesting people, vulgarly called bankers, and officially called Friends; above all

other sects, in simplifying Christianity, and freeing it from those mixtures which have so much disgraced and abused it, has been so extraordinary, that it may justly set them at the head of all reformers, and stamp them with a decisive character, in which their little peculiarities of manner are unworthy of remark. In the first place, they are the only sect who admit no priests or ministers, as a separate order of men, into their constitution; an advantage of so capital a nature, that some think, it is well worth purchasing, by the institution of a distinct society for that direct purpose only. For what a legion of evils does this cut off? Not to mention the greater mischiefs, which the struggles for wealth and power, by an established clergy, have in all countries occasioned. Are not their rivalries, their parties, their controversies, their interests, their intermeddlings, the bane of concord and brotherly affection in all the communities of separatists?—Does not their ordinate authority, frequently as much infringe the rights and privileges of private congregations, as it always does of national churches? Do they not afford ready means of laying at the feet of power, the political influences of dissenting bodies? It would be too much to assert, that it never was in the contemplation of the founder of the Christian religion, to institute such a body of men, and that the supposed necessity of them, is contradictory to the notion of a Divine Revelation, free and clearly communicated in writing; but we cannot help lamenting at least, that so many corruptions, forgeries and interpolations of scripture, which they have been accused of, should deform the page of history.

Secondly, I find the Quakers are the only people, who have completely detached religion from state policy, and thereby avoided that doubtful combination, of two dissimilar interests; which has too frequently spoiled and calumniated both.

They have confined religion to its proper province of amending the hearts and lives of men; and have abhorred the plan of making it subservient to the narrow and temporary purposes of a party, or a government. They have not dared to enlist the Almighty in the service of a particular nation, or to point his thunders against their fellow creatures merely because their worldly interests interfered.

They have not set apart days for the religious celebration, or commemoration of public events; the final consequence of which, no man can see, and which are regarded with totally different feelings by different parties. Keeping their own hands unstained with blood, they have viewed the shedding of blood by others as a subject of humiliation, rather than of thanksgiving; and if ever they offer prayers for national blessings, it is for those of peace, bothery love and righteousness, in which they desire that all mankind should equally participate, and as strenuously endeavor to effect.

Thirdly, I do not know that they differ from other Christians in their speculative notions of the efficacy of prayer; and the interposition of Providence in human concerns; yet I can see, that they are much more modest and reserved than others, in making petitions for particular favors; and hence, according to my judgment, they preserve a greater consistency in the theory of divine perfections, and inculcate a more tranquil and reverential submission to the will of the Deity. In this respect they are a strong contrast to the Puritans of the last century and the first Methodist of this, whose copious and minute addresses to heaven, often degenerated into indecent familiarity, and a querulous impudent importunity.

Fourthly, by boldly discarding, instead of endeavoring to simplify and rationalize those rites of religion, which, from a kind of emblematical veil, thrown about them, will always be abused and misunderstood by the vulgar and fanciful, they have eradicated from among themselves, a vast mass of superstition and error, from which no sect derives its title, is entirely free; and which, in some, has almost overwhelmed all that is valuable in revelation. How far they have been justified, in doing this, from the authority of scripture, I do not inquire; but, the advantage of having got rid of such inlets to false opinion, must be manifest to all, who are capable of making comparisons, and of valuing the peace and happiness of mankind.

On the whole, it appears to me, that no society of Christians ever required the essential of their religion at so cheap a rate, or in so pure a form; and these privileges are so intrinsically valuable, that I should not doubt of the ability of such a sect to maintain its ground, even though it were to resign its little peculiarities of speech and dress. But this is a measure I would by no means recommend to them; their dress in particular should never be relinquished; its simplicity may expose them to the ridicule of fools, but at the same time, secure them

the approbation of the wise and good. That you may be one of the latter number, is the prayer of CAROLINE.

MILITARY OUTRAGE IN FLORIDA.

From the New York American.

Under this head, in the New York American, of 26th March, we published some letters from Florida handed to us by a gentleman incapable of imposing upon us as true—that he had any reason to suppose even doubtful,—which imputed to the officers in command at Tampa Bay, gross violations, as they appeared, of the rights of citizens.

We received, some days ago, the following detailed answer to these charges, which, however long, we publish entire; and deem them, as we presume our readers will, quite conclusive, as to the right of the officers to take the course they did—and of the misapprehension as to the extent of the reservation of land for public purposes, under which the letters published by us must have been written.

We have great pleasure in finding—what, indeed, we almost as a matter of course anticipate, when regular officers are concerned—that notwithstanding the contrary appearances, the conduct of these officers was, in this case, entirely in conformity with law.

Fort Brooks, Tampa bay, E. F. April 23, 1839.

In the American of the 26th of March, 1839, we read with surprise an article headed with the words "military outrage in Florida." The surprise we felt arose from the editorial remarks preceding the letters, which are published at length—for the editors of the American have generally been supposed to understand enough of the situation of the officers of the army, and their relation to those who complain of outrages and military oppression, as to have been expected to have at least withheld an opinion till an examination of the grounds on both sides of the question would justify them in doing so. The officer in command at Tampa is unknown to the editors—and this, we feel, should have led them to exercise much suspicion, of such exparte evidence of an outrage, from any source, however respectable.

We thank the editors for the offer of the privilege granted to those upon whom even the sentence of death is pronounced; and for the purpose of doing ourselves justice in the eyes of many of the readers of the American, will proceed to place before the public the whole statement of the case, part of which they have had from an individual, of whose responsibility the public themselves must now be the judges.

The following correspondence will place the whole transaction in the light in which it actually occurred.

Fort Brooks, Jan. 3d, 1839.

Sir: I deem it my duty to apprise you, that a citizen by the name of James Lynch, is building on the public ground at this place, within fifty yards of the hospital—and I discovered yesterday that the said Lynch has been cutting timber on the public lands, within about 3 miles of this place. Believing as I do, that he has no authority to act thus, I make this report to you, as you may have the authority, as you have the means, of preventing these abuses. With great respect, your obt^s serv^t.

(Signed) S. B. DUSENBERRY, Ass't. quarter master.

To lieut. col. Cummings, commandant.

Fort Brooks, E. F. Jan. 3, 1839.

Sir: I herewith enclose a statement of captain Dusenberry, assistant quartermaster of this post, in relation to an intrusion on the public lands in the vicinity, and beg leave to add, that the person here named is now cutting and destroying the best of the timber in the neighborhood of this post, which is now becoming scarce and much needed for the public service.

It seems that he claims the ground on which the Seminole negroes are encamped as his own, and a few days ago applied to me to have them removed, that he might build a house on the spot. This request, of course, has not been granted.

Having reported these facts to my proper military superior, I conceive that I have discharged my duty. I would respectfully beg leave to suggest, however, that if the U. S. district attorney should be instructed to issue process against the intruders and bring them before a court, to answer for their trespasses, it might have good effect, and prevent further difficulty. I am, sir, very respectfully, your obt^s serv^t.

(Signed) A. CUMMINGS, Lt. col. com'g Z. Taylor, com'g army of the south.

In answer to the foregoing letter, Lt. col. Cummings received the following letters:

Ass't adj. gen'l's office, Fort Clinch, Jan. 14, 1830.

SIR: I have the honor to acknowledge the receipt of your communication of the 3d inst. including a statement of capt. Dusenbery, acting quartermaster, relative to an intrusion on the public lands in the vicinity of Fort Brooks. I herewith transmit you copies of a correspondence between col. D. Clinch, 4th infantry, and the war department, and two letters from Elijah Hayward, esq. commissioner of public lands, on the same subject, in 1830, with a plot defining the limits of the reserve.

From the above papers you will perceive that the government has made a reservation for military purposes at Tampa Bay, of sixteen miles square, and empowered the commanding officer to remove therefrom any person or persons who may have illegally settled on the same.

The commanding general, therefore, directs that no building be allowed to be erected within the limits of said reserve, without having previously obtained the sanction of the commanding officer; and any public timber that may have been cut improperly, that you at once seize and convert to the use of the public service. I am, sir, &c. &c.

(Signed) GEO. H. GRIFFIN, *A. A. gen.*
To *lieut. col. Cummings, com'g officer at Fort Brooke.*

—
COPY.

Adj. gen'l's office, Washington, June 28, 1838.

SIR: Your letter of the 23d ult. respecting certain persons who have located themselves near Fort Brooke for illegal and improper purposes, has been submitted to the secretary of war, and I now send you copies of a correspondence and a plot by which you will perceive the limits of the reserve near Tampa.

All intruders on the public lands reserved by the government near our military posts, and who may interfere with the discipline of the army by vending ardent spirits, or who are found otherwise infringing regulations, of course ought to be removed therefrom. I am, sir, &c. &c.

(Signed) R. JONES, *adj. general.*
To *brigadier gen'l Taylor.*

—
Head quarters, 4th infantry,

Cantonment Brooke, February 9th, 1830.

SIR: I have the honor to enclose you herewith a survey of 16 miles square around Cantonment Brooke to be reserved for military purposes, made by lieut. Morris, in compliance with instructions received from the general-in-chief, dated 23d April, 1829.

I request that the commanding officer of this post be empowered as early as practicable to use his discretion in preventing settlers from occupying this section of public land, and to remove such persons already located upon it as he may deem proper. With much respect, &c. &c.

(Signed) D. L. CLINCH, *col. 4th infantry.*
Col. R. Jones, *adj. genl. Washington.*

Boundaries of the military reserve at Tampa bay in East Florida: commencing at the mouth of Hillsborough or Loch-chappa-pop-cay river, thence southwardly along the Hillsborough bay shore eight miles; thence due west across the land to Tampa Bay three miles and a half, thence along the eastern shore of Tampa Bay northwardly twelve miles; thence due north six miles; thence due east sixteen miles; thence due south sixteen miles; thence due west three and a half miles to the east shore of Hillsborough bay; thence up stream along the eastern shore, following its meanders, including the island opposite Cantonment Brooke to the place of beginning; all which is required for military purposes. (Signed)

ALEX. MACOMB, *maj. gen. comm'd'g.*

—
Head quarters of the army,

Washington, Aug. 31, 1830.

To the secretary of war:

I request that the land office may be directed to make a reservation of the above described land.

(Signed) ALEX. MACOMB, *maj. gen. comm'd'g.*

—
General land office, 10th Dec. 1830.

SIR: I have the honor to apprise you that the president of the United States has approved of the reservation for military purposes at Cantonment Brooke of sixteen miles square, recommended by the documents accompanying your letter of the 9th inst.

The necessary instructions have been given to the surveyor general of Florida to respect the reserve accordingly. With great respect, &c. &c. &c. (Signed)

ELLIJAH HAYWARD, *commissioner.*

To hon. J. H. Eaton, *secretary of war.*

—
General land office, 17th December, 1830.

SIR: Agreeably to your request of the 14th inst. there is herewith transmitted a copy of the plot of reservation of sixteen miles square at Cantonment Brooke, as sanctioned by the president of the United States; also a copy of the letter of col. Clinch, of the 9th of February, 1830, and a copy of the citation of the boundaries of the reserve recommended by the general-in-chief. I have the honor to be, &c. &c. (Signed) ELLIJAH HAYWARD, *commissioner.*

To the hon. J. H. Eaton, *secretary of war.*

The two following letters will finish this selection on the subject of the "military outrages," in preventing buildings from being erected on the reserve in despite of military authority:

General hospital, Fort Brooke, Jan. 26, 1830.

I would respectfully represent to the general that there is at present residing, adjoining the hospital, a large number of whites, blacks and Indians, that the numerous and still further contemplated erections of buildings and shanties by different individuals in the immediate vicinity, is not only a source of annoyance and destruction to the maintenance of proper discipline among the sick, but cannot fail to prove a fruitful cause of disease on the approaching hot weather, by the congregation and consequent accumulation of filth, of such a mixed population. (Signed) N. S. JARVIS, *surgeon U. S. A.*

—
Fort Brooke, Florida, January 26, 1830.

GENERAL: The above has been submitted to me, and I fully concur in opinion with surgeon Jarvis, and would add; that a permanent occupancy of the ground immediately surrounding the hospital, with shanties, &c. will not only incommodate the sick and destroy the discipline of the hospital, but if persisted in, will eventually result in a forced abandonment of the premises now occupied for hospital purposes. Respectfully submitted,

(Signed) R. C. WOOD, *Surgeon and medical director.*

Gen. Z. Taylor, *commanding army of the south.*

In the case of Mr. Lovelace we will merely say, that as the post sutler had made an official application for protection, and as the commanding officer was in full possession of all the lawful powers of preventing new accessions to the number of our valuable citizens, how much soever he doubted the propriety of the military ejection of those already located here, it was highly unbecomg for Mr. Lovelace, or any one else, to attempt to force himself or his goods upon the military reserve, especially as he had been officially informed that he had no permission to land his goods, and would do so at his peril. And as the general reader of the American will not readily understand why Mr. Lovelace did not possess a "common right, guaranteed by the laws of the country," we will take the trouble of quoting the following selections from the regulations of the army, for his consideration.

"Article xxvii. 1. The sutlers are to be treated with respect, and protected in their places."
"6. For the privilege enjoyed by the sutler, he shall be assessed and held to pay to the post fund, at the end of every two months, or oftener, as may be determined by the council of administration, at a rate not exceeding fifteen cents a month for every officer and enlisted soldier serving at the post; the monthly average number of such persons to be determined equitably by the said council."

"The commanding officer will lend his authority as often as may be necessary, to protect, within his local command, the privilege of the sutler; and no further tax or burden, in any shape beyond what is herein authorised, will be imposed on him."

We merely ask the question, whether the arrival of an individual with \$20,000 worth of goods, openly expressing a disregard of all military authority—and paying none of the assessments, and under none of the restrictions of the sutler, and having few, if any, but those connected directly or indirectly with the army, to furnish with goods, would not interfere with the privileges of the sutler?

Under these circumstances the commanding officer of the post referred the case to the commanding general then present, who sustained colonel Cummings in the exercise of his military authority; and refused permission to Mr. Lovelace to land his goods; and as the attempt was persisted in, the result was, that Mr. Lovelace and his accomplices were very shortly secured, and sent with his goods to the vessel from whence they came.

Permission has since been granted by the commanding general to Mr. Lovelace to locate at this post.

It is not our intention to weigh the merits of the assertion, that the conduct of the commanding offi-

cer in the above cases was "viewed as an arbitrary stretch of power," by some of the officers here.

We hope for the credit of the service that this assertion is no better sustained than the rest of the allegations of the correspondent of the American.—But if we are so unfortunate as to be mistaken, and these opinions have been actually expressed, it is time these officers should be reminded that they receive their commissions from the president, while *reposing special trust and confidence in their patriotism, valor, fidelity and abilities*, and to remember that their commissions are to continue in force during the pleasure of the president of the United States for the time being.

We have not gone thus into detail for the purpose of entering into a contest or of commencing a controversy. We deprecate the necessity of having thus to appear before the public—not because we fear the most minute investigation of our conduct—for we belong to the public—but because we are well aware of the fact, that many have read, and reading, have believed, charges against absent officers, who will never see their refulcation.

We hope the editors of the New York American, and all others, may rest assured, that they will find, if they will be at the trouble of an examination, the charges of "military outrages" elsewhere, about as well grounded as they have been in "Florida."
J. M. C.

—
PENNSYLVANIA LEGISLATURE.

LETTER FROM THE COMMITTEE TO MR. STEVENS.

Harrisburg, Saturday morning, May 11, 1839.

SIR: The committee appointed by the house of representatives "to inquire whether Thaddeus Stevens, a member elect from the county of Adams, has not forfeited his right to a seat in the house," will meet for that purpose in the east committee room of the house, on Monday next, at 4 o'clock, P. M. or at an earlier period, if you desire it, where you may attend and be heard.

CLARLES M. HEGINS, *chairman.*
Thaddeus Stevens, *esq.*

—
MR. STEVENS' REPLY.

Harrisburg, May 13, 1839.

SIR: I received your letter of the 11th instant, informing me that the committee appointed by the house of representatives "to inquire whether Thaddeus Stevens, a member elect from the county of Adams, has not forfeited his right to a seat in the house," will meet on Monday next, when I might attend and be heard.

I decline to appear before the committee, because I will not consent to a palpable violation of the constitution and laws. If, as on recent occasions, I am compelled by force to witness such scenes, I can at least withhold from them my sanction, both express and implied.

The resolution admits the legality of my election and return, but proposes to inquire whether I have not forfeited my seat before my admission into the house. The grounds of such forfeiture are not specified in the resolution, and I can only infer them from the remarks of the original mover of the resolution, T. B. McElwee. As set forth by him, they consist in *non-user, misuser, contempt of the house* by calling it an illegal body—the *ouffring of a mob*; and for sundry personal improprieties. No constitutional disqualification was or is alleged, and for none other can the house, without an illegal exercise of arbitrary power, prevent a member elect from taking his seat. Expulsion for good cause, after admission, stands on different grounds, and is authorised by the constitution.

I think it will trouble the committee to find a precedent of the declared forfeiture for *non user* of an elective representative office. For two whole sessions, the minority in the British parliament absented themselves from the house. Yet, neither the King, the speaker, nor the majority dared to exercise the high-handed tyranny now attempted by what is called the house of representatives of Pennsylvania.

That certain public executive or ministerial offices may be forfeited for *non-user* in England, where no written paramount constitution exists, is true. The business of several departments of government could not otherwise be transacted. But it must be a *continuing non-user*. It would be too late to declare the forfeiture after the officer had taken possession of his office, and was ready to discharge its duties. The forfeiture is a remedy against public inconvencence, and not a punishment upon an offender. But in constitutional governments no such forfeiture takes place, except for the causes and in the mode pointed out in the constitution itself.

In the present case, the majority did not seem to consider the public business as suffering by my absence, nor claim a right to take away from the constitu-

...to forfeit my seat; else they would have declared it vacant before the adjournment, and given my constituents a new election during the vacation, so that they might be represented in the present session. No intimation of a vacancy, no step to supply it, was taken, until I appeared to take the oath and use the office. The house, therefore, seems rather anxiously to create than to supply a vacancy.

I need hardly notice the allegation of the mis-user of an office which I have been prevented from using at all.

The right to exclude a member elect for speaking or writing contemptuously of the house or its proceedings is a novel and dangerous position. Until members elect has taken the requisite oaths, he cannot participate in the proceedings of the house, or is he any more subject to its jurisdiction, than private citizen. Individuals may be punished by the house for corrupt attempts upon its integrity, by attempting to bribe its members, or for disturbing and interrupting its proceedings, as in the case of December 1806, but not for any written or printed comments on its proceedings, however severe.—The sixth section of the ninth article (the declaration of rights) of the constitution declares that "the printing press shall be free to every person who undertakes to examine the proceedings of the legislature or any branch of government, and no law shall ever be made to restrain the right thereof." Any thing which may have published, therefore, is not subject to your supervision, if the constitution be yet considered as existing.

If I were admitted member, and should demean myself indecorously and disorderly towards the body, the house has the power of expulsion.—and if calling it an "illegally organized body—the spring of a mob," as was contended in debate, be sufficient cause for expulsion, I think I may safely venture to furnish an excuse for that act soon after my admission. I do consider the "Hopkins house" usurping" body; but, like all other usurpers having possession of the government, *de facto*, its acts will be binding, for good or evil, on the state.—Hence my constituents have thought proper to ask me to take my seat, and attempt to moderate an evil which is now without remedy.

If the committee should occupy the ground pointed out by the mover of the resolution, and sit in judgment upon the decency and morality of my conduct, I must still further object to the tribunal. I do not disrespect to the committee; for a majority then I feel a high regard; but the whole question their report will be again in the power of the majority of the house, and I cannot agree to admit of intellectual, moral, or habitual competency of Jos. B. McElwee, his co-mpeers, conjutors and flatters, to decide a question of decency and morals.

For myself personally I feel no anxiety for the suit of this inquiry, or the reasons which may be given for it, and to put which upon the journal I presume was the chief object of this proceeding.—My only anxiety is that the constitution may not be further violated, and that the people may yet have some ground to hope that LIBERTY, although often wounded, may not expire.

I owe my acknowledgments to the committee their prompt attention to this business, and that it may be speedily finished. With proper respect, your obedient servant,

THADDEUS STEVENS.

Charles W. Hegins, esq. chairman committee, &c.

THE PROTEST

The democratic members of the house of representatives, against the proceedings of the majority of that body in relation to Mr. Stevens. The undersigned, members of the house of representatives, present the following reasons for their objection to the resolution that the admission of Thaddeus Stevens "be postponed for the present, and a committee of five be appointed to investigate the claims of the said Thaddeus Stevens to a seat in the house of representatives of the commonwealth of Pennsylvania, and whether he has, if elected, forfeited his seat by mal-conduct."—and the undersigned demand, under the rules of this house, that these reasons be placed upon the journal thereof.

The third section of the first article of the constitution provides, that "no person shall be a representative who shall not have attained the age of twenty-one years, and have been a citizen and inhabitant of the state three years next preceding his election, and the last year thereof an inhabitant of the district in and for which he shall be chosen a representative, unless he shall have been absent on public business of the United States or of this State."

It is not disputed by the majority in this house, or by any member of it, that the qualifications

pointed out in this article, or either of them, are possessed by Thaddeus Stevens; nor is it pretended that he was not elected a representative of the county of Adams, and that the certificate of his election was made out, and returned through the secretary of the commonwealth, according to the provisions of the several acts relating to elections, now in force, and in strict conformity with the established usages of this house.

We contend, therefore, 1st. That in the absence of a constitutional disqualification, the speaker cannot refuse to administer the oath of office to a member elect, when he appears at the bar to be sworn; nor can the house, without an illegal assent, have power to exclude such member elect from its seat. The inquiry contemplated by the resolution above referred to, cannot therefore be ordered, because the house has no power to punish a member elect for mal-conduct before admission. It matters not how grave may be the charges brought against him—it matters not how gross may be his mal-conduct as a private individual—it is of no consequence that he may have spoken or written disrespectfully of the house or of its members. The constitution nowhere indicates these things as operating to disqualify a member elect from taking his seat in the first instance, and the house has no legal power to raise a committee to try an offender which they have no power to punish; if found guilty of the charges preferred against him.

It is contended, 2d. That the principles advanced in this house, that no user of office is sufficient to work forfeiture, is false and untenable in law as regards an elective representative office, and that no precedent can be found even among the parliamentary records of Great Britain for the establishment of such a doctrine, though in that country the parliament is the supreme power, and there is no written constitution to restrain it, unless the *magna charta* and the bill of rights may be considered to be such. It is true, that in England there are offices of an executive character, of which no user may cause a forfeiture; but even there the forfeiture must be declared while the no user continues, and before the claimant shall appear to assume the duties of his trust. In a republican government, where the constitution is the supreme law, no forfeiture can take place, except for causes indicated by the constitution itself.

We contend, 3d. That this house has no power to exclude a member elect for writing or speaking contemptuously of the house, its proceedings, or its members—because a member elect, being unqualified by oath, is to such intents and purposes a private citizen; and the seventh section of the ninth article of the constitution, which declares that "the printing press shall be free to every person who undertakes to examine the proceedings of the legislature, or any branch of government, and no law shall ever be made to restrain the right thereof," withdraws the citizen from any jurisdiction which the legislature may seek to exercise for the use of this privilege.

It is contended, 4th. That no vacancy has been created by the resignation of the county of Adams by death or resignation; and that in no other conceivable mode could the seat of Thaddeus Stevens have been vacated, but by the action of the house or by law. He could not be expelled, because he was not a qualified member of the house, and the house had no power of expulsion from a seat he did not hold.

It cannot be pretended that he has resigned, for the reason that he could not resign to any other than the presiding officer of the body of which he was a member elect; and no such resignation has been made.

The people of Adams county who elected him to a seat in this house, could not have received his resignation, nor could they have proceeded to fill by a new election the place so resigned; because such an election would not be valid under the constitution, nor could the house have recognised its validity by receiving the returns.

If a vacancy could have been created by a resolution of the house, or by law; then, if such resolution or law had been passed, it would have been the duty of the speaker, in accordance with the nineteenth section of the first article of the constitution, and the provisions of the act of the 10th of February, 1799, to issue his writ directed to the sheriff of Adams county, commanding him, on a day therein expressed, to hold an election for the supply of the vacancy. No such resolution or law has been passed, and therefore the right of Thaddeus Stevens to a seat in this house has never been impaired, and cannot now be disputed.

For these reasons the undersigned do solemnly PROTEST against the action of the majority in refusing to admit Thaddeus Stevens, a member elect from the county of Adams, to his seat in this

house—believing that such refusal is a direct violation of the law and the constitution, and involves a principle destructive of the rights and liberties of the people of this commonwealth.

- Jos. Coleman Fisher,
- John Sheriff,
- Jno. K. Zeilin,
- William M. Watts,
- A. N. Cassel,
- William A. Penniman,
- G. R. Smith,
- R. M. Barnard,
- Robert Carothers,
- John Morrison,
- H. G. Long,
- William K. Correy,
- John McDowell,
- M. Richardson,
- Henry S. Spackman,
- J. M. Hinchman,
- G. Kintzle,
- Charles Kettlewell,
- William Morton,
- William A. Crabb,
- James Spott,
- Martin Kendig,
- Jonas Keim,
- Benyard Way,
- William McClaran, jr.
- J. F. Cox,
- William Ramsey,
- Samuel Hutchins,
- John P. Hays,
- Christian Ehrman,
- Joseph Gatz,
- T. S. Cunningham,
- Francis Beity,
- Joseph Konigtmacher.

I was not present, but concur in the objections to the proceedings of the house.

THOMAS S. SMITH.
I also was absent, but concur in the above objections.
B. G. HERR.

I also was absent, but concur in the above.
J. CUNNINGHAM.

Although not present when the vote was taken on the resolution referred to, I cheerfully concur in the above protest.

SAMUEL A. PURVIANCE.

HON. T. H. BENTON.

From the *Fulton* (Mo.) *Jeffersonian*.

The hon. T. H. Benton arrived in this city on Tuesday evening; his room is at the City Hotel, where he is at all times extremely happy to see and converse with his friends. As at St. Louis, and as has been his practice for many years, col. B. declines the honor from his friends of public dinners. The following is the invitation given him at *Fulton*, and his letter on declining the same:

Fulton, Mo. November 10, 1838.

Hon. Thomas H. Benton:
SIR: Your democratic fellow citizens of the county of Callaway, sensible of the services you have rendered the cause of democratic liberty, and desirous of evincing their love for the cause, and their attachment to their benefactors, have appointed the undersigned as a committee to wait upon you, and in their name to tender to you a dinner, to be had at any time your convenience may appoint. In discharging so agreeable a duty, permit us to say to you, that should your engagements allow, nothing would give us more pleasure than the honor of participating with you in such a dinner, and mingling in the social eclat of the festive board.

In conclusion, we will just add, that in the democratic citizens of Callaway you may always confidently look for support in your conflicts with the enemies of democratic liberty. That although defeat may for a time check her advance, yet, armed with the sword of truth, her arms will triumph, and the cause receive from the democrats of Callaway an efficient and powerful support.

We are, dear sir, with sentiments of great regard and respect, your obedient servants.

- Larkin Craig,
- David Henderson,
- John Jameson,
- Samuel McConnell,
- Thomas West,
- Robert Glover,
- William Smart,
- N. D. Bradley,
- Jno. A. Hanna,
- Charles B. Rogers,
- John Weston,
- William Huston,
- John Coates,
- Mieajah V. Harrison,
- Ezra B. Sutton,
- John Sampson,
- Robert Reid,
- John Moss.

Fulton, November 12, 1838.

GENTLEMEN: Want of time, and the general rule which I have followed with respect to public dinners, will prevent me from having the pleasure of accepting the invitation with which I have been honored by you on the part of the democratic citizens of Callaway county. I am glad to see my fellow citizens generally, and travel slowly, stopping at intervals, for that purpose. I shall remain in this place until Tuesday, and shall be happy to exchange salutations, and to make the personal acquaintance of all who shall give me an opportunity of doing so. For your kind invitation I am duly thankful and grateful; but it does not come within my general rule of action to accept any public honor, or to meet my fellow citizens in any formal or public way. I wish to see the citizens generally, without form or ceremony, and at any hour during my stay which is convenient to themselves; and I hope in this manner to see as many, and to meet them as commodiously and agreeably, as could be done in a public assemblage. I had the honor to explain myself on this point to the members of the

committee who presented the invitation, and I flatter myself that the mode of intercourse which I propose will be generally understood by the citizens, and prove acceptable to them.

I have great pleasure, in travelling through the state, in witnessing the universal prosperity which pervades the land, and contrasting it with the predictions of ruin with which my ears have been stung for several years in congress. Our crops of every kind are the most abundant ever known, and that is a blessing which we are indebted to a plentiful Providence and to the industry of the agricultural and laboring classes. We have the best prices ever known for produce, property and labor; and that is a blessing for which we are indebted to the overthrow of the monopoly of the Bank of the United States, to the increase of gold and silver among us, and to the general policy of the administrations of gen. Jackson and Mr. Van Buren. We have hard money for every body, so that every citizen that pleases can get "the better currency," the same as an "office holder;" and for this we are indebted to the firmness of the democracy, which would not yield to federal fury, and to the integrity of the New York banks, which would neither be beggared nor bullied by "colton-bag-letters" into an indefinite prolongation of the suspension.

A few years ago, and especially when we had a national bank and a federal administration, the price of produce, labor and property was only about the one-third, or the one-half of what it now is; and farming was then considered the poorest business which could be followed, and New Orleans the meanest market that could be found. Now all this is reversed. Prices are now the best ever known; farming is the best business which a man can follow; and New Orleans is among the best markets in the union. The main cause of all this depression formerly was in the conduct of the Bank of the United States in collecting and carrying off specie, in accumulating bills of exchange upon New Orleans, and in making vast loans to a few monopolizing speculators who could then knock down prices as low as they pleased. The specie thus collected and carried from the south and west in the short space of ten years previous to 1832, amounted to above forty-two millions of dollars, (a full proportion of it from Missouri); a drain of the precious metals sufficient of itself to destroy all prices, to derange all dealings, to paralyze all industry, and cripple all local banks. These were the causes of the depression some years ago. The main causes of our present prosperity is in the increase of our specie; the breaking down of the monopoly of the Bank of the United States, and in releasing New Orleans from the dominion of her branch at that place. The specie in the union has been increased in six years from twenty millions to one hundred millions of dollars—an increase which is of itself sufficient to raise prices, to restore credit, to invigorate industry, and to enable all solvent banks to pay specie for their notes.

My residence in St. Louis, where there was a branch of the United States bank, and my travels in other parts, and especially in New Orleans where there was another, enabled me to observe the workings of that institution, and to see that so far as business was concerned, it was nothing but a collector and exporter of specie, and a favorer of monopolizers, usurers and politicians; and that, so far as politics was concerned, it was nothing but a federal machine, working incessantly to elevate federalism and to depress democracy; and seeing all this I was one of the foremost to take my stand among those who were so uncompromisingly opposed to the renewal of its charter.

The prosperity which now gladdens the land, took its commencement, and has been in a regular course of increase, from the time that we first broke the power of the bank at the veto session of 1832, (with the exception of transient interruptions from the panics), and it will be permanent if the bank and its confederates will let it alone. But they will not let it alone. They will not let prosperity continue, because that prosperity is fatal to them. The federal party, with all its forty names, has never been able to live upon any thing but public distress; public prosperity kills them, and this they know. Public calamities revive them; and, therefore, we see the same insolent extent in all their leaders over every species of national misfortune, whether it be a British victory over our armies in time of war, or a bank-made distress over our citizens in time of peace. A continuation of the present prosperity will expunge the party, not by black lines, but by a clean and total rubbing out. New distress is indispensable to them.

The late bank suspension (which was a contrived piece of business, and one of the objects of the distribution law) was fully counted upon to restore

the federal party and its tutelary deity—the Bank of the United States—to full power; but it was made at the wrong time. It was a master stroke but wrong timed. It should have been made in the fourth, instead of the first, year of Mr. Van Buren's administration; it was premature. Its authors did their best to make it last until the next presidential election; but the democracy and the New York banks forced the resumption, and now there is no alternative but to make a new suspension for the elections of 1840. It is a bad chance, but it is the only chance. They are dead without it; and, accordingly, all the preparations are now in full progress for that catastrophe. The preliminary steps are already taken. An expansion of the paper currency has commenced, to be followed at the proper time by a sudden contraction, and the consequent stoppage of the banks, and the general derangement of the business of the country.

The president of the Bank of the United States, a few years ago, in answer to interrogatories from a committee of the senate, declared "that there were but few state banks which the Bank of the United States could not destroy by an exercise of its powers;" and the same president has lately declared that his bank is struggling to ever last. We know it is more wicked; and we have his authority that it is more powerful; and upon this power and this wickedness the confederates now build their designs. Agencies of that institution are established in the south and west to gather up specie and ship it to Philadelphia, to push into circulation millions upon millions of the notes of that bank, and collect bills of exchange upon New York and New Orleans to exhaust those cities of their specie when the crops are coming in. At the same time, the political party identified with this bank are crying out for an increase of banks and banking capital, and for increased issues of small notes under twenty dollars. They are encouraging the introduction of small notes and post notes from all the neighboring states, and they are doing every thing in their power to promote the paper, and to diminish the gold and silver currency. This is what is going on at Philadelphia is the source from which these machinations issue, and the south and west are the devoted theatres of operations. Without referring to other states, I take leave to point your attention to our own, and to ask you to observe what is now passing among ourselves. Agencies are established among us to import paper, and to export specie; there are houses in St. Louis which should have this inscription over their doors: "Paper money importing and hard money exporting warehouses." Your own bank lives the life of a coon treed by the hunter. It dare not put out notes to the amount of specie for fear of being run upon and blown up, no more than the coon would dare to come down from the tree while the dogs were lying in wait for him at its feet. United States bank notes are exchanged for Missouri notes, the specie drawn for them and shipped; they are exchanged for specie direct and the specie shipped; they are exchanged for bills of exchange on New York and New Orleans, and these bills are sent to those cities to draw specie from them. The United States Bank notes thus received are themselves remitted to the east as eastern funds, and thus the state loses both the specie which it had and the notes which it received for them. In fact the notes are sent out to capture specie, and to return with it. This is the case with the eastern notes which are imported; not so with western, and with the miserable post notes! These are retained for domestic consumption, and sent into the country, and perseveringly pushed into the hands of the farmers; and in a little time, if these operations are allowed to go on, there will be nothing but this trash in their hands. The state will then be ready for the next suspension, which will be a panic, and the new distress which will be charged, of course to any thing that Mr. Van Buren may do or say, no matter what, about that time.

The arrestation of these measures is partly, not wholly, the business of the federal government; and that government is endeavoring to do its part by increasing the gold and silver circulation, restraining the small note circulation under twenty dollars, divorcing bank and state, restoring hard money payments at the federal treasury, preventing the resuscitation of the king bank, advocating the responsibility of incorporated stockholders, promoting general information of the banking system, and exposing the usury, the usurious, the desultive and false practice of banking, and the other's paper. Most of these measures of prevention required the aid of the state legislatures, and none more so than the suppression of the pestilential issue of small paper. The circulation or suppression of this kind of paper has now become one of the regular points of controversy between the

federal and democratic parties; and the doctrines of the democratic party may be seen in general Jackson's messages, in Mr. Van Buren's letter to Sherrod Williams, and in the present practice of the general government, which neither receives nor pays out any note below twenty dollars.

The democratic administration is doing its part to arrest the impending mischief; but every state can do much for itself, and Missouri, especially, can do enough for herself. She is large enough, rich enough, and active enough, and far enough removed from the center, to be able to protect her own currency. She can regulate it herself, and make it what she pleases within the limits of the constitution of the United States. She is as large as England, has as many elements of inherent wealth, is not yet enslaved by the paper system, and is a thousand miles off from that unchartered Bank of the United States which is now determined to go on as a national bank without a national charter, to intrude her branches (agencies) into the states in defiance of their laws, and to harass and destroy their currency until they give up, and admit that they cannot prosper without a king bank to rule over them. Missouri is able to protect herself from these machinations. It is her duty to protect herself. Her destiny is in her own hands; and devoutly is it to be wished, that she may act up to the exigency of the occasion, and apply the remedies which the public good require. Respectfully, gentlemen, your friend and fellow citizen,

THOMAS H. BENTON.

Messrs. Larkin Craig, David Henderson, John Jameson, and others.

NORTHEASTERN BOUNDARY.

MR. ECHANAN'S REPORT.

The committee on foreign relations, to which was referred the "bill to provide for surveying the northeastern boundary line of the United States, according to the provisions of the treaty of peace of seventeen hundred and eighty three," have had the same under consideration, and now report. That the first section of this bill directs "the president of the United States to cause the boundary line between the United States and the adjacent British provinces, from the source of the St. Croix river directly north to the highlands which divide the water that fall into the Atlantic ocean from those which fall into the river St. Lawrence, thence along said highlands from the northwest angle of Nova Scotia to the northwesternmost head of Connecticut river, as particularly defined in the treaty surveyed and marked, and suitable monuments to be erected thereon, at such points as may be deemed necessary and important."

The second section provides for the appointment of a commissioner and surveyor by the president, by and with the advice and consent of the senate, "who may employ such assistants, and under the direction of the president, as he may think proper; and who shall give to the president, as soon as he returns, a report of his proceedings to the president, with a correct map of the country over which said line passes, exhibiting the prominent points of its topography and the location of the mark and monuments by them made and erected."

The third and last section merely provides for the compensation of the commissioner and surveyor.

This bill, then, proposes that congress shall create a commission, independently of Great Britain, to run and mark the northeastern boundary of the United States, continuous with that of New Brunswick and Canada, provinces of the British empire. It asks no previous consent from Great Britain; it does not require that Great Britain should become a party to the survey; and yet the country has common interests with the United States in the correct establishment of this boundary, according to the treaty. It would be premature and inexpedient if the committee believe, to resort to such a course of separate action towards a neighboring and friendly power, between which and the United States there is a reciprocal desire to maintain the most friendly relations, until every other means of amicably adjusting the dispute shall be exhausted. Before the committee could recommend the adoption of such measure to the senate, they ought to be satisfied, beyond a reasonable doubt, first, that the United States have a clear title to the disputed territory which would be embraced within their limits by the proposed survey; and, secondly, that no other and more friendly expedient remains untried of bringing this long pending controversy to a conclusion.

The committee will, therefore, proceed to consider the question under this twofold aspect. And, first in regard to our title.

This title depends altogether upon the correct construction of the definitive treaty of peace between the United States and his Britannic majesty, concluded at Paris on the third day of September, or thousand seven hundred and thirty-three.

By the first article of this treaty, "his Britannic majesty acknowledged the said United States, viz: New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia to be free, sovereign and independent states; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, property and territorial rights of the same, and every part thereof."

The United States had declared their independence almost seven years previous to the date of the treaty. They had maintained this declaration before the world; and the treaty is not only a solemn recognition of that independence by Great Britain, but an express acknowledgment that she treated with them as free, sovereign and independent states. We were equals treating with an equal. Great Britain was not a superior assigning territory to an inferior. No superiority was claimed on the one side, or would have been acknowledged on the other. Great Britain then claimed no such prerogative as she now asserts, of assigning an appropriate boundary to the United States, as a new power, formerly under her dominion. The treaty must, therefore, be construed as a solemn agreement entered into by one sovereign and independent nation with another, equally sovereign and independent.

It was not necessary expressly to have prescribed the limits of the United States by the treaty. At its date, the boundaries of each of the thirteen states were well known. The first article acknowledged each of them to be sovereign and independent, and relinquished "all claim on the part of the British king to the government, property and territorial rights of the same, and every part thereof," and this would have been sufficient.

The commissioners who framed the treaty were, however, not content with such a general recognition. Its second article proves their desire to prescribe the limits of our boundary in a manner so precise and specific, as forever to prevent all disputes upon the subject. This second article is as follows:

ART. 2. "And that all disputes which might arise in future, on the subject of the boundaries of the said United States, may be prevented, it is hereby agreed and declared, that the following are, and shall be, their boundaries, viz: from the northwest angle of Nova Scotia, viz: that angle which is formed by a line drawn due north from the source of the St. Croix river to the highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean, to the northwestmost head of Connecticut river," &c. It is unnecessary here, to repeat any more of the treaty description.

In every delineation of territory, the all important point is to fix the place of beginning with the greatest possible precision and certainty. To prevent all dispute thereafter, this was done by the commissioners. "The northwest angle of Nova Scotia" was a well known point. This can be clearly established by the most authentic official documents, which, it will conclusively appear, from the highest intrinsic evidence, were before the commissioners at the time the treaty was made. It is true that this point had never been fixed by actual survey, nor was it marked by the erection of any monument; but that it could be found upon the ground at the intersection. This northwest angle of Nova Scotia, which was notorious, although the very spot had not been ascertained, was fixed upon as the place of beginning of our boundary, in order to prevent all future disputes; and yet, strange as it may appear this is the very point now contested by the British government. Whether with any good reason, it will be the task of the committee to inquire.

It is agreed by both parties that the map, called Mitchell's map, a copy of which is annexed to this report, was the one used by the commissioners at the formation of the treaty. It was published in 1753, and bears upon its face an official stamp; it has been used by the British government, and at the request of the lords commissioners for trade and plantations. Whoever may inspect this map will, at once, perceive the natural formation of that region. The river St. Lawrence runs from the southwest towards the northeast; whilst numerous tributaries rising in the highlands to the south of it, and passing north through its valley, empty themselves into the main stream. These tributaries are all necessarily short; because the highlands from which they flow run at no great distance from the river, and in parallel direction to it, throughout its whole course. From these highlands, on the south, proceed the head waters of the Connecticut and Antisogaquin, Kennebec, the Penobscot, the St. John, and the Restigouche, all flowing into the Atlantic ocean, through different bays. And here we may be observed, that there is not a single stream, which arises on the

south side of these highlands, throughout this whole region, which does not first empty itself into some Atlantic bay; not one of them flows directly into the main ocean. Such is the natural formation! Highlands running in a parallel direction with the St. Lawrence, and dividing the streams which fall into that river on the north, from those which seek the Atlantic ocean in the south. In 1753, when Mitchell's map was published, the British possessions in North America did not extend north of the St. Lawrence.—At that period, it will appear from the map that the northwest angle of Nova Scotia was to be found on the St. Lawrence, at the point intersected by the line running due north from the source of the St. Croix. This north line is distinctly marked upon the map. On the west of it, the words "New England" are printed in large letters, and on the east of Nova Scotia.

If this map were, alone, to be the guide, and if the place of beginning of our boundary, mentioned in the treaty, had been simply "the northwest angle of Nova Scotia," without further qualification, the state of Maine would have extended to the St. Lawrence. In what manner was this northwest angle of Nova Scotia brought as far south as the highlands separating the streams which flow in opposite directions to the St. Lawrence and to the Atlantic? In February, 1763, Great Britain acquired Canada from France by treaty. Canada, New England and Nova Scotia being then all subject to the British crown, the king thought proper, in creating the province of Quebec, to extend the limit south of the St. Lawrence, so as to include the valley of that river. The reasons were obvious. Quebec the seat of government, was situated on its northern shore. It was one of the most important cities in North America, and the trade and business of the people along the numerous streams which flowed into the St. Lawrence from the highlands south of it, would naturally centre there.—Beside, it was obviously convenient that the limits of the different provinces should be regulated, as far as practicable, by the course of the rivers; and it would have been highly inconvenient that the valley south of the St. Lawrence, within the sight of the capital of the province of Quebec, and necessarily having constant intercourse with the opposite shore, should continue attached to remote and distant governments.—The king, therefore, by his proclamation, dated on the 7th of October, 1763, declared that the government of Quebec should be bounded, south of the St. Lawrence, by a line crossing that river and the Lake Champlain, in forty-five degrees of north latitude and passing "along the highlands which divide the rivers that empty themselves into the sea, and also along the north coast of the bay des Chaleurs and the coast of the gulf of St. Lawrence, to cape Rosiers." Thus the province of Quebec was extended south, so as to include the vale of the St. Lawrence, and its southern line was fixed along the highlands from whence its tributaries flowed. New England and Nova Scotia were deprived of this much of their former territory; but they still retained all that portion of it watered by streams whose sources were on the south side of these highlands, and which emptied themselves into the sea. This was a natural and proper division. After the date of the treaty, "where was 'the northwest angle of Nova Scotia' to be found?—Can doubt or difficulty rest upon this question? We must look for it on the line running north from the source of the St. Croix, at the point where this line intersects the southern line of the province of Quebec, "running along the highlands which divide the rivers that empty themselves into the said river St. Lawrence, from those which fall into the sea." This point is, and necessarily must be, the northwest angle of Nova Scotia. It is demonstration itself. To run these two well described lines upon the face of the earth, is to ascertain that angle. The commissioners, therefore, who formed the treaty, was and was placed the beginning of our boundary at a point which could be rendered absolutely certain, by merely running these two lines. Those, who choose to examine Mitchell's map, will find that the due north line marked upon it from the source of the St. Croix, crosses the southern line of the province of Quebec, in these dividing highlands, about the forty-eight degree of north latitude.

But the British government deemed it proper to fix the boundaries of the province of Quebec, even with more solemnity than by royal proclamation. This was done by an act of parliament passed in the year 1774, "for making more effectual provision for the government of the province of Quebec, in North America." By this act, the separating boundary between that province on the north, and Nova Scotia and New England on the south, was still more clearly and distinctly defined than it had been in the treaty.

The following language is employed, to wit: "bounded on the south by a line from the bay of

Chaleurs, along the highlands which divide the rivers that empty themselves into the river St. Lawrence, from those which fall into the sea, to a point in forty-five degrees of northern latitude on the eastern bank of the river Connecticut." In both the proclamation and the act of parliament, the dividing highlands are described in the very same language. "The highlands which divide the rivers that empty themselves into the river St. Lawrence, from those which fall into the sea." The termini of this boundary are more precisely fixed by the act of parliament than by the proclamation. This act makes the southern point of the line commence on the eastern bank of the river Connecticut, in latitude forty-five, and terminate at the bay of Chaleurs. Its extremities are two well known natural objects.

This bay is in latitude about forty-eight. The act of parliament seems to have been prepared with great deliberation, it is intended to fix the boundaries between the vast provinces of the same empire; and no act of legislation demands greater care and attention. The bay of Chaleurs on the north, in latitude forty-eight, and a point on the Connecticut, in latitude forty-five at the south, were to be the two extremities; and the intermediate line was to pass along the highlands running between these two points, which divide the rivers that empty themselves into the St. Lawrence on the one side, from those falling into the sea upon the other. After this act of parliament, is it possible to conceive of a more extraordinary pretension, than it would have been in the government of Quebec to have claimed jurisdiction, not only to these dividing highlands, whence streams flow into the St. Lawrence, but a hundred miles south and east of them, embracing a region of country watered by a large river, the St. John, and its numerous tributaries flowing into the sea? Such a claim would have broken down the barriers between these provinces, erected with so much care by the act of parliament, and made rivers running north into the St. Lawrence, mean the same thing as rivers running south into the ocean. And yet the present attempt of the British government to make Mars hill the northwest angle of Nova Scotia, rests upon no other or better principle, as will be shown hereafter.

The commissions of the different governors of Quebec, in describing the boundaries of their jurisdiction, followed the language of the proclamation of 1763, until after the passage of the act of parliament in 1774. The first commission which subsequently issued to Guy Carlton, esq. in the same year, and it adopts the language of that act. The southern limits of his jurisdiction are described in its language "to be a line from the bay of Chaleurs, along the highlands which divide the rivers that empty themselves into the river St. Lawrence from those which fall into the sea, to a point in forty-five degrees of northern latitude, on the eastern bank of the river Connecticut." Thus this province had for its southern boundary highlands dividing streams running in opposite directions between a bay and a fixed point on a river. Was ever boundary better defined?

It would be a waste of time to recite the numerous commissions which have issued to the governors of Quebec, of Nova Scotia, and, after this province was divided, in 1784, of New Brunswick; all speaking the same language. The western limit of Nova Scotia, and afterwards of New Brunswick, is uniformly described to run from that point where a line drawn due north from the source of the river St. Croix, would intersect the southern boundary of Quebec, and from thence "to the northward by the said boundary as far as the western extremity of the bay des Chaleurs." These commissioners place the natural construction upon one expression, which, in the act of parliament, at first view, might appear vague. In it the bay of Chaleurs is mentioned generally, without a special reference to any particular part of it, though from the whole context the evident meaning was, the western extremity of that bay. The commissions to the governors of Nova Scotia, and afterwards New Brunswick, render this certain, by specifying "the western extremity of the bay des Chaleurs."

Enough has already been shown to fix with precision what was the acknowledged southern boundary of the province of Quebec at the date of the treaty in 1753, and what it has remained ever since. It was then clearly known to have been a line from the western extremity of the bay of Chaleurs, to a point on the eastern bank of the Connecticut, in latitude forty-five, and running along the highlands dividing the tributaries of the St. Lawrence, from the sources of streams flowing into the sea. Where, then, was the northwest angle of Nova Scotia known to be at the date of the treaty?

Without going back to the creation of this province, in 1621, by James the first, which the com-

mittee deem unnecessary, though it would add strength to the argument, they will content themselves with a reference to the first commission which was issued to the governor of Nova Scotia, the date of the proclamation of 1683. Before the proclamation, this province, as well as New England, had extended north to the St. Lawrence. After its date, it was necessary to make the commissions of the governors correspond with the extension of the province of Quebec south of that river. Accordingly, the royal commission to Montague Wilmore, bearing date on the 21st November, 1763, limits and restrains the province of Quebec, thus: "To the northward our said province shall be bounded by the southern boundary of our province of Quebec as far as the western extremity of the bay des Chaleurs;" and again, to the westward "it shall be bounded by a line drawn from Cape Sable, across the entrance of the bay of Fundy, to the mouth of the river St. Croix, by the said river to its source, and by a line drawn due north from thence to the southern boundary of our colony of Quebec." The next commission which issued to lord William Campbell, on the 11th August, 1763, changes this description only by commencing with "To the northward our said province," thus: "On the westward by a line drawn from Cape Sable across the entrance of the bay of Fundy, to the mouth of the river St. Croix, by the said river to its source, and by a line drawn due north from thence to the southern boundary of our colony of Quebec, to the northward by the said boundary as far as the western extremity of the bay des Chaleurs." In every commission which has issued since to all the governors of Nova Scotia, and afterwards of New Brunswick, the same identical language has been used. On the 29th day of July, 1782, but four months previous to the conclusion of the provisional treaty of peace with Great Britain, the commissioner granted to governor Parr, describes the limits of Nova Scotia in precisely the same manner. And here it may be proper to observe, that the St. Croix has since been ascertained by a joint commission of the two governments, and a monument has been erected at its source.

Were not, then, the commissioners who framed the treaty fully justified in this conviction, that when they established the point of beginning of the boundaries between the United States and Great Britain, at "the northwest angle of Nova Scotia," they were fixing it at a point long known and well established? To render assurance doubly certain, however, they describe where it is, in the very language which had been uniformly used by the "British government in proclamations, in acts of parliament, and in numerous commissions to the governors of Quebec and Nova Scotia," says the treaty, "is that angle which is formed by a line drawn due north from the source of St. Croix river to the highlands." To what highlands?—The treaty answers, "the highlands which divide those rivers that empty themselves into the Atlantic ocean." From those which fall into the Atlantic ocean." The northwest angle of Nova Scotia, then, is to be found in these highlands, at the point where the dividing due north line between New England and Nova Scotia, which commences at the source of the St. Croix, meets the southern boundary of the province of Quebec. The act of parliament of 1774, was doubtless before the commissioners. They use its very language in the treaty. "Along the highlands which divide the rivers that empty themselves into the river St. Lawrence, from those which fall into the sea." The only change of this language in the treaty is, that "the Atlantic ocean" is substituted for "the sea." Both are evidently intended to convey the same meaning. It is the sole office of the commissioners to preserve this highland boundary throughout between the two nations is maintained. Under the act of parliament, the southern extremity of this line is described to be "a point in forty-five degrees of northern latitude, on the eastern bank of the river Connecticut." In the treaty it is "the northwesternmost head of Connecticut river." From thence the treaty line runs "down along the middle of that river, to the forty-fifth degree of northern latitude."

Thus the British government surrendered that small portion of the province of Quebec between the northwesternmost head of Connecticut river and the forty-fifth degree of north latitude, in order to have a continuous highland boundary from the northwest angle of Nova Scotia to the source of the northwesternmost head of the Connecticut. To accomplish this object, a part of what had been taken from New England, when the province of Quebec was established in 1773, has been restored by the treaty. The great purpose of the highlands, which the line should consist of the highlands, which, in the language of the treaty and the act of parliament, divide those rivers which empty themselves

into the river St. Lawrence from those which fall into the sea?" or "the Atlantic ocean."

The committee will now proceed to show what was the construction placed upon this treaty fifteen years after its ratification, by solemn official declarations of high and responsible agents of the British government.

To render it more manifest that these declarations are wholly inconsistent with the present claim of Great Britain, it will be necessary to show precisely the extent of that claim. It comprehends all that portion of the state of Maine which lies north of the red line marked upon the map No. 2, annexed to this report, and embraces about one-third of its whole territory. This red line leaves the due north line from the mouth of the St. Croix, at the distance of forty miles from the monument there erected, and one hundred miles south of the northwest angle of Nova Scotia, marked A; and thence passes to the westward, not along highlands which divide the rivers that empty themselves into the St. Lawrence from those which fall into the Atlantic ocean, according to the terms of the treaty, but along highlands dividing the rivers which flow into the St. John from those which flow into the Atlantic. These highlands are far south of the St. John; and if the British claim could be established, the whole of that river from its source to its mouth, with all its branches, would be within British territory. Now if it can be demonstrated that agents of high character, acting under the express authority of the British government, several years after the date of the treaty, have expressly admitted, in their official arguments and correspondence, that this north line, from the source of the St. Croix, not only crosses the St. John, but runs as far north as the streams emptying into the bay of Chaleurs, what ought to be thought of this recent pretension?

A short time after the conclusion of the treaty a question arose between the two governments which was intended by the St. Croix of the treaty. In order to determine this question, commissioners were appointed under the fifth article of the treaty of 1794, commonly called Jay's treaty. Ward Chipman, esq. the agent of the British government contended that the true source of the St. Croix was at the head of the Scoudiac lakes, at the point marked W, on the second map. In his argument in 1797, to establish this position and to defeat the position taken by the United States, he expressly admitted that "this north line [from the source of the St. Croix to the treaty highlands] must of necessity cross the river St. John." Admitting this fact, his leading purpose seemed to have been to remove this line as far west as he could, so that it might cross the St. John at as great a distance from its mouth as possible, and thus embrace as much of its territory as attainable within British territory.—In prosecuting this argument he says, "but if a north line is traced from the Chepuncatecook, (as insisted on by the United States), it will not only cross the river St. John about fifty miles from Fredericton, the metropolis of New Brunswick; but will cut off the sources of the rivers which fall into the bay of Chaleurs, if not of many others, probably the Miramichi among them, which fall into the gulf of St. Lawrence." Thus it appears that, in 1797, the British government had never thought of confounding that the highlands of the treaty were to be found south of the St. John, or even south of the sources of the streams which empty into the bay of Chaleurs.

Robert Liston, esq. at the time of these proceedings was his Britannic majesty's minister to the United States. He was consulted by Mr. Chipman upon the propriety of acceding to a proposition made to him by the agent of the United States. This proposition need not be stated. It was in his reply, dated at Providence, on the 23d of October, 1798, advises Mr. Chipman to accede to the proposition, because "it would give an addition of territory to the province of New Brunswick, together with a greater extent of navigation on St. John's river." The British government now claim the whole river and all its tributaries from its source to its mouth.

The committee might here enumerate, if they deemed it necessary, the numerous maps of this region which were published in England, between the proclamation of 1763 and the treaty of 1783, and subsequently until all of more than half a century; in all of which, without a single exception known to the committee, the western line of the province of Nova Scotia, afterwards New Brunswick, crosses the river St. John, and the northwestern angle of Nova Scotia is placed north of that river.

Previous to the treaty of Ghent, the British government had become convinced of the great importance of having a direct communication within

their own territory, between their provinces of Nova Scotia and New Brunswick, and the city of Quebec. It will be seen from an inspection of the map No. 2, that the territory in the state of Maine, now in dispute, intercepts this communication.—It was one object of the British commissioners at Ghent to obtain a cession of this territory. They did indeed make a faint and feeble suggestion that our title was doubtful; but this was not seriously urged. As the occasion was solemn, and the subject one of great importance, can any person suppose that if they had even entertained doubts, where "the northwest angle of Nova Scotia" was to be found, they would not then have earnestly insisted on the pretension which they now so seriously maintain? From the date of the treaty of 1783, until the conferences at Ghent in 1814, during a period of more than thirty years, our title was unquestioned, as it still remains unquestioned.

In a protocol of August 8, 1814, the British commissioners stated the following as one among other subjects, upon which it appeared to them, that the discussions between themselves and the American commissioners would be likely to turn:—"A revision of the boundary line between the British and American territories, with a view to prevent future uncertainty and dispute."

In a note of the British to the American commissioners of the same date, they specify more particularly what they mean by the general proposition; and in conclusion state, "If this can be adjusted, there will then remain for discussion the arrangement of the northwestern boundary between Lake Superior and the Mississippi; the free navigation of that river; and such a variation of the line of frontier as may secure a direct communication between Quebec and Halifax."

It will be perceived that they do not propose to ascertain and fix a line previously agreed upon by the treaty of 1783, but to vary that line in such a manner as to secure a direct communication between Quebec and Halifax. The latter in substance a proposition to obtain a cession of territory and was so considered by the American commissioners. Accordingly on the 25th of August, 1814, they replied "that they had no authority to cede any part of the United States; and to no stipulation to that effect will they subscribe."

On the 4th September, 1814 the British commissioners observe that they are unable to reconcile this declaration with the statement previously made by the American commissioners, "that they were instructed to treat for the revision of their boundary lines;" "although the proposal left it open to them [the American commissioners] to demand an equivalent for such cession either in frontier or otherwise."

They then proceed to insinuate the first doubt in regard to our title, in the following language: "The American plenipotentiaries must be aware that the boundary of the district of Maine has never been correctly ascertained; that the one asserted at present by the American government, by which the direct communication between Halifax and Quebec becomes interrupted, was not in contemplation of the British plenipotentiaries, who concluded the treaty of 1783; and that the greater part of the territory in question is actually unoccupied."

The undersigned are persuaded that an arrangement on this point might be easily made, if entered into with the spirit of conciliation, without any prejudice to the interests of the district in question."

This note contains the first intimation ever made by Great Britain of any doubt as to the title of the United States. It was the undersigned declared that the British commissioners first endeavor to obtain it by cession, and failing in this attempt, they intimate rather than assert a claim to it.

This faint pretension was promptly repelled by the American commissioners in their note of September 9, 1814; and it is due to them that the committee should present their views in their own language.

"With regard to the cession of a part of the district of Maine, as to which the British plenipotentiaries are unable to reconcile the objections made by the undersigned with their previous declaration, they have the honor to observe that at the conference of the 8th ult. the British plenipotentiaries stated as one of the subjects suitable for discussion, a revision of the boundary line between the British and American territories, with a view to prevent uncertainty and dispute; and that it was on the point thus stated, that the undersigned declared that they were provided with instructions from their government; a declaration which did not imply that they were instructed to make any cession of territory in any quarter, or to agree to a revision of the line, or to any exchange of territory where no uncertainty or dispute existed. The undersigned perceive no uncertainty or matter of doubt in the treaty of

1783, with respect to that part of the boundary of the district of Maine which would be affected by the proposal of Great Britain on that subject. They never have understood that the British plenipotentiaries, who signed that treaty, had contemplated a boundary different from that fixed by the treaty, and which requires nothing more in order to be definitely ascertained than to be surveyed in conformity with its provisions. This subject not having been a matter of uncertainty or dispute, the undersigned are not instructed upon it, and they can have no authority to cede any part of the state of Massachusetts, even for what the British government might consider a fair equivalent."

Three subsequent notes, one from the British commissioners, dated 19th September, 1814, an answer from the American commissioners of the 26th September, and a reply from the British commissioners, dated 30th October, seem to have contained all the subsequent correspondence on this subject. In this last note, they declare that "the British government never required that all that portion of the state of Massachusetts intervening between the province of New Brunswick and Quebec, and Great Britain, but only that small portion of unsettled country, which interrupts the communication between Quebec and Halifax, there being much doubt whether it does not already belong to Great Britain." Thus it appears that in 1814 Great Britain would gladly have accepted a small portion of the disputed territory, by cession, and granted an equivalent therefore, either in frontier or otherwise; and yet, strange as it may seem, her claim has since grown to such a magnitude that she now demands the whole by right, under the treaty of 1783.

Our commissioners at Ghent having successfully resisted every attempt for the dismemberment of Maine, agreed upon an article with the British commissioners, not to revise or to change the ancient treaty boundary, but to run and establish upon that treaty boundary a new one, which interrupts the communication, and to ascertain "the northwest angle of Nova Scotia," its place of beginning. This article is the fifth in the treaty. Under it each party appointed a commissioner. Those commissioners disagreed. According to the treaty the question was then referred to the king of the Netherlands, as umpire, whose award was rejected by the United States, because it did not even profess to decide the controversy recording to the terms of the submission, but proposed a compromise, by a division of the disputed territory between the parties. Great Britain has also since announced her abandonment of this award, and now, at the end of more than half a century after the conclusion of the treaty of 1783, the question not only remains unsettled, but threatens to involve the two nations in a dangerous dispute.

The committee will now proceed to state the principles which Great Britain rests her claim to the disputed territory, and to give them such an answer as in their judgment they merit. She contends, in the first place, that the northwest angle of Nova Scotia, mentioned in the treaty, is to be found at Mars hill, in the line due north from the monument at the source of the St. Croix, and forty miles distant from it; and that the highlands of the treaty are those running to the westward from that point and dividing the sources of the streams flowing north into the St. John, and south into the Penobscot. A reference to map No. 2 will clearly show the extent of this claim.

Great Britain contends, in the second place, that if this be not the true treaty line, it is impossible to find it; that, then, the description of the treaty would be essential as to what they have failed to name, of lines terminating the controversy, but by abandoning the treaty altogether, and agreeing upon a conventional line.

The committee trust that a sufficient answer has already been given to this last proposition. They have endeavored, and they believe successfully, to prove that the northwest angle of Nova Scotia was a well known point, capable of being easily ascertained, ever since the proclamation of 1763, by simply running a due north line from the source of St. Croix, to intersect the southern line of the province of Quebec, which consists of the highlands running from the western extremity of the bay of Chaleurs to the head of Connecticut river, and dividing those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean. It is certain as the laws of nature, that these highlands, from which we know that streams do flow in opposite directions, can be found on the face of the country.

In support of the first proposition, the government of Great Britain contends that, as the eastern boundary of the United States runs "by a line to be drawn along the middle of the river St. Croix, from its mouth in the bay of Fundy, to its source;"

and as the St. John, though nowhere mentioned in the treaty, has its mouth also in the bay of Fundy, that, therefore, the St. John is not a river which falls into the Atlantic ocean, according to the description of the treaty. They assert, therefore, that, in looking for the highlands of the treaty, you must search for highlands south of the St. John. This brings them far south to Mars hill; and from thence, westwardly, along the highlands, marked in map No. 2, to the western boundary of the state of Maine, where they first reached the highlands of which they contend, "divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean." The whole argument of the British government, it will be perceived, rests upon the assumption that the St. John is not a river falling into the Atlantic ocean, because it has its mouth in the bay of Fundy.

Now what are the objections to this extraordinary pretension, as the committee are constrained to call it?

And, first, what is the bay of Fundy, if it be not a part of the Atlantic ocean? A bay is a mere opening of the main ocean into the land—a mere interruption of the uniformity of the seaboard by the salutation of water. These portions of the ocean have received the name of bays, solely to distinguish them from the remainder of the vast deep, to which they belong. Would it not be the merest special pleading to contend that the bay of Naples was not a portion of the Mediterranean, or that the bay of Biscay was not a part of the Atlantic ocean?

Again: the description of the treaty is, "rivers which fall into the Atlantic ocean." Can it be said, with any propriety, that a river does not fall into the Atlantic, because, in reaching the main ocean, it may pass through a bay? And yet this is the British argument. The Delaware does not fall into the Atlantic, because it flows into it through the bay of Delaware; and, for the same reason, the St. John does not fall into the Atlantic, because it flows into it through the bay of Fundy. The committee know not how to give a serious answer to such an argument. The bare statement of it is its best refutation.

But, like all such arguments, it proves too much. If it be correct, this portion of the treaty of 1783 is rendered absurd and suicidal; and the wise and distinguished statesmen, by whom it was framed, must be condemned by posterity, for affixing their names to an instrument, in this particular, at least, absolutely void. Although they believed they would prevent "all disputes which might arise, in future, on the subject of the boundaries of the United States," by fixing their commencement at "the northwest angle of Nova Scotia," and running from thence along the highlands which divide those rivers which empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean," yet it is absolutely certain, that there was not a single river in that whole region of country which, according to the British construction, did fall into the Atlantic ocean. They all fall into bays, without one excepted. Neither can we plead ignorance as an excuse for these commissioners; because it is fully in proof, that they had Mitchell's map before them, from which the fact clearly appears. The Ristigouche does not fall into the Atlantic, because it has its mouth in the bay of Chaleurs; nor does the Penobscot, because its mouth is in the bay of Penobscot; nor to the Kennebec and Androscoggin, because, after their junction, they fall into the bay of Sagadahoc. The same is true, even of the Connecticut, which empties itself into the Long Island sound. All the rivers in that region are in the same condition with the St. John. Thus it appears, if the British argument be well founded, that the commissioners have concluded a treaty, and described highlands, whence streams proceed falling into the Atlantic, as a portion of the boundary of the United States, when, from the very face of the map before them, it is apparent no such streams exist.

There is another objection to the British claim, which is conclusive. Wherever the highlands of the treaty exist, they must be highlands from which on the north side streams proceed falling into the St. Lawrence. This portion of the description is as essential as that from their south side streams should issue falling into the Atlantic. Now the British claim abandons the former part of the description altogether. Their line of highlands commencing at Mars hill is at least a hundred miles south of the highlands whence the tributaries of the St. Lawrence flow. Between these highlands and those claimed by the British government the broad valley of the St. John spreads itself, watered by the river of that name, and the streams which empty into it from the north and from the south.

The two points on the western line of New Brunswick are distant from each other more than a hundred miles; and when you arrive at the British highlands, you find that they divide the source of the St. John and the Penobscot, and not the sources of streams falling into the St. Lawrence and the Atlantic ocean, according to the description of the treaty.

But, even suppose it were possible to prove that neither the St. John nor any other river in that region falls into the Atlantic ocean, would this fact essentially benefit the British government? If this portion of the description should entirely fail, would it render the description itself void? Certainly not. It might be said that the commissioners were mistaken as to where the streams empty themselves which flowed from the southern side of the treaty highland; as the existence of these highlands, there could be no mistake. They are the boundary; and the streams flowing from them are mere matters of description. Can they be sufficiently identified, independently of this mistake? If they can, the question is settled. Now, fortunately on this subject, no doubt can exist. Two circumstances concur to identify them, about which it is not possible there can be a mistake. According to the act of Parliament of 1774, they constitute the southern line of the province of Quebec, between the western extremity of the bay of Chaleurs, in latitude 45, and the eastern bank of the Connecticut river, in latitude 45; and it is equally certain that from thence, all along in regular succession, streams proceed falling into the St. Lawrence. A mistake in one part of a description of boundary, has never been held to vitiate the whole, provided sufficient remains clearly to designate the intention of the parties.

But how is it possible ever to embrace Mars hill in the line of highlands running from the western extremity of the bay of Chaleurs and forming the southern boundary of the province of Quebec? It is clear that in this, and in this alone, the northwest angle of Nova Scotia is to be found. Mars hill is one hundred miles directly south of this line. You cannot by any possibility suppose that hill in this range; unless you can prove that a hill in latitude 46½ is part of a ridge directly north of it in latitude 43; and this notwithstanding the whole valley of the St. John, from its southern to its northern extremity, intervenes between the two. The thing is impossible. Mars hill can never be made, by any human ingenuity, the northwest angle of Nova Scotia.

Particular emphasis has been placed by the British government on the word "highlands," mentioned in the treaty; and comparisons have been made between the height of Mars hill and that of different parts of the highlands which divide the streams of the St. Lawrence from those of the Atlantic. Even in this they have failed; because it has been shown that the summits of the more elevated portions of the treaty highlands are considerably above that of Mars hill, the highest point on the ridge claimed by Great Britain. The committee, however, deem such a question to be wholly immaterial. When highlands are spoken of as dividing waters flowing in different directions, the meaning is plain. From the very nature of things, they must exist and slope off in opposite directions; but whether they consist of table land, of mountains, or even of ramps, still if there be a height of land, from which streams flow down in different directions, this is sufficient. It is not their elevation, but their capacity to divide, which gives them their character.

It is strange that the mere incidental mention of the bay of Fundy in the treaty, should not at all in connexion with the St. John, which is not even named, should have been the foundation of the whole superstructure of the British argument. The reason why it was mentioned at all, is obvious. It was palpably not for the purpose of creating a third class of rivers, flowing into that bay, distinct from those flowing into the St. Lawrence and the Atlantic, as the British government contend; but merely for the purpose of specifying with greater precision, the commencement of the eastern boundary of the United States. Several rivers in that portion of the country had borne the name of St. Croix; from the fact that the early French navigators, actuated by motives of piety, had planted a cross at their mouth when they were first discovered.—Hence it was necessary in specifying the beginning of our eastern boundary, to state that it was in the middle of that St. Croix, which had its mouth in the bay of Fundy. Notwithstanding this description it has been seen, that which was the true St. Croix became a subject of dispute between the two governments. Still both parties were prevented from claiming that any river which did not flow into that bay was the St. Croix of the treaty.

The bay of Fundy has been twice mentioned in the treaty. After starting at the northwest angle of Nova Scotia, and thence sweeping round the boundaries of the United States to this bay, it was necessary to fix, as precisely as possible, the point at which our own boundary commenced. This was essential for a double purpose. In the first place it was the extreme northern point from which a line was to be run due east twenty leagues into the ocean, according to the treaty; within which space the United States were entitled to all the islands along their coast, except such as were within the limits of Nova Scotia; and in the second place, it was the point from which our eastern line was to commence, and to run to the northwest angle of Nova Scotia.

Had the commissioners omitted to fix this point with as great precision as they could, they would have been guilty of culpable neglect. Having done so, and having mentioned the bay of Fundy as that part of the ocean in which the St. Croix has its mouth, the British government have used it, not merely as it was intended, to mark the eastern boundary of the United States, but to render the whole treaty, so far as the northeastern boundary is concerned, absurd, uncertain and void. Surely the commissioners never could have foreseen such a result. The language of this portion of the treaty is as follows:

"East by a line to be drawn along the middle of the river St. Croix, from its mouth in the bay of Fundy to its source, and from its source, directly north to the aforesaid highlands, which divide the rivers that fall into the Atlantic ocean, from those which fall into the river St. Lawrence, comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy and the Atlantic ocean; excepting such islands as are now or heretofore have been within the limits of said province of Nova Scotia."

Upon the whole the committee do not entertain a doubt of the title of the United States to the whole of the disputed territory. They go further and state that if the general government be not both able and willing to protect the territory of each state inviolate, then it will have proved itself incapable of performing one of its first and highest duties. They feel an abiding reliance, however, in the inherent sense of justice of the British government. As soon as that government shall become convinced that the disputed territory belongs to the United States, which they persuade themselves will be the case at no distant day, impelled by a desire of preserving inviolate the faith of treaties, it will hasten to relinquish its pretensions. In that event, the committee entertain not a doubt but that this long contested and dangerous question may be settled to the mutual satisfaction of both governments.

TERRITORY OF OREGON.

HOUSE OF REPRESENTATIVES, JAN. 4, 1839.

Mr. CUSHING, from the committee on foreign affairs, to which the subject had been referred, submitted the following report:

The committee on foreign affairs, to which were referred a message from the president of the United States, and a resolution of the house, in relation to territory of the United States beyond the Rocky mountains, report, in part:

The committee have examined the present subject with the deliberate care which their estimation of its importance demands; and they are of opinion that it is due alike to the interests and the honor of the United States to take immediate steps to assert and secure the national rights in this matter.

They find that in his message to the two houses at the commencement of the second session of the eighteenth congress (December 7th, 1821), the then president of the United States (Mr. Monroe) recommended the subject to the consideration of congress in the following terms:

"In looking to the interests which the United States have on the Pacific ocean, and on the western coast of this continent, the propriety of establishing a military post at the mouth of the Columbia river, or at some other point in that quarter within our acknowledged limits, is submitted to the consideration of congress. Our commerce and fisheries on that sea, and along the coast, have increased, and are increasing. It is thought that a sort, would afford protection to every interest; and have a tendency to conciliate the tribes to the northwest, with whom our trade is extensive. It is thought, also, that by the establishment of such a post, the intercourse between our western states

and territories, and the Pacific, and our trade with the tribes residing in the interior, on each side of the Rocky mountains, would be essentially promoted. To carry this object into effect, the appropriation of an adequate sum to authorize the employment of a frigate, with an officer of the corps of engineers, to explore the mouth of the Columbia river, and the coast contiguous thereto, to enable the executive to make such establishment at the most suitable point, is recommended to congress."

At the commencement of the ensuing congress, the same subject was referred to in the annual message of the then president of the United States, (Mr. Adams), as follows:

"Our coast, along many degrees of latitude upon the shore of the Pacific ocean, though much frequented by our spirited commercial navigators, have been barely visited by our public ships. The river of the west, first fully discovered and navigated by a countryman of our own, still bears the name of the ship in which he ascended its waters, and claims the protection of our armed national flag at its mouth. With the establishment of a military post there, or at some other point of that coast, recommended by my predecessor, and already matured in the deliberations of the last congress, I would suggest the expediency of connecting the equipment of a public ship for the exploration of the whole northwest coast of this continent."

The committee are of opinion that all the inducements to this measure, which existed at that time, continue now in full force, and have acquired new cogency and intensity with the lapse of years; and that other and equally strong ones have since grown up all pointing to the same object; and they propose to exhibit these in full to the house, in obedience to their instructions, which enjoin them not only to inquire into the general question of the expediency of establishing a post on the river Columbia, but also into the particular elements of which the general question is composed. In the discharge of which duty, they proceed to consider in the present report,

"The extent of the country claimed by the United States west of the Rocky mountains, and on the northwest coast on the Pacific ocean; the title under which it is claimed, and the evidence of the correctness of that title."

By the treaty between Spain and the United States concluded at Washington the 22d of February, 1819, commonly called the Florida treaty, it is agreed that the boundary line between the possessions of the two nations west of the Mississippi, after reaching the river Arkansas, shall be "following the course of the southern bank of the Arkansas, to its source, in latitude 42 north; and thence, by that parallel of latitude, to the South sea." And this line is confirmed by compact between the United States and the Mexican republic as the successor of Spain, in the treaty of limits concluded at Mexico on the 12th of January, 1823. In virtue of which two treaties, the southerly extent of the country in question, from the Rocky mountains west to the Pacific, is the forty-second parallel of north latitude.

By the treaty between Russia and the United States concluded at St. Petersburg the 17th of April, 1824, it is agreed that the title shall not be formed by the citizens of the United States, or under the authority of the same, any establishment upon the northwest coast of America, nor in any of the islands adjacent, to the north of 54 degrees and 40 minutes of north latitude; and, in like manner, none by Russia or her subjects, south of the same parallel of latitude.

Saving the rights, whatever they may be, of the Indian tribes scattered over the country, there is no foreign government, except Great Britain, which asserts or pretends any title in the tract of country west of the Rocky mountains on the Pacific, adverse to that of the United States.

There is a convention between Russia and Great Britain, concluded at St. Petersburg the 28th of February, 1825, by which Russia engages to Great Britain, as she had already done to the United States, to make no settlement on the northwest coast south of the latitude of 50 degrees 40 minutes north. This treaty could not, of course, prejudice the rights of the United States, any more than the preceding one the rights of Great Britain.

The United States and Great Britain have, by a convention concluded at London on the 20th of October, 1818, mutually agreed that the 49th parallel of north latitude shall be the line of demarcation between their respective territories west of the Lake of the Woods, and thence to the Rocky mountains. Efforts have been made to adjust their conflicting pretensions west of the Rocky mountains; but thus far without desirable results. Great Britain without undertaking to set up any claim to exclusive rights in that direction, or pretending to pos-

sess any exclusive jurisdiction or sovereignty therein, denies the claim of the United States to any such sovereign jurisdiction. Or, in fairness to her own pretensions, to state them in the words of her own ministers, they are:

"Great Britain claims no exclusive sovereignty over any portion of that territory. Her present claim, not in respect to any part, but to the whole, is limited to right of joint occupancy, in common with other states, leaving the right of exclusive dominion in abeyance. In other words, the pretensions of the United States tend to the ejection of all other nations, and, among the rest, of Great Britain, from all right of settlement in the district claimed by the United States."—(Protocol, Dec. 16, 1826).

Meanwhile, the actual relations of the two governments, in regard to this territory, are defined by the third article of the before mentioned convention of the 20th of October, 1818, as follows:

"Art. 3. It is agreed that any country that may be claimed by either party on the northwest coast of America, westward of the Stony mountains, shall, together with its harbors, bays and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from the date of the signature of the present convention, to the vessels, citizens and subjects of the two powers; it being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country; the only object of the said contracting parties in that respect being to prevent disputes and differences amongst themselves."

And the same rights are further defined, by a convention concluded at London the 6th of September, 1827, as follows:

"Art. 1. All the provisions of the third article of the convention concluded between the U. States of America and his majesty the king of the United Kingdom of Great Britain and Ireland, on the 20th October, 1818, shall be, and they are hereby, further indefinitely extended and continued in force, in the same manner as if all the provisions of the said article were herein specifically recited."

"Art. 2. It shall be competent, however, to either of the contracting parties, in case either should think fit, at any time after the 20th of October, 1828, on giving due notice of two months to the other contracting party, to cancel and abrogate the present convention; and it shall, in such case, be accordingly entirely annulled and abrogated, after the expiration of the said term of notice."

"Art. 3. Nothing contained in this convention, or in the third article of the convention of the 20th of October, 1818, hereby continued in force, shall be construed to impair, or in any manner affect, the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky mountains."

At the date of the message referred to the committee, April 30, 1838, no recent communication on this subject had passed between the two governments, nor is it known to the committee that any has passed since; and it is to be taken for granted, therefore, that neither government has given the notice provided by the convention of 1827, and that their relations in this matter remain unchanged; by means of which, of course, the respective rights of the parties are to be collected from circumstances and considerations existing anterior to the 6th of September, 1827, the date of the last convention on the subject. To which, however, it is to be added the fact that, in 1826, the United States, "animated by a spirit of concession and compromise," which met with no correspondence on the part of Great Britain, offered to continue the line of 49 degrees from the eastern side of the Stony mountains, where it now terminates, to the Pacific ocean, as the permanent boundary between the territories of the two powers in that quarter.

The United States, then, claim title to the exclusive dominion, as against any foreign power, of the country extending east and west from the Rocky mountains to the Pacific ocean, and north and south from the limits of the Mexican republic in latitude 42 north of those of Russia in latitude 54 degrees 40 minutes north, with an offer to relinquish to Great Britain all north of latitude 49. They claim this on three grounds: 1. In their own right; 2. as the successor of France; and 3. of Spain.

As preliminary to the discussion of the contested points of the case, and needful to the full understanding of its merits, the committee premise a brief account of the voyages of discovery, enterprises and settlements of the powers in question, on the northwest coast and interior of the continent, so far as they bear upon the present contro-

very; referring to the documents appended to this report for a full and detailed account of the history of the northwestern discovery.

Spain, having established her power in Mexico, was impelled, by the same causes which led to the original conquest, to seek its extension. She was impelled to undertake expeditions by sea and land to the northwest by another inducement, namely, the hope of discovering a direct northerly passage by sea from the Atlantic to the Pacific ocean; which anticipated passage used to be projected in the old maps of the seventeenth century by the name of the Straits of Anian.

Hernan Cortes himself set the example of these enterprises, by undertaking several of them at his own charge, and conducting one of them in person, exploring the gulf of California, and thus leading the way to the settlement of that country, and to the subsequent voyages of the Spaniards and others along the northwestern coast of America. Prior to the visit of any other European power, the Spaniards had prosecuted their discoveries to cape Mendocin and cape Blanco, in voyages of unquestionable authenticity. Complete and authentic evidence, also, exists, that Don Esteban Martinez, in 1774, made the first discovery of the sound of Nootka; that in 1775 Don Bruno Heceta, Don Juan de Ayala, and Don Juan de la Bodega y Quadra, were the first to discover the bay of the river Columbia, which they called Entrala de Heceta.

Though there is not the same authentic evidence of some other voyages of ancient date in that quarter ascribed to Spanish navigators, yet it is at present generally admitted that in 1599 Juan de Fuca discovered and named the strait which now universally bears his name.

The river Columbia itself was first entered and explored by captain Robert Gray, of Boston, in the year 1792, in the ship Columbia, whose name, applied to the river, also perpetuates the memory of the original discovery.

The first European establishment, founded on any part of the northwest coast from California to the 49th degree of north latitude, was made by Fidalgo in 1799 on the main land at the entrance of the strait of Juan de Fuca.

Leaving the Pacific, we find that three only of the great European powers acquired a permanent foothold in North America from the side of the Atlantic.

Spain secured to herself the countries of Mexico, extending from the gulf of Mexico to the Pacific, and so indefinitely to the northwest; and also the country of Florida, limited to the northeastern shore of the gulf.

France obtained the valley of the St. Lawrence on the one hand, and that of the Mississippi on the other, the whole connected together by the great lakes, and constituting a noble and unique territory, stretching from the northeast to the southwest, in the rear of the English settlements on the Atlantic, restricted by them on the east, but extending westward indefinitely towards the Pacific and the possessions of Spain.

England got possession of the region of country on the Atlantic; extending from the neighborhood of the St. Lawrence on the northeast to Florida on the south, and westward indefinitely, in conflict with the claims of France in that direction. England also established herself in the waters of Hudson's bay, with a claim extending into the interior indefinitely, in conflict with the claims of France along the St. Lawrence and the great lakes.

Whatever rights, be the same more or less, were held by Spain in the northwest, have, as already stated, been expressly ceded to the United States by Spain and by the Mexican republic.

Whatever rights Great Britain had in virtue of her possessions between the St. Lawrence and Florida, she recognised as vested in the United States by the treaty concluded at Paris the 3d September, 1783, commonly called the treaty of peace; acknowledged the said states to be free, sovereign and independent; and relinquishing all claims to the government, propriety and territorial rights of the said parts of the treaty.

Whatever rights France had, subsequently to the conquest by Great Britain, and now the United States, (for we performed a large part of that work), of that part of her possessions lying on the St. Lawrence, she ceded to the United States by the treaty concluded at Paris the 30th of April 1803, commonly called the Louisiana treaty.

At the date of the Florida treaty, therefore, in 1819, there remained to Great Britain of her ancient territory in North America, only the countries of the St. Lawrence and of Hudson's bay; all the residue of the continent, eastward of the Rocky mountains and south and west to the confines of the Mexican republic, having become undeniably vested in the United States.

This result was reached by various treaties and conventions between Spain, France, Great Britain and the United States, the combinations of which treaties restricted or extended in one way or another by express compacts, the respective territories of Great Britain and the United States; which compacts therefore, and the acts consequent on them, constitute the next stage in the history of the title of the United States to the territory of Oregon.

By treaty between Great Britain and France, concluded at Utrecht the 17th of April, 1713, article iii, "Hudson's Bay, together with all lands, &c. which belong thereunto," was restored to Great Britain; and the article proceeds:

"It is agreed on both sides to determine within a year, by commissioners to be forthwith named by each party, the limits which are to be fixed between the said bay of Hudson and the places appertaining to the French." The same commissioners shall also have orders to describe and settle in like manner the boundaries between the other British and French colonies in those parts.

[*Jenkinson's Treaties, vol. iii.*]

And the commissioners appointed under this article adopted the 49th parallel of latitude as the line of demarcation between the possessions of England and France in that quarter and west of the Mississippi; in pursuance of which, the same limit was ratified and confirmed between Great Britain and the United States as the successor of France, by the second article of the convention of the 20th October, 1818, so far west as to the Rocky mountains.

By the treaty between Great Britain, France and Spain, concluded at Paris the 10th of February, 1763, the former hands of Spain in 1500, and that of the latter, as previously possessed by France, with all its rights and appurtenances.

This description is, to be sure sufficiently loose. But Napoleon, having made the cession at the moment of going to war with Great Britain, and having made it to prevent the country from falling into the hands of the latter, and having ceded it to the United States out of friendly feelings towards us, and in order to augment our power as against that of Britain; being actuated by these motives, he, of course, chose to execute a quit-claim rather than a warranty of boundaries; and the United States placed in the position of acquiring, at a cheap price a territory of a value altogether inestimable to her, (for Louisiana would have been well purchased at a cost of twenty times sixty millions of francs), had no disposition to be hypercritical on this point, and thus hazard the loss of such a favorable contingency. (*Barbe Morbois, Hist. &c. de la Louisiane*.) And though much controversy sprang up in regard to the southwestern or southeastern limits of Louisiana, yet all this resolved itself at length into a question with Spain, as did also the doubts as the western limits of Louisiana.

[*Culmer's, vol. ii.; Martens, Recueil, vol. i.*]

Mr. Jefferson at any rate, took enlarged views of the rights of the United States in this respect, and in his message to congress of the 13th of January, 1803, recommended the exploration of the northwestern parts of the country, not on the Missouri merely, but "even to the western ocean," putting the expediency as well as constitutionality of the exploration expressly on the ground of its being a territory claimed by the United States; and the fruit of this recommendation was the celebrated expedition of Lewis and Clark.

Prior to that time little was known of the vast region watered by the Missouri and the Columbia, and of the intervening Rocky mountains, now so familiar to the hardy hunters of the west. Of the latter river, the earliest mention known to the committee is by Jonathan Carver, a citizen of the then colony of Connecticut, who travelled among the Indians of the Upper Mississippi, in 1768, and who in his book speaks of the "Oregon, or river of the west," that falls into the Pacific ocean at the straits of Juan de Fuca. It is probable that Carver derived his idea of the existence of this river from the wandering Indians among whom he lived, and

who had either crossed the Rocky mountains themselves, or received visits from the Indians on the other side. This, at all events, seems to be the origin of the name Oregon. For there is no account of the inlet of the river Columbia having been seen by European Christians prior to Heceta's voyage in 1775; or the mouth of the river before the time of Robert Gray, in 1792; or its upper waters until the expedition of Lewis and Clark. Thirty years after the travels of Carver, indeed, Alexander Mackenzie crossed the Rocky mountains in the extreme north, and fell upon a river which he supposed to be the Columbia; but it is now well known and admitted on all hands that he was mistaken, and that the river he saw is no part of the Columbia. So that, whilst Americans were the first to navigate the river Columbia upwards from its mouth, so they were also the first to explore it downwards from its sources. Lewis and Clark not only explored the country as ours, but they took possession in behalf of the United States; and the expedition itself, the published account of which went forth to the world, was destined to all nations of our claim of title, and of the possession, by the erection of works and otherwise, in assertion of the title.

This expedition was speedily followed by the actual occupation of the mouth of the river for the purposes of trade and settlement, with the sanction of the United States. In 1811 John Jacob Astor, of New York, who, by his successful competition with British fur companies in the northwest, had already been of essential service to the United States in neutralizing to some degree the hostile influence exercised by foreign traders over the Indians of the United States, foresaw the ultimate political importance of the Columbia, and conceived the noble idea of carrying his operations beyond the Rocky mountains, and establishing a factory as the nucleus of a future settlement and colonization of the Oregon. The classic narrative of this magnificent undertaking, by Washington Irving, has spread the fame of Mr. Astor's great design wherever the English language is read.

The establishment at Astoria was anterior to that of any other power on the Columbia. It was broken up in 1812, fraudulently sold to the Northwest company by one of Mr. Astor's agents, and taken possession of by the British as an act of war. But the U. States claimed that the sole to the Northwest company of course did not affect the national jurisdiction, which continued of right in the United States; and thus, according to the first article of the treaty of Ghent, which stipulated for the mutual restitution of "all territory, places and possession whatsoever, taken by either party from the other during the war," Astoria (or Fort George) should be restored to the United States; and it was done in 1818, in the most formal manner. Mr. Prevost proceeded thither from Lima, and received the surrender as agent of the United States, in the following terms:

"Act of surrender and acknowledgment.

"In obedience to the commands of his royal highness the prince regent, signified in a despatch from the right honorable earl Bathurst, addressed to the partners or agents of the Northwest company, on the 24th date of 17th January, 1818, and in obedience to subsequent orders dated 26th July last from William H. Sheriff, esq. captain of his majesty's ship Andromache, we the undersigned, do, in conformity to the first article of the treaty of Ghent, restore to the government of the United States, through its agent, J. B. Prevost, esq. the settlement of Fort George, on the river Columbia.

"Given under our bands, in triplicate, at Fort George, Columbia river, this 6th October, 1818.

"F. HICKEY,

"Captain of his majesty's ship Blossom.

"JAMES KEITH,

"Of the Northwest company."

It is true that, in the despatch of earl Bathurst, and in Lord Castlereagh's instructions to the British minister at Washington, a reservation is made, that the surrender of possession should not be deemed an admission of the absolute and exclusive right of dominion claimed by the United States; but at the same time, in explanation to Mr. Rush, as stated in a published despatch, "Lord Castlereagh admitted, in the most ample extent, our right to be reinstated, and to be the party in possession while treating of the title." In this condition were the rights of the parties in 1813, at the time of the signature of the convention of the 20th October; and by virtue of the express stipulations of that convention, in the same condition (so far as regards possession) do the rights of the parties still continue. If our title was good then, it is good now; and whatever defects, if any, there were, if there have been healed by the Florida treaty; and by the direct admissions of the British government, we are entitled

now to be in possession of the territory, and so to remain, until the question of ultimate title can be determined.

It would seem, indeed, that the English themselves are beginning to entertain rational views on the subject; for in remarking upon it recently, a respectable London journal (the Post) says:

"The United States government now says that no agent of the American Fur company had no right to dispose of the jurisdiction; and the president it would appear, is determined to enforce that claim. It must be admitted that the United States have apparently a good case; and if, on investigation, it be found that the sale of the property only took place, and that the allegiance could not be transferred, the surrender of the post to the United States may be the most prudent course. We have but a limited interest in the occupation of Astoria, while to the United States it is of great importance."

Having thus detailed the general facts affecting the title, it now becomes the duty of the committee to resume these facts, and to apply to them the recognised principles of the law of nations, which prescribe the rights of the parties.

The civilized people of Europe and America, which are associated together by their identity of origin and religion, and still more by the innumerable ties of a common civilization, of commercial and social intercourse, and the intercommunication of arts and of knowledge, and which recognise a rule of mutual dealing composed of treaty stipulations, of prescriptive usages, and of certain general principles of right called the law of nations—these people have been accustomed to acquire and to define their possessions in America by the rule of 1. The right of discovery and exploration, followed by settlements; and 2. the collatory right of extension by contiguity to actual settlements.

This rule, in its elementary ingredients, is thus laid down by Vattel:

"All mankind have an equal right to things that have not yet fallen into the possession of any one; and those things belong to the person who first takes possession of them. When, therefore, a nation finds a country uninhabited, and without an owner, it may lawfully take possession of it; after it has sufficiently made known its will in this respect, it cannot be deprived of it by another nation. Thus, navigators going on voyages of discovery, furnished with a commission from their sovereign, and meeting with islands or other lands in a desert state, have taken possession of them in the name of their nation; and this title has been usually respected, provided it was soon after followed by a real possession."—(§ 207, Chitty's Vattel).

"The whole earth is destined to feed its inhabitants; but this it would be incapable of doing if it were unoccupied. Every nation is then obliged by the law of nature to cultivate the land that has fallen to its share; and it has no right to enlarge its boundaries, or have recourse to the assistance of other nations, but in proportion as the land in its possession is incapable of furnishing it with necessaries. Those nations (such as the ancient Germans, and some modern Tartars) who inhabit fertile countries, but disdain to cultivate their lands, and choose to live by plunder, are wanting to themselves, are injurious to all their neighbors, and deserve to be extirpated as savage and pernicious beasts. There are others, who, to avoid labor, choose to live only by hunting and their flocks. This might, doubtless, be allowed in the first ages of the world, when the earth, without cultivation, produced more than was sufficient to feed its small number of inhabitants. But at present, when the human race is so greatly multiplied, it could not subsist if all nations were disposed to live in that manner. Those who still pursue this idle mode of life, usurp more extensive territories than, with a reasonable share of labor, they would have occasion for, and have, therefore, no reason to complain if other nations, more industrious and too closely confined, come to take possession of a part of those lands."—(§ 81.)

It is asked whether a nation may lawfully take possession of some part of a vast country, in which there are none but erratic nations, whose scanty population is incapable of occupying the whole.—We have already observed, (§ 81), in establishing the obligation to cultivate the earth, that those nations cannot exclusively appropriate to themselves more land than they have occasion for, or more than they are able to settle and cultivate. Their unsettled habitation in those immense regions cannot be accounted a true and legal possession; and the people of Europe, too closely pent up at home, finding land of which the savages stand in no particular need, and of which they stand in no particular want, may lawfully be entitled to take possession of it and settle it with colonies."—(§ 209.)

This rule of prior discovery, occupation, and of extension by contiguity to the exclusion of others, has been recognised, with more or less of precision in its application, by all the Europeans who have established themselves in America, and provides the dispensation, negotiations, and treaties which, expressly regulate, or which have not, the limits of their respective territories. So far as regards themselves, and their mutual relations, its chief defect is its vagueness and the consequent conflict of pretensions, which it either creates, or at least does not prevent.

In its application to the primitive inhabitants of the new world, it is more questionable in use, and more injurious in its effects. When it began to be applied by Spain, Portugal, England and other European states engaged in colonial enterprises, it was frequently associated with the idea of religion, as exemplified in the bull of Alexander VI defining the rights of Spain and Portugal, and the commission of Henry VII to the Cabots; the concession being to the possession of countries not already occupied by Christians. However defective, therefore, the rule may be in itself, and however destitute of all reason or justice when made the pretext of conquering and reducing to servitude organised communities like those of ancient Peru and Mexico, it is, nevertheless, the real foundation of the great European colonies in America. And these rights of the Indians stand in the way of England as well as the United States; and cannot be alleged by her against us and in her own favor. And when a European people has become established in America, and has grown up to national power, the application of the rule is then a matter of absolute necessity; for the Indian tribes being, for the most part, migratory in their habits, as well as transitory and evanescent in their very existence, and possessed in their barbarous state, few or none of the social institutions essential to the preservation of their separate nationality, to treat them as independent nations, with all the international rights of such, would be absolutely destructive to the civilized states of European stock in or adjoining which they happen to be found, by admitting within the natural limits of such state the intrusion of some other foreign and perhaps hostile power.

Accordingly, chief justice Marshall says: "All the nations of Europe who have acquired territory on this continent, have asserted in themselves, and have recognised in others the exclusive right of the discoverer to appropriate the lands occupied by the Indians."

And judge Story says:

"It may be asked what was the effect of this principle of discovery, in respect to the rights of natives themselves? In the view of the Europeans, it created a peculiar relation between themselves and the aboriginal inhabitants. The latter were admitted to possess a present right of occupancy, or use in the soil, which was subordinate to the ultimate dominion of the discoverer. * * * But, notwithstanding this occupancy, the European discoveries claimed and exercised the right to grant the soil, while yet in the possession of the natives, subject, however, to their right of occupancy; and the title so granted was universally admitted to convey a sufficient title in the soil to the grantees in perfect dominion."

And Chancellor Kent says:

"This assumed but qualified dominion over the Indian tribes, regarding them as enjoying no higher title to the soil than that founded on simple occupancy, and to be incompetent to transfer their title to any other power than the government which claims the jurisdiction of their territory by right of discovery, arose, in a great degree, from the necessity of the case. * * * It was founded on the pretension of converting the discovery of the country into a conquest; and it is now too late to draw into discussion the validity of that pretension, or the restrictions which it imposes. It is established by numerous compacts, treaties, laws and ordinances, and founded on immemorial usage.—The country has been colonised and settled, and is now held by that title. It is the law of the land, and no court of justice can permit the right to be disturbed by speculative reasonings or abstract rights."

"And the peculiar necessity of adhering to the rule, in all dealings between the United States and any of the European powers, is forcibly illustrated by the pretensions brought forward by Great Britain at Ghent, and the answer of the American ministers, as in the following extracts from one of their letters:

"No maxim of public law has hitherto been more universally established among the powers of Europe, than that the territories of America, and there is none to which Great Britain has not uniformly and indelibly adhered, (than that of suffering no in-

terposition of a foreign power in the relations between the acknowledged sovereign of the territory and the Indians situated upon it. Without the admission of this principle, there would be no intelligible meaning attached to stipulations, establishing boundaries between the dominions in America of civilized nations possessing territories inhabited by Indian tribes.

"* * * The Indians residing within the limits of the United States * * * are so far dependent as not to have the right to dispose of their lands to any private persons, nor to any power other than the United States, and to be under their protection alone, and not under that of any other power.—Whether called subjects, or by whatever name designated, such is the relation between them and the United States. * * * These principles have been uniformly recognised by the Indians themselves * * * in all the * * * treaties between them and the United States.

"The United States cannot consent that Indians residing within their boundaries as acknowledged by Great Britain shall be included in the treaty of peace, in any manner which would recognise them as independent of the power to whom Great Britain, having obtained this recognition, would hereafter have the right to consider, in every respect, as such. Thus, to recognise those Indians as independent and sovereign nations, would take from the United States and transfer to those Indians all the rights of soil and sovereignty over the territory which they inhabit; and this being accomplished through the agency of Great Britain, would place them effectually and exclusively under her protection, instead of being, as heretofore, under that of the United States.

"The United States claim, of right, with respect to all European nations, and particularly with respect to Great Britain, the entire sovereignty over the whole territory, and all the persons embraced within the boundaries of their dominion. Great Britain has no right to take cognizance of the relation subsisting between the several communities or persons living therein; they form, as to her, only parts of the dominion of the United States; and it is altogether immaterial whether, or how far, under their political institutions or policy, these communities or persons are independent states, allies or subjects. With respect to her, and all other foreign nations, they are parts of a whole, of which the United States are sole and absolute sovereigns."

Recurring then to the rule of discovery and occupation in its actual practice, and, for the sake of greater pertinency as well as brevity, taking examples in the practice of England herself alone, we find that the English government, having made discoveries on the Atlantic coast, proceeded to occupy at detached points on the coast, in right of that discovery, and, by the mode of discovery and occupation, and extension by contiguity, to claim and to grant from sea to sea across the whole continent, as exemplified in the charters of Massachusetts bay, Connecticut and Virginia; and this not only in those early ages, but at the present time; for, in the right of discovery and occupation in Hudson's bay, she has claimed of us since the treaty of Ghent, and we have conceded to her, an extension by contiguity through the fair interior of the continent to the foot of the Rocky mountains.

And it follows irresistibly from the premises, that the United States, having in themselves, and as the successors of Spain, all the rights appertaining to the first navigation along the northwest coast, the first discovery of the bay of Juan de Fuca, and of the rivers of Aguilar and Columbia, the first exploration of the same, and the first occupation or settlement of either; and having, in like manner, all the rights of extension access to or along the Pacific by contiguity, by the mode of discovery and occupation, and of discovery by Spain as the possessor of New Spain, to England prior to the treaty of Paris, and to France as the possessor of Louisiana; it follows irresistibly that we have the right of dominion to the territory of Oregon wholly exclusive of Great Britain.

Precisely the same conclusion may be reached in a different way, by considering separately the Spanish, the French and the American title; which, moreover, will be the most convenient means of examining the pretensions of Great Britain.

The Spanish title.
Spain (or her successor the Mexican republic) has rights, acknowledged by all the world, as far north on the Pacific as the 42d parallel. And in the same right that she goes thus far, she might, but for the intervention of treaties, go further. Certain it is, that she first explored the northwest coast by ships from Manila or Mexico. She is the admitted discoverer of the river of Aguilar, and of the inlet of the Columbia. She discovered the strait of Juan de Fuca. She discovered Nootka sound.

First of all Europeans, she founded a settlement on that coast, at the entrance of the strait of Juan de Fuca. And the natural extension of her possessions northward from California would carry her along until she met some other power having equal or better rights; and, with exception of the United States, she would encounter none such until she arrived at Prince of Wales island in latitude 54 and at the settlements of Russia. So well founded were these, the rights of Spain, that while, prior to the conclusion of the Florida treaty, Great Britain was accustomed, as against the United States, to assert rights of sovereignty in the northwest founded on pretended discoveries and purchases from the Indians, afterwards she was constrained to change her ground, as explained by Mr. Gallatin, (letter of August 7, 1827), and to content herself with simply denying our right of exclusive sovereignty, without pretending to any on her own part. In fact, the claim of England by discovery and occupation was of the flimsiest kind, resting only upon Drake's voyage, his landing in the bay of Boleaga (latitude 38) in 1578, and some pretended purchases by him of the Indians of that neighborhood. That is to say, the discovery of a country long before discovered by the Spaniards, and taken possession of by them, and to this day comprehended within the acknowledged limits of California. As to his purchases of the Indians, that again can avail nothing; for, by the municipal law of every European government in America, and of Britain above all, as already seen, no foreign state can acquire jurisdiction, or even title, by purchase from Indians within the territorial limits of another. If it were otherwise, the rule would be fatal to the claims of Great Britain on the whole northwest coast; for the purchase of the ship Columbia made extensive purchases of the Indians, the national benefit of which would ensure to the United States. Her new pretensions, or new grounds of cavil, since resorted to by her, depend on the Nootka convention, so called.

The Nootka convention is a treaty between Spain and Great Britain, signed at the Esorial the 28th October, 1790, in conclusion of the dispute occasioned by the seizure of English vessels at Nootka sound by Don Esteban Martinez, as detailed in the appendix to this report.

When the intelligence of that event reached Europe, it came through Spain, who herself gave the first information to the English government, and accompanied it with the fullest declaration of a pacific purpose, and of her readiness to enter into all proper explanations. But Mr. Pitt haughtily replied to the friendly advances, and appealed at once to the belligerent propensities of parliament, in behalf of the wounded honor of the nation, demanded and obtained an extraordinary supply of a million sterling, and prepared for war; and thus hurried Spain, who had neither disposition nor readiness for war at that time, into the conclusion of this treaty.

Art. 1 stipulates for the restitution of the property of British subjects disseised by Martinez.

Art. 2 engages to make restitution of or compensation for any like seizure which might have been subsequently made.

Art. 3 provides that the respective subjects of Spain and Great Britain shall not be disturbed or molested, either in navigating or carrying on their fisheries in the Pacific ocean or in the South seas, or in landing on the coasts of those seas, in places not already occupied for the purpose of carrying on their commerce with the natives of the country, or of making settlements there—the whole subject, nevertheless, to the restrictions and provisions specified in the three following articles.

Art. 4 guards against contraband trade with the Spanish settlements in America.

Art. 5 agrees that in any settlements to be made by either party, "the subjects of the other shall have free access, and shall carry on their trade without molestation."

Art. 6 provides for the free continuance of the fisheries on the east and west coasts and islands of South America, south of the occupation of Spain; and concludes, "Provided, that the said respective subjects shall retain the liberty of landing on the coasts and islands so situated, for the purposes of their fishery, and of erecting thereon huts and other temporary buildings serving only for those purposes."

Great Britain contends that, with the rights of Spain on the northwest coast, the United States necessarily succeed to the limitations by which those rights were defined, and the obligations under which they were exercised; and that, by the above convention, all parts of the northwestern coast of America, not already occupied at that time by either of the contracting parties, should thenceforward be equally open to the subjects of both, for all purposes of commerce and settlement, the sovereignty re-

maining in abeyance; and that the convention, establishing a new state of things, by compact, abrogates the pre-existing rights (if any) appertaining to Spain.

The United States have constantly denied all this. They say that, even if the British construction of the Nootka convention and of its effects were correct, it would avail nothing, because, though the United States might not in other respects have a good title as against Spain, they have as against Great Britain, which title cannot be weakened in the hands of the United States by the Florida treaty which quiets that of Spain.

But they deny the correctness of the British construction. The Nootka convention is on the face of it a commercial treaty merely, wholly aside from the question of sovereignty and distinct jurisdiction. It has a definite general object, the regulation of the fisheries in the Pacific and the South seas, so as neither to exclude England, nor injure Spain. That was the point in controversy between the two governments. "The enemies of peace have industriously circulated," says the count of Florida Blanca, "that Spain extends pretensions and rights of sovereignty over the whole of the South sea as far as China;" whereas, on the contrary, her sole aim was to vindicate her sovereignty on parts of the coast to which, by the law of nations and the recognition of all Europe, she has established possession or right of possession. (Dec. of June 4th, An. Reg. 1790). Accordingly, in the debates upon this treaty in parliament, it was strenuously objected that, being a treaty of commerce, navigation and fishery, England had gained nothing by it, but had on the contrary submitted to restrictions of searights, which existed before unrestricted. "In answer to this, Mr. Pitt maintained (*Parl. Hist.* vol. xxviii, p. 101) that though what this country had gained consisted not of new rights, it certainly did of new advantages. We had before a right to the southern whale fishery, and a right to navigate and carry on fisheries in the Pacific ocean, and to trade on the coasts of any part of it northwest of America; but that right not only had not been acknowledged, but disputed and resisted; whereas, by the convention, it was secured to us; a circumstance, which, though no new right, was a new advantage." Not a word of a "new right" to establish colonies in America, or of a "new advantage" in the exclusion of territorial sovereignty previously claimed by Spain. On the contrary, Mr. (now earl) Gray well argued that the "settlements" of the 3d article amounted to nothing, since access was every where left to both the parties, and if England made a settlement in a valley, Spain might erect a fort on the hill overlooking it, which conclusively shows that the right of colonization was never in the contemplation of the treaty. And Mr. Fox argued the same point at great length and with great force, demonstrating that before the treaty England might colonize in the Pacific, but that now she could only settle, as the phrase is in the third article, or build huts as restricted in the sixth, for the sole purpose of the fisheries, excluding colonization. (*Parl. Hist.* vol. xxviii). Add to which, it only as a commercial treaty that this convention can, upon the principles contended for by Great Britain in other great controversies, be considered in force; for such treaties only were renewed by the treaty between Spain and Great Britain of July, 1814.

In fact, the Nootka convention is obviously impossible to execute, if the word "settlements" is to denote the colonies, or carry after it any title of dominion; because the express language permits promiscuous and intermixed settlements every where, and over the whole face of the country, to the subjects of both parties; and even declares every such settlement, made by either party, common to the other. Or, if, as England contends, the convention is but a recognition of the general rights of all nations, then it admits of such promiscuous settlements by all nations; which is wholly incompatible with any idea of sovereignty, but applies well enough to "huts and other temporary buildings" for the fisheries.

In this view of the subject, the United States further say, that under the convention the sovereignty is not in abeyance; it remains unchanged; it remains a valid, permanent commercial right open to all for the time being regulate; that the question of sovereignty stands upon its former footing; that, when it comes up, the parties are remitted to their pre-existing rights; and that before the convention, and notwithstanding its provisions, the right of sovereignty appertained to Spain as against Great Britain; or, in the words of the count of Fernan Nunez, "by the treaties, demarcations, takings of possession, and the most decided acts of sovereignty exercised by the Spaniards, * * * all the coast to the north of western America, on the side of the South sea, as far as beyond what is called

Prince Williams' sound, * * * is acknowledged to belong exclusively to Spain." (*Letter of June 16, 1790*). And the United States will not be deterred from the exercise of the just rights she demands from Spain, when there is nothing set up against her but her own and monstrous constructions of a treaty extorted from Spain by what Lord Rochester justly called "unprovoked bullying," and founded not in right but in power. (*North A. Rev.* vol. xxvii.)

The committee proceed to the French title. When Louisiana was acquired by the United States, it was well known, as already suggested, that the limits were not well defined. Indeed, they were defined on neither side, except along the Mississippi. The northern line by the British possessions was fixed in 1818. The southeastern and southwestern was fixed by the Florida treaty. And the question remains, how far does it extend west? This was at the time considered a question with Spain alone. Don Pedro Cevallos says: "From this point (the intersection of the River) the limits which ought to be established on the northern side are doubtful and little known." (*Letter of April 13, 1805*). And in the negotiation of the Florida treaty, Don Luis de Onis admitted the same thing, though he affirmed the Spanish title on the Pacific. But, as between France and Great Britain, or Great Britain and the United States, the successor of all the rights of France, the question would seem to be concluded by the treaty of Paris, already cited, in which Great Britain relinquishes irrevocably all pretensions west of the Mississippi. On the footing of the treaty of Utrecht, ratified by our convention of 1818, England may, possibly, by extension of contiguity, carry her possessions from Hudson's bay across to the Pacific, north of latitude 49°; but, by the treaty of Paris, we possess the same right, and an exclusive one, to carry our territory across the continent south of that line, in the right of France.

It has been objected that, in the grant of Louisiana to Crozat by Louis XIV, that province is confined to the country drained by the waters emptying in the Mississippi, excluding by implication any other country. But Crozat's grant did not cover the whole of Louisiana as it was when ceded to the United States. Crozat's grant was understood as extending no further north than latitude 42°; the French possessions north of that parallel being a part of New France, (or Canada). And New France, as projected in the most authentic maps, did extend to territory drained, or supposed to be drained, by rivers flowing into the Pacific. In 1717, Louis enlarged Louisiana, by adding thereto the country in the latitude of the Illinois. And this extended dimension of Louisiana has been tacitly admitted by Great Britain, who, while herself possessed of Canada obtained from France, and of the Hudson's bay company, has, by treaty with us, admitted that the northern limit of Louisiana goes up to latitude 49°; she having already, by the treaty of Paris, debarred herself of all claim south of that line and west of the Mississippi.

The American title remains to be considered on its particular merits.

Anterior to the Louisiana treaty, our claim rested on Gray's exploration of the river Columbia, the permanent record of which subsists in the name itself; it being one of the applications of the rule of prior discovery, that the explorer of a river gains rights to that country west of that river, as exemplified in the claim of the Mississippi valley by France, on the ground of the original exploration of the river by her subjects; and some such principle being necessary to give integrity and unity of possession to any one power, and to prevent the intermixture of possessions in a territory having a natural completeness of its own. The defects of this claim consisted of the counter-pretensions of France as the possessor of Louisiana, and of Spain as the possessor of Mexico, and as the first visiter of the Columbia and the coast generally. By the conclusion of the Louisiana treaty and the Florida treaty, these defects were cured. To which had then been added the further claims of the United States to their own right, or their title proper, by reason of Lewis and Clark's expedition, and Mr. Astor's establishment of Astoria, recognised by Great Britain as constituting possession, and also right of continued possession, until the title should be definitively adjusted. Though these several claims conflicted with each other originally, they acquired mutual strength in the same hands; as if three persons claim the same estate, one by deed or devise, another by inheritance, and a third by possession, the union of all in one person by purchase or otherwise would result in the best of titles. Thus much, treating it as a dominion founded on discovery and exploration, and partial occupation.

But, in another point of view, this combination of titles becomes yet more important. Having planted her foot on the shore of Hudson's bay, Great Britain claims against all the world that she may stretch the other to the Rocky mountains; and the claim is admitted by the rest of the world. Nay, it is from Hudson's bay that her establishments have extended across the continent. Sir Alexander Mackenzie led the way in 1793, and the northwest company and the Hudson's Bay company followed in it, until they had gradually intruded themselves into the valley of the Columbia, not from the Pacific, but proceeding from the Atlantic; and the civil jurisdiction of the British subjects dwelling beyond the Rocky mountains depends this day in the courts of *Upper Canada*, by the acts of parliament of 43 Geo. III, ch. 131 and 1 and 2 Geo. IV, ch. 66. Which is in conformity with the fact hereinbefore stated, that, prior to the treaty of Paris, the English government claimed and granted to the Pacific by virtue of her possessions in New England and Virginia.

And a pretension of this nature, however extravagant it may seem at the first blush, grows out of the necessities of self-preservation. Great Britain, when she gained a lodgment on the coast of the Atlantic, readily saw, and her colonies soon learned by disastrous experience, how dangerous it would be to them to have a hostile foreign power establish itself behind them. For the same reason that it was important to the British colonies to exclude, if they might, any power from taking possession in their rear, it was important to the French colonies on the Mississippi to prevent any other power from establishing itself in their own rear. Hence they claimed, and rightfully, according to the received law of nations, to have the exclusive dominion, and the right of excluding the entrance of any foreign colonization westward of them, until they should reach some other European power having a better title than theirs; and west of them there was none such except Spain.

And the precise extent of prolongation by continuity, to which an actual settlement gives right, must have some relation to the magnitude and population of that settlement, and to the facility with which adjoining vacant lands may promise to be occupied and cultivated by such a population, as compared with any to come from elsewhere; and this in addition to the considerations of national security.

Important as these principles were to the infant colonies of France and Britain, and strong as are the claims of this nature we derive from the treaties of those two powers, those principles are yet more important, and those claims stronger, in reference to the existing state of North America, and our own position as the leading power of this continent. Who shall undertake to limit the limits of the expansibility for the population of the United States? Does it not now flow westward with the never-ceasing advance of a rising tide of the sea? Along a line of more than a thousand miles from the lakes to the gulf of Mexico, perpetually moves forward the western frontier of the United States. Here, stretched along the whole length of this line, is the vanguard, as it were, of the onward march of the Anglo American race, advancing, it has been calculated, at the average rate of about half a degree of longitude each succeeding year. Occasionally, an obstacle presents itself, in some unproductive region of country; or some Indian tribe; the column is checked; its wings incline towards each other; it breaks; but it speedily reunites again beyond the obstacle, and resumes its forward progress, ever facing, and approaching nearer and nearer to the remotest regions of the west.

Thus the movement goes on with predestined certainty, and the unerring precision of the great works of eternal Providence, rather than as an act of feeble man. Another generation may see the settlements of our people diffused over the Pacific slopes of the Rocky mountains. It is idle to suppose any new colony to be sent out from Great Britain will or can establish itself in the far west, ultimately to stand in competition with this great movement of the population and power of the United States. Nor should any attempt at such competition be countenanced by us. For if the safety of the few thousands of British settlers on the Atlantic, or of French settlers on the Mississippi, required the extension of their exclusive sovereignty to a certain degree west, how far shall that extension not be demanded for the safety of the millions of the United States, who already occupy in full and undisputed sovereignty, and overspread with their teeming population, and unite in the bonds of one great and glorious political society, the whole of the vast valley of the Mississippi and the Missouri.

At a contingency the most delicate in the affairs of this continent, Mr. Monroe issued his celebrated declaration, that, while the United States continued

neutral and impartial in the contests of the European powers among themselves, it was otherwise in regard to their movements in this hemisphere; that the United States would consider an attempt on their part to extend their peculiar political systems to any part of the new world as dangerous to our peace and safety; and that we could not view a voluntary interposition of theirs in the affairs of the new republics of America with indifference, or in any other light than as the manifestation of an unfriendly disposition towards the United States.—(*Message, December 2, 1823.*)

This declaration, it is well known, had the most important inmediate effects at the time of its utterance, when certain of the European powers contemplated a forcible interference in the affairs of the Spanish colonies in America. It has deservedly come to be regarded as an essential component part of the international law of the new world. (*Wheaton's Inter. law, p. 85.*) And great as the force of it is, when applied to the precise case which called for it, still greater is it when considered in its application to the case of an attempt on the part of any European power to found new colonies in North America in parts not yet occupied. It has been the happy fortune of the United States to free itself, by the purchase of Louisiana and Florida, from the presence of European colonies on our southern and western frontiers. The possessions of Great Britain now overhanging the United States along their vast northern frontier from the Atlantic to the Pacific.—South of that line, the whole continent, from the great lakes to the Isthmus of Darien, is occupied by Americans, by children of the soil, by governments independent of Europe. And it is due alike to our highest interests and to our honor to have it universally understood, that neither Great Britain, nor any other European power, is any longer to consider the unsettled parts of the continent, adjoining the settlements of the United States, in the nature of unoccupied lands for the reception of European colonies. If Great Britain had any pretext to claim the territory of Oregon as a part of her possessions on the lakes, or her existing colonies, it would be otherwise. But she does not. She distinctly professes to claim no ground that it is unoccupied territory, just like Virginia or Massachusetts before she colonized them; and that as unoccupied savage territory she may now colonize the Columbia river; and that it is part of a colony now possessed by her, but found in which she has the right at this day to found a new colony.

"Great Britain considered the whole of the unoccupied parts of America as being open to her future settlements, as heretofore. They included within these parts as well that portion of the northwest coast lying between the 42d and 51st degrees of latitude as any other parts. The principle of colonization at that coast, or elsewhere, on any portions of those continents not yet occupied, Great Britain was not prepared to relinquish."—(*Mr. Rusk's letters, p. 182.*)

This pretension the committee deem to be inadmissible, and prejudicial to the rights, the security, and the peace of the United States.

There is a class of reasons applicable to this point which is every day acquiring more and more force. It is the situation of the Indians in the interior of the continent. It has at all times been the policy of Great Britain—a policy little in keeping with her ostentation of humanity in regard to the black race—to keep the red men under subsidy to her, so as to have them always ready to bring into the field against the United States. At the epoch of the revolution, we proposed that the Indians should be suffered to remain neutral; but England refused.—She has kept them under arms, or in a semi-hostile state, against us, more or less constantly, from that day to this. On our commissioners at Ghent proposed an agreement for the perpetual neutrality of the Indians; but England again refused it. The perseverance of Great Britain in this policy has been perpetually injurious to us; and its effects are written with the scalping-knife and the brand of the Indian, in letters of blood and fire, in the history of the southern and western states. And this, the untold policy of Great Britain in regard to the Indians, has done more than any and every other cause united, to waste, degrade, and barbarize them, so as to render them a curse alike to us and to themselves. By the acquisition of Florida, the influence of the British over the Indians of the United States was shut out from the south; but it still operates unchecked, and is fostered and kept alive by regular government subsidies to the northwest, and exerted without any counteraction among the Indians of the remote west, and will continue to be exerted, in all respects to our loss and injury, until the Hudson's bay company is expelled from the territory of Oregon, and it is possessed in full and undisturbed sovereignty by the United States.

In conclusion of this branch of their instructions, it only remains for the committee to advert to certain particular facts in the present political relations of the territory of Oregon, confirmatory of and connected with the general considerations they have suggested.

Great Britain had very much distinguished herself at an early period, by voyages of discovery in the seas to the northeast of this continent. Thus it happened that she acquired territorial rights on the shores of Hudson's bay, which at the congress of Utrecht were formally acknowledged by France, as before stated. The extent of this territory was not then, nor until long afterwards, definitely settled. Meanwhile, among the corrupt monopolies of the reign of Charles II was the grant of a charter to the "adventurers of the Hudson's Bay company." Their declared and proper objects were, of course, navigation, and trade in the furs, fish, or other productions of Hudson's bay. Exploration was, indeed, one of the benefits anticipated from the company; but the company itself proved for more than a century to be the great obstacle to exploration, or in the emphatic language of the London Quarterly Review, (a competent witness on such a point), "from the moment this body of 'adventurers' was instituted, the spirit of 'adventure' died away; and every succeeding effort was palsied by the baneful influence of a monopoly, of which the discovery of a northwest passage was deemed the forerunner of destruction." This company is to America precisely what the East India company is to Asia. It has been suffered to extend its power from Labrador southwestwardly to Lake Superior, thence along the *ligne des versants* of the Mississippi and the Missouri, and so sweeping around by the base of the Rocky mountains to the Slave lake, and thence back to the extreme northeastern shores of the Atlantic. A glance at the map will show the vast extent of these imperial dominions. (*Zouchette's Br. Dom. vol. 1, p. 32.*) When, by the aid of the Anglo-American provinces, Great Britain had subdued Canada, this did become incorporated with the possessions of the Hudson's Bay company. On the contrary, when the independence of the United States gave rise to new relations in the northwest, the Hudson's Bay company was placed by Britain in a footing of an independent power; and in regulating the rights of mutual transit in that quarter, Jay's treaty contains this clause: "The country within the limits of the Hudson's Bay company only excepted." That is to say, when the territorial or commercial rights of the United States are to be restricted, the Hudson's Bay company is put forward as an independent foreign state. So also is it, when there is opportunity or occasion to extend British rights in competition with ours; as in dealings with the Indians it has repeatedly happened, where the acts of the company have at all times been greatly injurious to the United States. But, on the contrary, if the United States, or any other power, seeks to repress the pretensions of the company, it is no longer left by Great Britain to stand on its own bottom as a political community, but is taken under the wing of the British government. Thus, indeed, we know, by the precise mode in which the East India company has been made the instrument of conquering the hundred millions of Hindostan.

After the Hudson's Bay company had for a length of time lorded it in sole supremacy over the Indians of the extensive region claimed by it, there sprung up a competitor of its profitable fur-trade in the Northwest company of Montreal. These two companies did not scruple to engage in continual feuds, growing out of jealousies of trade and mutual complaints of violated privileges; nay, they actually waged hostilities one against the other in the guise of sovereign states; rendering the interior of the continent a scene of rapine, outrage and bloodshed. (*Earl of Selkirk, claims, &c.*)

These empire companies, and their traders, trappers and agents, have been the immediate instruments of much of that perpetual intermeddling of Great Britain with the Indians of the United States, which, from 1775 to the present day, has never ceased to be practised to our injury, and the fruits of which were seen in every one of the disasters of the west and northwest, from the massacres of Wyoming and Cherry valley and the defeats of Harnar and St. Clair, to the later enterprises of Tecumseh and of Black Hawk.

This latter company, (the Northwest company, so called), it was, which fraudulently obtained possession of Astoria in 1812, and hoisted the British flag on the Columbia. (*Trings Astoria.*) Its differences with the Hudson's Bay company were at length adjusted; in 1821 the two companies became one, continuing to act under the charter of the Hudson's Bay company; and, by act of parliament, the company received a grant of civil jurisdiction, which it now exercises at all its establishments. That is, the

Hudson's Bay company is the medium through which Great Britain exercises exclusive civil jurisdiction over all the territory of Oregon, in which it is conceded, on all hands, our rights are at least equal to hers. Nor civil jurisdiction only. It is known by the official report of Mr. Slacum, who recently visited the territory in behalf of the United States, that the company has, in addition to a number of minor factories, one at Vancouver, on the Columbia, which is in all respects a military post, though, like the Sepoys and other troops of Hindostan, the garrison consists of the servants of the company, not of officers and men bearing the queen's commission. Of other establishments of the company (which are in name as in fact, forts), there are known to be Fort Unqua on the Unqua; Fort George, Fort Nez Perces, Fort Okanquia, Fort Coville and Koolante fort, besides Fort Vancouver, on the Columbia, or its branches; and Fort Nasqually, south of the strait of Juan de Fuca.

To prove these general facts, and also to show the effect of them, a few authentic statements follow from persons of approved authority.

The president's message, of the 23d of December, 1837, contains this information:

"The Hudson's Bay company has also several depots, situated on watercourse, in the interior of the country; the principal one is at Port Vancouver, on the northern bank of the Columbia river, about eighty or one hundred miles from its mouth. It is known, by information recently obtained, that the English company have a steamboat on this river, and that they have a saw-mill, and are cutting timber on the territory claimed by the United States, and are shipping it in considerable quantities to the Sandwich Islands."

Mr. Cambreleg, in a letter to Mr. Benton of the 12th January, 1829, says:

"I have in my possession the actual returns of the furs collected by the Hudson's Bay company for the year 1823, which, according to a valuation made by one who has a thorough knowledge of the trade, amount to \$394,379 75. The shares of that company have increased from £60, or 40 per cent. below par, to £240 sterling, or 140 per cent. above par. The profits of the company has continued to increase at the rate of from 60,000 to \$100,000 annually. The prosperous condition of the Hudson's Bay company may be attributed, in some measure, to the advantages enjoyed by the British traders, who procure their manufactures without duty, while the American traders pay 40 per cent. to the American market, while our traders pay a duty in the British market. But the most important advantage enjoyed by the Hudson's Bay company is the admirable harbor at the mouth of the Columbia, which we virtually and unfortunately granted them by our treaty of 1818. That settlement at the mouth of the Columbia river is now the centre of an immense trade in furs, and, unless we take some step to place our traders on an equal footing with the British, we run the risk of the entire privilege of trading in safety within our own dominions at least, our Indian trade must decline, and we must make up our minds to surrender the whole Indian country to Great Britain." [See. doc. 1823-29, No. 67.]

Mr. Irving says:

"Though the [Hudson's Bay] company, by treaty, have a right to a participation only in the trade of these regions, [beyond the Rocky mountains], and are, in fact, but tenants in sufferance; yet have they quietly availed themselves of the original oversight, and subsequent supineness of the American government, to establish a monopoly of the trade of the river [Columbia] and its dependencies; and are adroitly proceeding to fortify themselves in their usurpation by securing all the strong points of the country.

"Nor is it likely the latter [the American traders] will ever be able to maintain any footing in the land, until the question of territorial right is adjusted between the two countries. The sooner that takes place, the better. It is a question too serious to national pride, if not to national interest, to be slurred over, and every year is adding to the difficulties which environ it.

"The resources of the country * * in the hands of America, enjoying a direct trade with the East Indies, would be brought into quickening activity, and might soon realize the dream of Mr. Astor, in giving rise to a flourishing commercial empire."

[Rocky Mountains, vol. 2.]

The plans of Great Britain in respect to this country are shadowed forth by sir Alexander Mackenzie, as follows:

"But, whatever course may be taken from the Atlantic, the Columbia is the line of communication from the Pacific ocean, pointed out by nature; as it is the only navigable river in the whole extent of Vancouver's minute survey of that coast. Its banks,

also, form the first level country in all the southern extent of continental coast from Cook's entry, and, consequently, the most northern situation fit for colonization, and suitable for the residence of a civilized people. By opening this intercourse between the Atlantic and Pacific oceans, and forming regular establishments through the interior, and at both extremes, as well as along the coasts and islands, the entire command of the fur trade of North America might be obtained from latitude 48 degrees north, to the pole, except that portion of it which the Russians have in the Pacific. To this may be added the fishery in both seas, and the markets of the four quarters of the globe. Such would be the field for commercial enterprise; and incalculable would be the produce of it, when supported by the operations of that credit and capital which Great Britain so pre-eminently possesses."

[Travels, vol. 2.]

To which the same writer adds, that the effect of the development of those plans would be the complete exclusion of Americans from the country, and the most important political as well as commercial advantages to the United Kingdom.

The committee will have occasion to submit to the house additional information on these points, when they dispose of that part of their instructions which relate to the statistical condition and political value of the country of Oregon. It is sufficient for the immediate purpose to have demonstrated that the plan of the British to put an end to American enterprise in the valley of the Columbia has succeeded.

Still, this object has been accomplished under the shelter of a convention, which provides that the country of Oregon, together with its harbors, bays and creeks, and the navigation of all rivers within the same, shall for the time being be free and open to the vessels, citizens and subjects of the two powers; and which thus professes to give equal advantages to the people of each nation, and to pre-clude the ultimate rights of neither. But the practical effect of the convention is the reverse, in that nearly all the present advantages are enjoyed by England, and the ultimate rights of the United States are seriously endangered.

There is a peculiar organization of the Hudson's Bay company, which now in fact rules over the whole country, and has exclusive possession of its trade, just as completely as the East India company in Hindostan at the period of its early conquests there, when it was a close corporation, and independent of the control of the king's ministers. Individual traders and ordinary commercial companies cannot stand against it. They cannot compete in resources with this great empire corporation.— Besides which, a powerful incorporated company like this, having exclusive privileges of trade by charter, and those privileges conveying territory as appurtenant to trade—a monster and an anomaly in its nature as it is—such a company is in itself to all intent and purposes a territorial government. It has all the civil and all the military machinery of government. The act of parliament already referred to gives to the courts of Upper Canada the same civil jurisdiction, in all respects, within the parts of America not within the limits of Lower or Upper Canada, nor of any civil government of the United States, as they have within the limits of Upper Canada. England may appoint justices of the peace, or constitute other inferior courts in those parts. There is no provision in the act to except citizens of the United States, or country claimed by the United States, from this jurisdiction. And these provisions are precisely applicable to the country beyond the Rocky mountains, and to that only; and there is no other part of America to which they do apply. This, indeed, is well understood by American citizens in Oregon to be the fact, as the committee have been expressly informed. So that the Hudson's Bay company not only monopolizes the trade of Oregon, but may control the inhabitants, and even send them to Upper Canada to be tried for imputed offences.

The privileges of the Hudson's Bay company operate injuriously in another respect. Experience has shown the necessity of military posts among the Indians. The company accordingly has its great posts, and its lesser forts, all of them British military posts, in fact, but with the peculiarity, that its flag not being the queen's flag, the government is enabled to pursue the disingenuous course of claiming rights and territory in virtue of acts performed by it, while in the same breath disavowing all government responsibility for those acts. But the United States has no military post there. It has no gigantic company, like that of Hudson's bay, to be put forward to act the ambiguous and evasive part of a government, or of private individuals, as the policy of state may render most convenient. If it establishes a post, it must do so openly and aboveboard, in its own name. But this Great Bri-

tain objects to, so that still the monopoly of trade and of civil and military power shall be held by her indirectly, through the means of the Hudson's Bay company.

The committee are of opinion that this ground of distinction ought to be no longer admitted by the United States. So long as Great Britain takes to herself the fruits of the operations of these empire corporations, and the millions of subjects they conquer, and the vast realms they subdue, are governed and held for her advantage, she ought not to be permitted to set up any distinction, in her dealings with a foreign state, between their acts and hers. So far as regards the rights or the safety of that foreign state, a military post established by the East India company or the Hudson's Bay company is a military post established by Great Britain. It is not to perceive this, is to shut our eyes to the system of operations by means of which Great Britain has built up the stupendous fabric of her power in the east and the west.

The injustice done to the United States by the double use which Great Britain makes of the Hudson's Bay company, was strongly urged by Mr. Gallatin, in his conferences with the British ministers on the subject in 1826 and 1827. The British ministers were not insensible to the force of his objections. And the following passage of Mr. Gallatin's letter of December 20, 1826, is important in its bearing upon the question of what legislation congress may adopt without infringement of the treaty relations of the two powers.

"The establishment of a distinct territorial government on the west side of the Stony mountain would also be objected to as an attempt to exercise exclusive sovereignty. I observed that although the northwest company might, from its being incorporated, from the habits of the men they employed, and from having a monopoly with respect to trade, so far as British subjects were concerned, carry on a species of government, without the assistance of that of Great Britain, it was otherwise with us. Our population there would consist of several independent companies and individuals.— We had always been in the habit, in our most remote settlements, of carrying laws, courts and justice of the peace with us. There was an absolute necessity on our part to have some species of government. Without it, the kind of sovereignty, or rather jurisdiction which it was intended to admit, could not be exercised on our part. It was suggested, and seemed to be acquiesced in, that the difficulty might be obviated, provided the erection of a new territory was not confined exclusively to the territory west of the mountains; that it should be defined as embracing all the possessions of the United States west of a line that should be at some distance from, and east of, the Stony mountains."

It may deserve consideration whether this suggestion should not be acted upon by congress; since it would be doing no more than what Great Britain had already done by act of 1 & 2 Gen. IV.

The committee beg leave to submit, that in the course of this report they have not undertaken to raise any novel propositions in behalf of the United States. They have relied on the grounds of right alleged by every American statesman, who has had occasion to examine the subject, from the time of Mr. Jefferson to the present day; referring more especially to the instructions, correspondence and despatches of Mr. Monroe, Mr. Adams, Mr. Rush, Mr. Clay, Mr. Gallatin, and Mr. Lawrence, and the reports of M. Floyd, Mr. Baylies and Mr. Linn; and superadding only such further illustrations, facts and arguments, as the personal research of the committee has brought to their knowledge. They propose, in a future report, to present to the house the statistical facts and considerations called for by their instructions; and meantime, as the result of their immediate deliberations they submit the accompanying bill, the adoption of which they recommend to the house.

A bill to provide for the protection of the citizens of the United States residing in the Oregon territory, or trading on the Columbia river or its tributaries.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be, and he is hereby authorized and directed to employ such portion of the army and navy as he may deem necessary for the protection of the persons and property of such citizens of the United States as may reside in the territory of Oregon, or as are employed in commerce on the Columbia river, its tributaries and on its marine coast.

Sec. 2. And be it further enacted, That the sum of _____ dollars in treasuries appropriated, out of any money in the treasury not otherwise appropriated, to carry into effect the foregoing section.

[This bill was not acted upon by the house.]

Astronomical observatory. John Quincy Adams recommends that the interest of the money from the Smithsonian be most expended in founding at Washington an astronomical observatory.

Abattoir. The following sketch of a Paris abattoir is extracted from a letter from a European: "I visited yesterday an abattoir, or slaughter house, of which there are five, under the direction of the police. They are large, airy and remarkably clean. In this there were 23 piles of buildings within a walk of 645 by 570 feet. Cattle, on entering the city, are immediately taken to them, and kept at a stall, until the owner pays a duty, and is allowed for the right to kill their stock, with other duties on tallow, &c. produces one million of francs annually. In this single establishment the weekly return of killed is about 40 oxen, 300 cows, 600 calves, 2,000 sheep, considering which the cleanliness is remarkable. The same amount killed in private sheds and stables, as the butcher's cost, is much that was offensive, and perhaps, cause sickness. Here, stone floors, abundance of water, ventilation, flow of blood immediately from the neck to a subterranean conduit, with strict attention to cleanliness, leaves little to shock even a transient observer. Their dexterity in wielding the sledge, and opening the vital artery, is remarkable.

Beets. L'Impartial, a Valenciennes paper, gravely announces the following: "The manufacturers of beet sugar are triumphant than ever. The inhabitants of the Nord will indeed, make no more sugar, but they have just found out that beet root can make the most delicious wines. The beet root wines will be superior in quality to all the southern wines. The vine is not for, and beet root takes its place. There is not a mere invention. We know on good authority that the mayor of Arras is a member of the company which is about to turn to account this discovery, which is to prove a new source of industry to our district."

Hard currency.—"Musket balls full bore," were a legal tender in Massachusetts in 1655, "current for a farthing a piece; provided that no man be compelled to take above twelve at a time of them." In 1639 the town of Hingham paid its taxes in milk pails.

Emigration. The descriptions in Goldsmith's sweet poem of the Deserted Village, although at the time deemed to be fiction, have been found to be realized now. An English paper says that in Stockport, 2,000 cottages are vacant, and that 200 persons have left that town for South Australia within three months.

Mothers. "What is wanting," said Napoleon, "that the youth of France be well educated?" "Mothers!" replied Madame Campan. This reply, struck the emperor. "Here," said he, "is a system of education in one word!" Be it your care to train up mothers, who shall know how to educate their children.

[Aime Martin.]

Speed. A French scientific journal states that the ordinary rate is per second, of a man walking, 4 feet of a good horse, in harness, 12, of a reindeer, in a sledge, on the ice, 26; of an English racer 43; of a hare, 85; of a good sailing ship, 14; of the wind, 82; of a twenty-four pounder cannon ball, 1,300; of the air, which, so divided, returns into space, 1,300.

Thorwaldsen is about making a bust of himself for his rich patroness, the baroness Stampe, at whose country seat he is staying, and where, at his built him a new atelier. He has been visited at Hamburg and other places, and every where been received *ex triumphe*.—The landlords all refused pay from him, and the peasantry turned out to crown him with flowers.

Lord Brougham, it is said, designs visiting the United States the ensuing spring. No stranger could come amongst us that would be more cordially received. He has been one of the most useful men of the age. Every American delights to honor genius and integrity.

Population. The population of the world is estimated at 330,000,000. Of this 50,000,000 are Roman Catholics; 120,000,000 Christians of other sects; 9,000,000 Jews, and 140,000,000 Mahometans.

It will be seen that preparations have been made on a splendid scale for opening the famed Faunquier White Sulphur Springs establishment.

Slender. A young lady in Indiana has been obliged to pay \$5,000 for slendering one of her own sex.

Geographical discovery. Mr. Schomburgk, the enterprising trader, has been at Lima, where he has been employed for the last four years as the agent of the Royal Geographical society, and at the expense of their funds, aided by a grant from government has just returned to England, after an absence of nearly 12 years. Following in the steps of Dr. Hancock, Mr. Hillhouse and others, he twice ascended the river Essequibo, which he explored in its course about 40 miles north of the equator, and examined the Berbice and Corentyne rivers. During his last journey, in which he was absent for two years in the interior, he crossed the boundary to Fort San Joaquim, in the Brazils, and by a westerly course travelled to Esmeralda, on the Orinoco; thence by connecting his labors with those of Baron Humboldt in 1819, he succeeded in changing the position of the sources of that river, as laid down in all our maps. From thence he again ascended the Rio Branco to San Joaquim completing a circle of 2,000 miles, a

great part of which was through a country previously unknown. Mr. Schomburgk's communications have often formed matters of interest at the meetings of the Geographical society, and he has brought over with him to this country a valuable herbarium, and a large collection of rare specimens of natural history, the produce of a country almost unknown to Europeans. He is also accompanied by three Indians of different tribes from the interior, and has brought specimens of their arms, implements and utensils. Accounts have also been received from Mr. Gould, who has left Van Dieman's land for southern Australia, having already collected about 800 specimens of birds and 70 of quadrupeds, with many other objects of interest in natural history. [English paper.]

Fauntery. A most remarkable fact connected with the old police, we understand is likely soon to transpire in an official shape. When Mr. Plank, the officer, was on duty at Fauntery, who suffered for forgery, he was asked by the banker if he could not take his word for appearing to answer the charge. "It is impossible," was the reply. The banker then pointed to a box, and intimated that it contained £70,000, which he might call his own if he abandoned his duty. The answer and the result need not be stated. [Sunday Times.]

Oldest house. It would seem that the oldest house in the United States, so far as can be accurately ascertained, is now standing in Old Guilford, Connecticut, which was built in the year 1639; consequently it is now 200 years old. It is of hammered stone, and stands on a beautiful rise of ground, commanding a delightful view of the Long Island sound up and down, as far as the eye can reach. It is said that this house was built by Mr. Wood, the settler who led the settlers there and was the first minister at Guilford.

Steam communication. The extraordinary fact was happily commented on by governor Everett, in his speech at the opening of the Boston and Springfield rail road, that when the line of steamers shall be established between Boston and Liverpool, there will be a continuous length of artificial communication, almost wholly by steam, from the western shores of Lake Michigan to the eastern coasts of British India—a distance of one hundred and sixty degrees of longitude, including very nearly half the circuit of the globe, and the whole of its civilized portion.

Water. The vast improvement by means of pipes conveying water to every house, is but of comparatively modern date; to the ancients it was not in use, at least only in the more splendid habitations of the rich. The larger kind of iron pipes called mains, they had not discovered the means to fabricate. Water was conveyed through miles of pipes by means of those gigantic aqueducts whose ruins are the admiration of posterity. That at Rome, called Nuo Anio, according to Frontinus and Strabo, was six miles and a half in length, and formed of 1,000 arches. That called Aqua Martia was taken from the Tiber, and was thirty-eight miles in length, and brought the water in a wandering course, forty-three miles part of it having a subterranean channel. The nine earlier aqueducts distributed into Rome 14,018 quinaria, which is equal to 23,000,000 cubic feet, and when all the aqueducts were in operation the supply must have exceeded 50,000,000 cubic feet, would give above a hoghead and a half of water to each inhabitant.

Dartmouth college. We have received a catalogue of the officers and students of Dartmouth college, from which we learn that the medical students at present amount to 77—viz: 45 seniors and 32 juniors. The students in the college amount to 321—viz: 55 seniors, 80 juniors, 103 sophomores and 83 freshmen. Total, 395. The president of this institution is Nathan Lord, D. D. The expenses are as follows:

Tuition,	\$37 00
Ordinary incidentals,	3 24
Library, according to the use of it.	8 50
Room-rent, average	9 00
Board, from \$1 00 to \$2 00 per week;	57 00
average for 33 weeks	19 00
Wood, lights and washing,	1 50
Lectures on anatomy and chemistry,	1 50

\$106 24

Room-rent, wood and lights, are estimated on the supposition that two students occupy a chamber.

Other incidental expenses, such as books and stationery, furniture, expenses in societies, class-exercises, to their expenses, &c. vary according to circumstances, and the character and habits of the students.

Harvard university. From a catalogue just published for the academical year 1839-40, we copy the following summary of its students:

Theological students,	17
Law students,	55
Students attending medical lectures,	85
Resident graduates,	2—190
Under graduates.	
Seniors,	41
Juniors,	50
Sophomores,	64
Freshmen,	76
University students,	2—236

Total, 486

Its number of professors is 21, besides 6 instructors and tutors, thus affording by much the largest source of instruction of any institution in the country. Its li-

brary, inclusive of society libraries, belonging to students is 50,703. Its funds, as taken from the treasurer's report of 1836, amount to \$679,059 34, exclusive of all buildings and lands appropriated to the use of the university library, pictures, apparatus, furniture, &c. \$223,392 71 of which is left for the unreserved use of the college.

A gentleman recently travelling in the country, called to a boy, "where does this road go to my lad?" "Well, I don't know where it goes, but it's always here when I come along."

Whitefield's eloquence. An officer in Glasgow who had heard Mr. Whitefield preach in a weaver with another man, at a charity sermon, though he went with prejudice, he would be compelled to give something. The other to make surer laid all the money out of his pockets, before he left the church, he was glad to borrow some and lose his bet. On another occasion, Mr. Whitefield preached in behalf of the inhabitants of an obscure village in Germany, which had been burnt down and collected for them six hundred pounds. After the sermon, Whitefield said, "we shall sing a hymn, during which those who do not chose to give their mite on this awful occasion may sneak off." No one stirred: he got down from the pulpit and ordered all the doors to be shut but one, at which he held the plate himself and collected the above sum.

Boat ship. A man named Charles S. Clark, with six others, recently went under the command of a captain White, in a schooner from Boston, on a month's cruise. Clark became tired of the sport, as in twenty days they had caught just four barrels. One night when it was his turn at the helm, and all hands had turned in, a fine breeze sprung up and he steered for Boston. When the captain came on deck the next morning, and had rubbed the fog out of his eyes, he found himself within sight of the city. White, on a rough result, but it became tried when the captain found him steering towards Boston he did not stop him; the court decided that the captain had not exerted all the authority vested in him, and Clark was discharged.

Chinese tree corn. There has been a great deal of speculation in regard to the distinctive character and value of the Chinese tree corn, and the expediency of introducing it into the country. Public opinion, without, however, subjecting the corn to any regular or rational test, has pretty generally been against it; and the result, but it is to be feared to be received into favor, will depend on future experiments.

An ear of the tree corn has been left at this office by Mr. Joseph Dickinson, of Chestnut Hill, who informs us that he raised 724 ears this season from one small ear of seed, for which he paid 35 cents; that many of the stalks bore a first and four ears; and that it was nearly ripe by the first of September. It was all very fine—the ear sent us is particularly so—while the space occupied by the rows was not greater than that of ordinary corn. Mr. D. thinks it a profitable crop to raise, and intends, another year, to give it a fair trial. [Germanstown Telegraph.]

Unparalleled speed. One of the most extraordinary feats ever performed by a human being, came off on the Hunting Park course, Philadelphia city, James Brown, proprietor, on Monday of this week. It was wangled that Abram Nastrud could not perform twenty miles in two hours and a half. He is aged 22 years, 5 feet 7 inches high, weighs 143 pounds, and is a native of Jamaica, Long Island. According to appointment he started, the bets being two to one against him. The following table will show the time of each and every mile.

Miles.	Min.	Sec.	Miles.	Min.	Sec.
1	6	52	11	7	20
2	7	03	12	7	19
3	7	11	13	7	18
4	7	14	14	7	25
5	7	12	15	7	29
6	7	06	16	7	39
7	7	12	17	8	01
8	7	17	18	7	51
9	7	11	19	7	53
10	7	21	20	7	42

Being added up, makes two hours, twenty-seven minutes and twenty-nine seconds, and is more than eight miles an hour, for two and a half consecutive hours.

Chicago in 1671. Charlevoix, in a letter dated May 21st, 1721, speaks of "a place called Chicago, at the south end of Lake Michigan," where there was a settlement of Mannis, fifty years ago, "which is also the name of a little river which runs into the lake, the spring of which is not far from that of the Illinois."

College catalogue. The annual catalogue of Yale college for the current year was published this day, and is happy to say it presents that excellent institution in a state of unprecedented prosperity and improvement. The whole number of students is 608, viz: theological, 73; law, 45; medical, 45; resident graduates, 2; seniors, 99; juniors, 86; sophomores, 123; freshmen, 139. The two last classes, we believe, are the largest ever known in this institution, or perhaps, any similar one in the country.

For the honor of the arts we feel bound to notice the great improvement—the beautiful execution of the catalogue from the press of Mr. B. L. Hamlen. It is an elegant specimen of letter-press printing, that will vie with the best productions of the kind.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 16.—VOL. VI.]

BALTIMORE, JUNE 15, 1839.

[VOL. LVI.—WHOLE No. 1,416

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE

COINAGE OF THE MINT DURING THE MONTH OF MAY 1839.

In Eagles	\$147,780
In Half Eagles	324,560
In Quarter Eagles	37,592
Total	509,932.

MORE SPECIE. Ship James Ross, from Liverpool, and Alabama, from New York, arrived at New Orleans the 27th ult. the former bringing \$100,000 in specie. The packet ship Poland, for Havre this day, takes for \$200,000 in specie, and her cabin is full of passengers. *Journal of Com.*

THE COTTON CIRCULAR published in the present does not emanate from the bank of the United States or its agents, as some persons at first supposed—but is one of those tricks of trade to which speculators feel themselves justified in resorting in this unblinking age to protect their own interests at the expense of the over credulous and unsuspecting. The following paragraphs have appeared in the N. York and Philadelphia papers on the subject, but do not explain how, or by whom the circular was placed over the public.

From the (Phil.) National Gazette. "The writer of the circular mentions 'a great and powerful interest' which will sustain Messrs. Humphreys and Biddle in the enterprise, and other adequate and collateral aids. It is generally understood readers of the paper, and is expressly stated in several journals, that the United States bank is the principal interest secured for the object. Without taring at all into the merits of the question in its arings upon the future value of cotton to the planter or shipper, we think it proper to declare that the United States bank is not a party to the arrangement.—It was fully explained in Mr. Biddle's letter to Mr. Adams, that peculiar circumstances, requiring the suspension of specie payments, seemed to require the interference of that institution between American planters and British dealers in cotton; and the necessity of such a course had passed with at crisis, and that in future the bank would conduct its operations to objects of more immediate moment to this city and state. Although Mr. Biddle's ministrations has ceased since this declaration, we find grounds for asserting that the intention is fulfilled under his successor."

From the United States Gazette. With reference to the consure and the queries, we I authorized to say that the United States bank and purchasing, nor does it intend to purchase cotton. The United States bank is not making advances, nor does it intend to make advances for the purchase of wool.

the editor of the New York American: "perceive that in common with the other newspapers of this city, you have connected my name and bank of the United States with the cotton circular recently issued in this city. You will, therefore, mit me to state explicitly.—That the bank of the U. States has nothing whatr to do with it, so far as I know or believe. That this measure did not emanate from Messrs. Humphreys and Biddle. That with the view of facilitating the export of the ton now in this port, I offer to make the advances in the circular referred to. That the reasons assigned for making shipments Messrs Humphreys and Biddle, are those of some of the holders of cotton in this country, who seek to lect their own interests by a concert of action.

S. V. S. WILDER. New York, 11th June, 1839. The cotton circular. The New York correspondent of the North American, under date of Tuesday mnoon writes:—The cotton circular discussion seems to be drawn to a close, as the parties who were first consid as being the great ones in the business disavow it. It is attributed now pretty much to one wo southern gentlemen, and one or two here, o have rather written down what they would like o do, than that what they have provided the means ctually doing."

Like an authentic statement of the result of the recent election in Virginia, but nothing that can be relied on with entire certainty as to the choice of a senator in place of Mr. Rives.

The representatives in congress will stand as follows:

First district. Joel Holleman, (Ad.) in place of F. Mallory, (W.). For Holleman 1,921—for Mallory 1,777.

Second district. Francis E. Rives (Ad.) re-elected. For Rives 1,219—for Pegram (W.) 867.

Third district. John W. Jones, (Ad.) No regular opposition.

Fourth district. George C. Dromgoole (Ad.) re-elected. For Dromgoole (Ad.) 1,336—for Gholson (W.) 928.

Fifth district. John T. Hill (W.) vice Boulden (Ad.) who was not a candidate. For Hill 812—for Wilson (sub. T.) 703.

Sixth district. Walter Coles, (Ad.) re-elected. For Coles 1,144—for Witcher (W.) 1,043.

Seventh district. William L. Goggen (W.) in place of J. M. Stuart (Ad.). For Goggen, 1,497—for Stuart, 1,347.

Eighth district. Henry A. Wise, (W.) re-elected without any regular opposition.

Ninth district. R. M. T. Hunter, (W.) re-elected For Hunter, 1,2093—for Scott, 1,109.

Tenth district. John Taliaferro (W.) re-elected. For Taliaferro 1,334—for Johnson (Ad.) 1,262.

Eleventh district. John H. Botts (W.) in place of John Robertson (W.). For Botts 1,459—for Selden (Ad.) 1,251.

Twelfth district. James Garland (Con.) re-elected. For Garland 1,437—for Gordon (Ad.) 634.

The return is not complete, but Mr. Garland's majority over Mr. Gordon, the originator of the sub-treasury system, is 787.

Thirteenth district. Linn Banks (Ad.) re-elected. For Banks 1,463—for Slaughter, (W.) 1,071. Return not complete.

Fourteenth district. Charles F. Mercer (W.) re-elected. For Mercer 1,354—for Mason (Ad.) 931.

Fifteenth district. William Lucas (Ad.) in place of J. M. Mason (Con.). For Lucas 2,074—for Barton (W.) 2,070.

It is stated that Mr. Barton will contest the election, on the ground that two persons voted against him in different counties, and that two other votes were deposited by persons who had been convicted of crime, &c. But the Globe states that the greatest number of illegal votes was on the outside.

Sixteenth district. Green B. Samuels (Ad.) in place of J. S. Pennypacker (Ad.) who was not a candidate. For Samuels 1,826—for Steele (Ad.) 1,201.

Seventeenth district. Robert Craig (Ad.) re-elected. For Craig 1,781—for Moore (W.) 1,030. Returns not complete.

Eighteenth district. Geo. W. Hopkins, (Con.) re-elected. For Hopkins 2,355—for George (Ad.) 2,038. Returns not complete.

Nineteenth district. Andrew Beirne (Ad.) re-elected. For Beirne 2,715—for Wethed 1,721.

Twentieth district. Joseph Johnson (Ad.) re-elected. For Johnson 1,993—for Shinn (Ad.) 684—for Camden (W.) 1,450. Return not complete.

Twenty-first district. Lewis Steenrod (Ad.) in place of W. S. Morgan (Con.) who was not a candidate. For Steenrod 1,297—for Hayward (W.) 1,630.

According to the above there will be 12 administration, 7 whig and 2 conservative members in the next congress.

We have at least half a dozen statements before us, which result of the recent election—and give the following from the Richmond Whig and Enquirer, from which our readers may form their own conclusions: The "Whig" says—"We find the whigs had last year in the house of delegates 72 members—in the senate 10, including Mr. Poulson, making 82. But whether Mr. F. be added or not, it will be seen that the whigs have lost 4 delegates and gained 2 senators, making their actual loss but 2. The conservative loss is only one.

Joint vote last year.

	Whigs.	Con.	Adm.
In senate,	10	3	19
House,	72	11	51
	82	14	70

This year.

	Whigs.	Con.	Adm.
In senate,	12	3	17
House,	68	10	56
	80	13	73

In each case, Mr. Poulson is included in the whig list, representing a whig district.

The "Enquirer" of yesterday, per contra, says—"We have not yet collected elements enough to calculate with absolute precision, the political position of the

house of delegates. There are a few members, about which the parties are squabbling; and when we obtain the information which we have sought, we will make out the political complexion of the legislature, and state the prospects of the senatorial election. For the present, we will only repeat the estimate which we made in our last:

	Senate.	
Anti-Rives republicans		18
Whigs		11
Conservatives	3	
House of delegates.		
Anti-Rives republicans		61
Rives' whigs		57
Anti-Rives' whigs	10	
Rives' conservatives	3	
Doubtful	3	

On joint vote, anti-Rives republicans 79—conservatives 6—Rives whigs 68—anti-Rives whigs 10—Doubtful 3.

The die is probably in the hands of the few conservatives, and of the impracticable whigs."

With the above statements our readers must be content for the present—for we find it impossible to form any conclusive opinion of the character of the next legislature from the statements of the respective parties, who are figuring with great zeal to prove that both have gained a great victory. Our venerable friend of the "Enquirer" has worked himself up into a paroxysm of fictions, and is so well content with the result of the election that he lustily cries out—"Hurra for good old democratic Virginia!"

FLORIDA ELECTION. Mr. Downing has no doubt been re-elected to congress from the territory of Florida over his competitor Mr. Baltzell. At the last accounts Downing's majority was 719. Majority against the constitution 118.

POLITICAL. The whig convention which assembled at Ellicott's Mills on Saturday last, nominated John P. Kennedy and Charles H. Pitts, esqrs, as candidates for congress from this district, and have appointed George Howard and Charles F. Mayer, esqrs, delegates to the national convention to assemble at Harrisburg in December next, to nominate candidates for the offices of president and vice president of the United States.

The hon. Benjamin C. Howard has declined being a candidate for re-election.

FLORIDA. The Tallahassee Floridian of the 1st inst. publishes gen. Macomb's general orders announcing the termination of the war with the Seminoles under the obituary head, preceded and succeeded by the words "shame!! shame!! shame!!!" From this we infer that the agreement has found as little favor with the Floridians, as with the public generally.

APPOINTMENT BY THE PRESIDENT. William Harrison Helier Griffiths, to be commercial agent of the United States for the island of Mauritius, in the place of Paul Froberville, resigned.

A NEW MODE OF PROPELLING SHIPS. By the following extract from a letter, dated London, May 17, which we find in the Journal of Commerce, it seems that the new plan of propelling vessels by means of screws, has succeeded:

"The ship Archimedes' has arrived at Portsmouth after a cruise in the channel, having beat a government steamer. The great value of the screw is now fully tested. The water thrown by it on the rudder makes the ship answer her helm to the astonishment of naval officers. She turns in double her length; her first action on starting is to answer her helm. The ship has encountered bad weather, but has met it beautifully. Paddle boxes of the ocean are now superseded, and as a tug, no known power can have such hold of the water."

BANKS, &c. Circulation, &c. of the Citizens bank of Louisiana, May 31, 1839.

Circulation,	\$619,260 00
Individual deposits,	1,289,010 75
	\$1,908,270 75
Specie,	\$703,581 44
Individual deposits,	123,991 32
	\$827,572 76

J. B. PERRAULT, cashier.

General banking law of the state of New York. By a table published in the Albany Journal, it appears that forty-three institutions have been formed in this state under the general banking law—that up to the 30th of April, they had deposited \$2,137,090 in state stocks, and \$51,316 13 in bonds and mortgages, making a total of \$2,996,406 13, as security for the redemption of their notes. Up to the same period, the notes delivered by the bank department, to these 43 banks, for circulation amounted to \$1,559,818. The amount of notes ordered by them, was \$4,251,111. It will be seen by this, that the whole amount added to our circulation by these institutions is but a trifle over a million and a half.

[*Albany Journal.*]
The committee appointed at the meeting of stockholders in the Commercial and Rail Road bank of Vicksburg, resident in Philadelphia, to make an examination of the affairs of the bank, have made an informal report, which the stockholders resolved to make public. The committee spent four weeks in the investigation, and found the amount of specie to correspond with the sum called for by the books, and the issues of all notes were duly accounted for. They carefully examined the bills and notes held by the bank, and they called in the aid of four gentlemen to assist them in determining their character, and whenever any one of these gentlemen considered a debt bad, doubtful, or when they were ignorant of its character, it was marked accordingly. The whole amount of such debts was put down as \$690,180. The whole amount of notes and obligations held by the bank was \$6,119,000, of which \$900,000 were liquidated before the committee left Vicksburg. The committee also examined the rail road in all its particulars, and are favorably impressed with the belief that it will prove productive as soon as completed.

[*Balt. American.*]
The New York Journal of Commerce states that post notes of the Mississippi Planters' bank to the amount of three or four hundred thousand dollars, payable at the bank of America, are now running to maturity, but there are no funds to meet them, and they are of course protested. This is a new feature in pecuniary disorganization and bankruptcy, and one of the most alarming. These post notes were given a year ago, for the purpose, generally, of redeeming the issues of the bank, which could not then be met; but it would certainly be paid. They were issued with the notion of a sort of double distilled oil of honor. The bank, though it broke its other promises abundantly, did in this case *promise* to keep its promise.

But doubled and twisted promises, it turns out, are "attenuated threads" after all, and perish like a spider's web at the day of reckoning. The Planters' bank is a great institution, and one of the most respectable in the state; though we believe there are one or two that have been less before the public, which have not and will not break faith in this flagrant style. One of the most unpleasant features about this new defalcation is, that these post notes were most of them taken by our merchants as the proceeds of their debts collected in Mississippi, and were then sold in the street at a heavy discount; and now the men who by that process had obtained aittance of their dues, are notified as endorsers upon the dishonored notes of the bank, and holden to take them up at the face, or suffer a degree of dishonor, which the bank in a measure avoids.

The Exchange bank of Virginia, at a general meeting of the stockholders, adopted a resolution declaring it inexpedient to accept the act of the legislature passed April 4, 1839, authorising an increase of \$200,000 to the capital stock of the bank, and the establishment of a branch at Falmouth with a capital to that amount, to be subscribed by individuals.

The objectionable feature of the law, in view of the stockholders, is that which requires a classification of the offerings for discounts. The resolution of non-acceptance was adopted unanimously by the individuals stockholders, the state proxy, alone, voting in the negative.

By the acceptance of the new charters, (says the Richmond Whig) the two old banks of the city are forbidden to issue or re-issue notes under the denomination of ten dollars.

The N. York American says—The loan negotiated by general McDuffie, of South Carolina, who returned in the packet ship Roscius, from Liverpool, has been placed in the hands of the United States bank. The amount now available is 350,000. The bank continues to supply the market with exchange on England at 9½ prem.

RELATIONS WITH MEXICO. *From the Globe.* The departure of Mr. Ellis from New York, in the

Constitution, for Vera Cruz, on his way to Mexico, to enter on the duties of his appointment as minister plenipotentiary and envoy extraordinary, has given occasion to sunny remarks on the subject of our controversies with the government of that country, which have served to remind us that none of the latter executive communications to congress on that subject have appeared in the public journals.

It is known that diplomatic intercourse was broken off by Mr. Ellis, in the belief that the Mexican government had no intention to adjust the numerous complaints of our citizens against it, and that a minister was not sent to Mexico under an appropriation of an outfit and salary because it did not distinctly appear whether the approbation expressed by the government of Mr. Gorostiza's conduct in this country, did not include the preparation and circulation of his offensive pamphlet.

A convention having been formed, for the adjustment of individual claims, and the government of Mexico having made an explicit declaration on the second point, all just motive for withholding our minister has been removed, and in a manner which we cannot but believe will be found as satisfactory to the country as have been the measures adopted on other difficult and perplexing questions in our intercourse with foreign nation.

THE TEXIAN MINISTER TO MEXICO. The New Orleans Bulletin publishes the following extract of a letter from col. Bee, the Texian minister to Mexico, dated May 16th.—"I have been passing several days very pleasantly on board the La Glorie, a beautiful 32 gun ship, commanded by Bl. le Comte Laine. I landed today, as gen. Victoria expected an answer from Mexico by express, and I have not been disappointed; he is desired to allow me to remain in Vera Cruz, until they can consult upon the propriety of receiving me. The very fact of my having been permitted to land, and of being treated courteously by gen. Victoria, governor of Vera Cruz, is highly favorable to Texas."

This hardly corresponds with the following from El Censor, of May 9th, printed at Vera Cruz. But as the letter of col. Bee is seven days later, his statement is of course authentic:

"In one of the American vessels which arrived here yesterday there came passenger a Texian agent, or envoy, of whom we have already spoken."

"We know not what most to admire, the audacity of these usurping banditti in sending this factotum to us to demand peaceful and tranquil possession of their plunder, or the answer of the commanding general to the person so intrusted to him on the part of this farcical minister to notify him arrived. According to this answer, if Mr. Diplomatic agent set his foot on shore, he would speedily visit the prison until the government should decide on the manner of treating him. The general tells him that he knows of no such nation as the republic of Texas, and has merely been informed that there is a horde of adventurers who have risen against the republic in that portion of our territory."

LATEST FROM RIO DE JANEIRO. *From the Baltimore American.* The brig Ann, captain Smith, arrived at this port on Saturday afternoon, from Rio de Janeiro, whence she sailed on the 18th April. The Ann brings a full cargo of coffee. At the date of her sailing, business at Rio was not very brisk, owing to the scarcity of produce; but as the stock of the market was decreasing, hopes were entertained that the reinforcements were sent to Rio Grande. Further reinforcements were sent to Rio Grande, but though the towns were in the possession of the government troops, the country remained entirely in the hands of the insurgents. The communication with the interior had been facilitated, and light hides and produce were coming in to Rio Grande more freely than for some time past.

We are happy to learn that the vigilance of the British cruisers on the coast of Brazil, will very probably soon extinguish entirely the abominable traffic in slaves. Three slave vessels from Africa, having on board between 800 and 900 negroes, were captured and sent into Rio, between the 1st and 15th of April. This success had greatly increased the activity of the cruisers, and caused them to redouble their vigilance.

The advices from Buenos Ayres were to the 25th March. The success of the Chilians—the allies of the Buenos Ayreans—had so animated the party under Rosas, that very little hopes were entertained of an amicable arrangement with the French being speedily made.—Since the blockade, an immense quantity of produce had accumulated in the city, probably to the value of from three to four millions of Spanish dollars, which will be sent to all quarters as soon as the blockade is raised, or the difficulties settled.

Buenos Ayres and Montevideo. The bark Express has arrived at Boston from Montevideo, bringing Buenos Ayrean papers to the 6th of April and a Montevideo letter of the 13th, from which we learn that the American brigs Eliza Davidson and America, which were seized at Lobreria Chica by the French Corvette Perle, have been released by the French admiral, on demand of commodore Nicholson, and the American consul at Montevideo, Mr. Hamilton. The admiral appears to have become convinced that the grounds on which said vessels were seized were not tenable.

The captains and others interested, have protested against the government of his majesty the king of the French, and there cannot be a doubt but heavy damages will be recovered.

The U. S. ships Independence and Fairchild, were at Montevideo when the Express sailed, April 15th. The Fairchild had just returned from Buenos Ayres.

The blockade of Buenos Ayres still continued; having been in force more than a year.

The "war" between Banda Oriental, and the Argentine confederation, still existed on paper, but there had been no engagement of consequence.

Great rejoicings and illuminations had taken place at Buenos Ayres in consequence of the defeat of the protector, Santa Cruz, in Peru, by the Chilean forces. Proposals had been made by the Bolivian general, Velazco, for the restoration of peace between that republic and Buenos Ayres, and were accepted by the latter. The Buenos Ayrean government were about to send ministers to Bolivia, Peru and Chili, in order to concert measures for securing a permanent peace.

Several American ships of war, Calliope and Orsted, had arrived in the La Plata, making, with other ships of the same nation previously there, a force equal to that of the blockading squadron.

SOUTH AMERICAN POLITICS. *From the Globe.* In the late message of the president of Ecuador Don Vicente Rocafuerte, at the opening of congress, he alludes to the arrival of Mr. Pickett: Quito, the capital of the republic:

"The United States have, under all circumstances, given us proofs of friendship; and we have had the late arrival of a *charge d'affaires* from that innumerable nation with extreme satisfaction."

In the report of the secretary for foreign affairs which accompanies the message, Mr. Pickett's arrival is thus noticed:

"The term of twelve years, and for which the treaty between the United States and the former Republic of Colombia was to have force, expired on the 1st of May, 1837. A charge d'affaires in the United States, furnished with plenipotentiary powers, *ad hoc*, is now in this capital, and is in the possession with a plenipotentiary of this government for a renewal of the treaty."

In the same report of the secretary for foreign affairs, we are presented with a more comprehensive view of the objects and design of the proposed congress of Panama, or Amphictyonic assembly of the South American republics, than that which we lately published:

"If this treaty (with Mexico) had no other object of importance, article 35 would alone justify special and honorable mention. By this act, the contracting parties engage to urge upon the new states of America the necessity of appointing their ministers plenipotentiary to the *great American assembly*, as early as practicable, and at a point already selected for that purpose. Want of intelligence and light, the new governments of America have, for many years, acted separately, and with different systems of foreign relations, which have, sometimes, prompted them to a measure opposed to their true interests.

It is certainly to be regretted that the bright conception of an Amphictyonic congress, has once been realized at Panama, its useful labors should have been frustrated. It is equally so, at some of the American states failed to co-operate with this congress, although it was transferred to Tacubaya.

It is not, however, alone sufficient that the legislative body approve of this treaty. The principles must be established, and subjects adopted, for discussion and deliberation of the congress of Mexico or Texas, as proposed by the party of Pickett to the other republics of South America, and particularly to that of Chili, may be permitted here to submit:

1. Bases of negotiation with Spain, for the recognition of independence.
2. Principles upon which treaties between the new republics and foreign powers are to be formed.
3. Bases of relations of friendship and commerce among the new republics.

- 4. Means of avoiding controversies, and of settling them when existing by means of a friendly intervention of all the other republics.
- 5. Aid to be mutually furnished by the republics in the event of foreign war.
- 7. Means for determining the territory belonging to each republic; for guaranteeing its integrity, whether as amongst the republics themselves, or against foreign nations bordering on them.
- 8. The adoption of an international code of public law for the government of the republics, *inter se*."

CUBA. The editor of the Charleston Mercury has been furnished with a translation of an order of the captain general of Cuba, which order is published in the Havana *Diario*. The purport is: that on the representation of the American consul and of one Daniel Warren, (keeper of a sailors boarding house) it is ordained:—

"That no sailor can be admitted or employed under any pretence, nor be permitted to remain on board of any American vessel in the port of Havana, unless the captain of such vessel shall be perfectly assured that the sailor has been legally discharged from the vessel in which he arrived, and with the knowledge and consent of the American consul.

"That for every sailor employed in violation of said regulation, the captain employing him shall be fined fifty dollars, and should the vessel in which said sailor is found, have obtained clearances the fine shall be doubled. The said Daniel Warren is appointed commissioner for the strict enforcement of these regulations, and to report outsiders to the captain of the port, a third part of the fines to go to the informer, the rest to the chamber of justice.

An intelligent gentleman from Havana, just arrived at New Orleans, informs the editors of the Louisianaian, that great discontent prevailed among the natives of the island. They are said to be much dissatisfied with the European Spaniards, who have settled upon all employments, civil and military. There was some apprehensions of a revolt. Robberies, murders and burning of houses have recommenced in the city of Havana. It was feared that the governor general, Espletta, would find a difficult task in suppressing the effervescence that was beginning to manifest itself in the minds of the creoles.

LATE FROM THE PACIFIC. We learn from the New York Gazette, that letters were received in that city on Thursday, from Guayaquil to the 19th of April, via Jamaica, which state that Gen. Santa Cruz, accompanied by a few of his favorite officers, had arrived at that place from Islay, with a view of taking up his residence in the vicinity of Guayaquil. It appears that the Bolivians, on the receipt of the news of his detest at Yungay, revolved and dispossessed him of his authority as president of the republic. The last advices from Peru state that the Chilean troops under general Bulness, and the Peruvians under Gen. Lefonté, entered Lima without opposition, and that the castles of Callao a few days afterwards surrendered to the authority of the new president, GAZARRA. The affairs of Peru, Chili and Bolivia were to be settled by a general congress, which was expected to assemble at Lima.

FROM THE EAST INDIES. We have Singapore papers of the 25th of January, but their contents have been partly anticipated by the late arrivals from Canton and London. Advices to the 30th of November had been received from the British resident at the Barmese court, whose situation continued to be very annoying and unpleasant. He had succeeded at length, in obtaining an interview with the ministers, and a qualified recognition as the representative of the British government; but all intercourse between him and the people was strictly prohibited, and it was only with difficulty and at enormous expense that he could procure the common necessaries of life. [N. Y. Com.

CENTRAL AMERICA. We learn that Mr. JOHN L. STEPHENS has been appointed special agent to the government of Central America—the office to which the late Mr. Leggett was appointed, and which was left vacant by his death. The nomination of Mr. Stephens must give satisfaction to the country and to his friends—we hope also to himself. "The public will expect two rich volumes when he returns—including some account of the stupendous architectural remains existing in the little-known region he is about visiting." N. Y. Com. Adv.

FROM GUATEMALA. The brig Patsy B. Blount, capt Penderson, from Belize, brings news to the 13th of April. Several of the states of Central America, (Costa Rica, Honduras, and Nicaragua), under Carrera, have declared themselves independent of the general government. On the 13th, Carrera was in possession of Guatemala. The issue of this

conflict is as yet uncertain. Belize papers brought out by capt Penderson, state that the British authorities had taken possession of the island of Riatan, on the coast of Guatemala, claiming it as a part of the British dominions. [N. Y. Amer.

TEXAS. Dates from Houston to the 22d May have reached New Orleans. Cordova, the Mexican bandit, had again approached the frontier with 108 men and 40 pack mules. He had cut off a party of surveyors on the Guadalupe and murdered them all but one. They are chiefly Mexicans. Cordova was carrying ammunition to the northern Indians. Colonel Burleson was in pursuit of Cordova. The government had placed at his command 400 men.

CANADIAN AFFAIRS. The outbreak upon the American schooner Weeks, at Brockville, U. C., still occupies the attention of the British authorities—and we learn from the *Ostreezer* (N. Y.) Palladium, that sir George Arthur has dismissed the collector of that port from office—but whether on account of the rigor or lenity of his conduct, is not stated.

MORE INDIAN BUTCHERY. We regret to find that the savages have not yet buried the hatchet in Florida, but are still at their murderous work.

On yesterday, we were favored with the perusal of a letter from a young lady in Florida to her uncle in this city, which is dated the 29th ult, and came by the Florida, from Gary's Ferry. The letter states that on the evening previous, about sunset, a body of Indians surrounded the dwelling of a Mr. James Osteen, * at Alligator, and shot him near his stable. He was instantly killed. An uncle of the writer's, Mr. Simeon Dell, who was in the stable, made his escape to the house. A sister of Mr. Osteen's was shot through the left side, and arm, but Mrs. O. and her children fled to the nearest neighbor's house.

Mr. Dell was now left in the house by himself and seeing the Indians approaching, he picked up a stick, (as he had no gun,) and pulled open the door—the Indians then fled. On searching the house, however, he found a savage, who had come up to the door and fired at the savages, who had come up. They also fired and hit him in the left side above the breast. The shot entered the left shoulder blade, and was taken out on the 29th. Mr. Dell was doing well. One of the Indians had a white feather in his head, and it was thought by the settlers, that they were a party which they had a fight with some time before at a place called the Natural Bridge.

After the Indians left Mr. Osteen's, he proceeded the plantation of Asa Roberts, about a quarter of a mile from Mr. O's—but that family hearing the report of guns, had left for Mr. Zachariah Roberts' place, where the Indians followed, and destroyed all the poor people had, even taking their only horse.

It was thought that Mr. Dell had wounded one of the savages, by their taking the horse.

It is truly melancholy to record these atrocities, and that, too, after we have been led to expect that the war was indeed over. We fear no treaty can bind these wretches—and that extermination alone will stay their slaughtering—merciless aros. [Savannah Georgian.

THE SAES AND FOXES. Governor Lucas, of Iowa territory, lately visited the Sac and Fox Indians. The Iowa Gazette thus speaks of the excursion:

Gov. Lucas has just returned from a visit to the Saes and Fox settlement on the Des Moines river (83 to 100 miles west of this place). He found them comfortable and contented. Keokuck and his chiefs received the governor with all the ceremony peculiar to these lordly sons of the forest. The interview was pleasant and interesting. There were hundreds present. Several speeches were made, in which the chiefs, in a friendly way dis criminate between the merits of a friendly visit upon this fact with the authority of law. They dwelt and one with the greatest earnestness—manifesting that while they highly appreciated the object of the visit and derived much pleasure from it, they were also familiar with the tactics of diplomacy and the arts of oratory.

Keokuck is gradually recovering the wound which he received from one of his chiefs.—The assassin left the settlement immediately, and is now on a war expedition against the Sioux.

Na-ce-as-co, son of Black Hawk, and the noblest Indian in the world, his mother, brother and sister were present. Na-ce-as-co appeared to be very affectionate towards his mother and sister, and seemed anxious to introduce the visitors individually. His mother is rather an extraordinary

woman and devotedly attached to her family. She exhibited several portraits of her late lord and husband, Black Hawk, whose memory she continues to revere with unabated awe. Miss Black Hawk is decidedly handsome—and unquestionably the belle of her tribe.

Our enterprising settlers have extended their improvements into the very precincts of the Indian villages. Almost the whole of the country between this city and the Des Moines is taken up, and much of it highly improved. We would also inform our readers that the Indian country is even superior to any thing (this side of the Des Moines, and that they would be very apt to doubt our veracity. Not wishing to have our word doubted for a moment, we shall, not, therefore, say any thing about the matter at present.

SMUGGLING IN NEW YORK. The home manufacturers and the honest importers, have long suffered great injury from a system of swindling practised in New York in the city of woolen goods. We have seen several statements of the nature in which these frauds are practised. The following is from the Philadelphia National Gazette:

"The duty laid upon woolen goods is *ad valorem* estimated by the first cost, as it appears in the original invoice. This invoice may be false in several particulars; as to the kind of cloth, the quality of the cloth, the number of pieces in each package and the number of yards in each piece. Silk goods or those of which silk is the principal material, coming free of duty, the revenue is defrauded by passing under the latter head, cassimers which have in fact but a few silk threads. Fine cloths are invoiced below their value, and are carried out in pieces and yards misstated. The duty on the enterprise and industry of honorable men in the trade, the spurious invoices made to order in England are sworn to in the custom house, and the perjury is sustained on the one hand by the connivance of official officers, and on the other by the despatch of importers. Thus, among packages of various kinds of manufactures, some are made up to correspond with it, and the rest pass without inspection. These modes of cheating the nation are known, and we may well presume there are others which the smugglers in and out of the New York custom house practise without suspicion. The result is that the honest American manufacturer cannot compete with the foreign houses. We are ready to believe that those who have gone to England and purchased for cash at the lowest market prices, find, when their goods arrive and the duties are paid, that they are undersold and must consequently, instead of realizing a fair profit, suffer a serious loss.

It is said that since Swartwout's administration every article in New York, some reform has been effected, but it is still true that the merchants of Philadelphia, and Boston cannot report in competition with her, simply on account of the monstrous extent to which the knavish management and false oaths of certain foreign importers with the collusion of revenue officers operate upon the trade. Nor is this evil complained of only by merchants out of New York. The conscientiousness of our countrymen there, is so great and powerful that no proper exposure is made by the local press. For our own part, satisfied as we are, that the government has not taken proper measures to cleanse the Augean stable which Price and his accomplices heaped up with the moral filth of perjury, bribery and peculation, we are ready to offer our share of anxious suggestions, in laying before the actual authors upon the tariff regulations and the vast injustice of the consequences. It is in vain to display this fraudulent system, unless some efficient means be taken to suppress it. Those which appear to us as adequately corrective, may not coincide with the views of our merchants, whose experience should suggest a better plan, but we offer a few suggestions for what they may be worth."

RAIL ROADS. The Baltimore Chronicle of Monday states "that no difficulty, whatever, will occur in the procurement of funds to proceed, at once, to the prosecution of the contracts which will soon be declared for the making of the Baltimore and Ohio rail road to Cumberland. The banks of this city, with a liberality and regard for the interests of the public which evince the public spirit of those who control them, are about, we understand, to loan to the company, upon a pledge of a part of the city's subscription, the sum of half a million of dollars, which will enable the directors to proceed in the prosecution of themselves of the most favorable opportunities that may occur for rendering available the balance of the subscription of the city and state."

Good news for travellers—one link more of the rail roads running west finished. The Auburn and Syracuse rail road is now completed; and we were yesterday favored with an invitation from its directors, to join a large number of citizens in a ride to Syracuse. Every thing appeared to be in the best of order—the road to be well finished—the locomotives to be in excellent trim—and an appearance of good feeling and satisfaction to be visible upon every countenance. The trip to Syracuse (rather over

*S. written; perhaps the name is Austin.

twenty-five miles) was accomplished in one hour and nine minutes, travelling time—and the return in some four or five minutes less. An excellent dinner was prepared at the Syracuse House, of which a large number of the citizens of both villages partook; and the whole passed off with the best of feeling. His excellency governor Seward, was one of the company, by whom the party at the hotel, in answer to a toast, was addressed in one of those neat off-hand touches, for which he is so remarkable. In our next, it will be our endeavor to speak of this enterprise in a manner more worthy of those by whose energy and perseverance it has been completed, as well as of the many advantages which must flow from its successful completion.

[Auburn Journal and Advertiser.]

According to a statement of the operations of the Boston and Worcester rail road company, recently published, it appears that the total receipts of the year 1838 were \$212,325, which with a previous surplus of \$86,281, gave a total for the year, of \$298,607. The expenses for the same period were \$85,572, and there was reserved for extra repairs \$13,000, making a total of \$100,572, and leaving a net income of \$198,035, from which two dividends of 5 per cent. on the capital stock had been paid, say \$102,000, leaving an undivided surplus to the credit of the present year of \$16,035. The net income from the commencement of this year cannot be accurately ascertained; there is an increase however as appears from the weekly reports of \$4,343 on the passengers, and \$9,716 on the freight, over the earnings of last year at the same period, making a total increase of \$14,059.

THE ATMOSPHERIC RAILROAD. A second series of experiments, with models upon a modelled railroad, of Clegg's atmospheric principle of propelling carriages by means of exhausting a tube laid down the line of road to be traversed of the air contained in it, and creating a vacuum was made on Tuesday forenoon at the iron works of Messrs. Samuda, Southwark. The tube being exhausted by means of an air pump, the models, the leading one having a piston which forced open the valve of the tube, proceeded at a rate of extreme velocity along the line, a distance of thirty or forty yards, the next being one foot in thirty. The models were heavily laden, each carrying a couple of persons, and upwards of 15 cwt. of ballast being dispersed over the whole. There were present several members of parliament, railway directors, engineers, &c. The machinery appeared to give satisfaction.

NEW YORK CANALS. The Albany Argus contains the following statements of the trade of the canals.

The tolls collected on all the canals of this state, up to the 1st June, in 1838 and 1839, were as follows:

	April.	May.	Total.
1839,	\$105,019 40	\$300,438 30	\$408,457 70
1838,	127,670 26	213,355 81	341,026 10

Increase for 1839, 67,431 53

In 1838 the navigation commenced on the 12th April—in 1839, on the 20th.

Flour and wheat. Statements of flour and wheat left on the Erie canal, at the places named below, during the months of April and May, 1839, viz:

	Barrels of flour.			Total.
	Schenectady.	Troy.	Albany.	Total.
April	5,525	8,463	19,153	26,841
May	15,723	33,599	96,787	146,111
	20,950	42,060	109,910	
	Total barrels of flour,			172,952
During the same time there arrived at Troy, of wheat	55,207			
At Albany	5,287			
	Total bushels,			60,594
Equal to barrels of flour				12,119
	Total wheat and flour			185,071
Up to 1st June 1838, there arrived at the places named above, of barrels of flour				157,943
And of wheat 135,610 bush. equal to bbls.				27,122
	Total wheat and flour,			185,065

ARMY ORDERS.—Under the provisions of "general orders," No. 23, of May 20th, major general SCOTT, has selected the race ground near Trenton, New Jersey, for the proposed "camp of instruction," and has called it "CAMP WASHINGTON." Brevet brig. general ESTES is assigned to the immediate command.

The 4th artillery, lieutenant COL. FANNING, is under orders to reach the camp between the 1st and 5th of June.

May 31.—The resignations of the following officers have been accepted by the president, to take ef-

fect at the dates set opposite to their respective names:

1st Lieut. E. W. MORGAN, 2d artillery, May 31, 1839.

1st Lieut. J. M. WELLS, 7th infantry, May 31,

Assist. surgeon E. B. WOLOTT, April 15,

Assist. surgeon B. F. FELLOWES, May 30

June 1.—The six companies of the 2d regiment of dragoons, ordered to be withdrawn from the Florida service, will take post at fort Columbus until their colonel will remain and assume command until further orders. The horses of these discontinued companies, instead of being sent to Jefferson barracks, as directed in general orders of the 19th of May, will now be returned over to the quartermaster's department at Garey's Ferry, for such disposition as the quartermaster general may direct.

The 3d artillery ordered to fort Columbus, instead of being sent to the posts on the Gulf of Mexico, as previously ordered by the general in chief. This regiment (the greater portion of it) has been long serving in Florida, and will probably join the camp of instruction near Trenton, New Jersey, very shortly after its arrival in the harbor of New York.

NAVY ORDERS. June 1.—Capt. G. W. STOREY, command of receiving ship Boston, vice Lieut. J. B. Moxley, relieved.

Commandant W. K. LATIMER to the Mediterranean, to relieve commander PERCYVAL, in command of the Cyane.

THE MAILS. The Philadelphia U. S. Gazette states that an arrangement has just been completed between the postmaster general and the Georgia rail road and banking company, by which the mail from New York to New Orleans will occupy only nine days in its transit between the two cities. The arrangement is to go into effect on the first of July.

Travellers can go from New York to New Orleans in nine days, without unusual fatigue, and with only 290 miles of staging; viz: 70 miles in North Carolina, and 220 in Georgia and Alabama, and the remainder being by rail road.

FRESHET IN MAINE. A gentleman who left Augusta, Maine, on Thursday, informs us that the water had worn the bank away up to the beautiful mansion of Judge Bridge, and the house was demolished. The grounds were covered with fruit trees and shrubbery, which did much to heighten the regret which we felt at the loss. Half a mile below the dam several houses had been dismantled by their furniture, doors, windows, &c. and lashed to trees to keep them from washing away.

[Journal of Commerce.]

JOHN C. SPENCER being about to remove his family from Canandaigua to Albany, with the intent of making that city his permanent residence, the members of the bar and many of the most respectable citizens of the former place, with distinct intimation of party, to manifest their high respect for his talents, and his integrity as a jurist, and his many virtues as a citizen and a neighbor, tendered him a public dinner. The company was alike honorable to those proffering it and the recipient.

We copy below Mr. Spencer's beautiful and eloquent reply.

To the hon. Nathaniel W. Howell, John Craig, esq., Moses Atwater, esq., honorable Oliver Phelps, hon. Mark H. Sibley, Jared Wilson, esq., Henry B. Gibson, esq., Henry W. Taylor, esq. and others, citizens of Canandaigua.

Gentlemen: I have received, with deep emotion, your letter of the 11th inst., proposing to manifest your feelings on the occasion of my removal from this lovely village, by a public dinner.

It is now nearly thirty years since I made Canandaigua my residence; a generation has passed, and yet many remain with whom a delightful social intercourse has been maintained, and with whom it has been my pride and pleasure to co-operate in labors for the public good. To receive from them such a testimonial of their kindness, at a moment when all the endearing relations which have so long subsisted are about to be severed forever, oppresses my heart with a weight of grateful obligations, which cannot find utterance. The errors and faults of youth, of professional contest and of judicial strife, are in a moment forgotten by you, and you only remember the sincerity of purpose with which I have labored and contended.

Painful as is the event which separates me from the objects, institutions and a community, around which all my affections had gathered, and to which they yet cling with a tenacity that only convinces me how inadequate I estimated their strength; I cannot—I ought not to, disguise, that such an assurance as you have furnished of my having retained your kind regards as a neighbor, and your esteem as a citizen, is a solace of the pains of separation, which will ever be most fondly cherished.

Nothing could give me more pleasure than to meet my friends and neighbors, and worthy friends, at any time or in any manner, they might please to designate.

But the calls of official duty leave no more time than is absolutely indispensable to the arrangement of my private affairs, preparatory to a removal to Albany; and I trust, gentlemen, that the same generous feeling which have prompted the suggestion of a dinner, will induce you to persevere in declining to receive my sincere acknowledgements of my gratitude for the undeserved honor.

I can only say, that wherever I may be placed, my heart will be with Canandaigua—its inhabitants, its social, literary and religious institutions; and that my fervent prayers will be offered for the choicest blessings of heaven upon this our first and true fellow citizen.

JOHN C. SPENCER.

Canandaigua, May 31, 1839.

IMPORTANT TO IMPORTERS OF IRON. Recent instructions from the treasury department require officers "to ascertain with as much certainty as practicable, the value of the proceeds of the iron ore, on the voyage of importation—in which case only allowance can be made. In addition to the examination of the appraisers, and certificate of the port wardens, certificates of the fact will be required in all cases from the master and mate of the vessel, in which the importation is made." [New Bedford Register.]

PUBLIC SCHOOLS OF PENNSYLVANIA. The fifth annual report of the superintendent of common schools, for this state, is published in certain of the Philadelphia papers.

The state, excluding the city and county of Philadelphia, is divided into 10,523 school districts. Of these, 840 were included in the proceeds of the previous year's common school law, of which 623 have made reports. Assuming the reports of the 623 districts as a standard, it is estimated that there are in the 840 districts, 5,269 schools, which are taught about six months of the year. The whole number of teachers employed in these schools is 4,753 males, and 1,574 females, at average wages of \$19.95 per month for the former, and \$11.30 for the latter. The whole number of scholars in these schools is 233,719. The average number of scholars in each school is 42, and the average cost of each scholar per quarter \$1.29 1-2 or \$5.55 per year. The appropriations from the state for 1839, is \$508,919; of this sum Philadelphia city and county receives \$39,573 for the 840 districts, and \$214.9 for the city. The tax assessed in these 840 districts, for school purposes amounts to \$385,783, making the whole sum raised \$604,732, or \$114 to each of the 5,269 schools.

DESTITUTE CONFLICT. The Apalachicola Gazette of the 11th ult. contains the annexed statement:—A desperate encounter occurred on Sunday last, between several individuals of the county, and a gang of runaway negroes, whose camp they came upon unawares. A Mr. Herring, Mr. Hollis, and another individual, residing about 12 miles from the city, on the east side of the river, while cattle hunting, came upon a settlement of runaway negroes. The first of the gang discovered was a fellow named Cesar, well known in this city as a desperate character, and belonging to the county of Columbus, Ga. He was immediately seized upon; but he proved to be well armed with knives and pistols. A deadly struggle ensued; others of the gang came to his assistance; during the encounter Mr. Herring was killed, being shockingly cut and mangled; another of the party had his arm broken with a badge, and was severely injured. Mr. Hollis was engaged with the fellow Cesar, and gave him many severe stabs in the side and back with his hunting knife, which he thinks must prove fatal. The sheriff of the county with a posse, has gone in pursuit of the outlaws.

STATISTICS OF CRIME. At the last sitting of the *Academies des sciences morales et politiques*, M. Guerry read a memoir by which it appeared, that from 1826 to 1835, inclusive, nearly 70,000 persons of both sexes were brought before the courts of assizes and correctional tribunals of France for various offences. During this period the annual list of criminals and delinquents had increased from 57,669 to 72,930. In the same interval the number of prosecutions for perjury and subornation of perjury had augmented, and the number of attempts to murder one-third and more—and for forgery nearly one-half. Blows and wounds given to parents and elder relations, and rapes upon adults diminished in number, but violations and attempts at violation upon young females under sixteen years of age were in 1835, double what they were in 1826, and persons severely injured. At the same time, crimes were committed by old offenders. In the year 1835, the number of crimes and offences committed by those who had been previously convicted was 9,652, while in 1828 they were but 4,760, showing an increase of rather more than double. Out of every 1,000 prisoners tried before the courts of assizes in 1825, there were 105 who had been previously convicted; and in 1835, there were 235, or nearly double. Out of every 1,000 offenders placed at the bars of the correctional tribunal in 1825 sixty had been there before, but, in 1835, this number was increased to 113.

THE VOYAGE ACROSS THE ATLANTIC IN A SHIP. A friend lately on a visit to New York, and who had on board the *Robert P. Stockton*, expressed great surprise that men could be found with sufficient daring to venture a passage across the Atlantic

in so frail a sea boat. In a conversation with capt. Crane, he learned from that gentleman that the countryman ridiculed the idea of an enterprise so fraught with danger, and took on heavy wagers with the heroic captain, that he would abandon his daring adventure or fail in it. He did neither, however—both the courageous captain and his tiny vessel gallantly rode out the storm and buffeted the waves unharmed; and he lives to claim his bets, and to enjoy the glory of having accomplished, the most daring act of navigation on record. The New York Gazette thus speaks of this vessel and its crew.

Philad. Star.
We venture to say that the first voyage left in looking at the little craft that has just crossed the Atlantic, is that of thorough astonishment. We had heard her called a vessel of only thirty tons, and thought it extraordinary that so tiny a vessel should have navigated the ocean, but a glance at her increases the astonishment fifty fold; but she really looks like nothing that we can think of but a man-of-war's barge, and though she may be about thirty tons American measurement, she was only fifteen tons according to the steamboat admeasurement in England. We should almost as soon think of going to England astride a shingle set on edge as to go to sea in such a cockle shell as this. Capt. Crane would have been deified for such an exploit any where else but in this land of mere "business transactions,"—a country where the community is so used to the "march of enterprise"—so thoroughly imbued with the utilitarianism of the day, that if a man were to swim from the Cape of Good Hope to Sandy Hook upon a bamboo, about the first question asked him would be, how much his provision for the passage cost him.

So small a vessel as the Robert F. Stockton never before reached the United States from Europe. The least of the vessels which accompanied Columbus when he discovered the continent was not much larger, but she had conductors of a larger size. On the whole, this adventure of the Yankee sailor, we consider one of the boldest upon record. Almost bold enough to be called temerity as it was called in England; and still it was as much the result of cool judgment as of high personal fearlessness; for capt. Crane had tested the capacity of his craft by satisfactory experiments, and saw with a seaman's skillful eye, her qualities for bearing the surges of the sea. The Robert F. Stockton is about 70 feet in length on deck, ten feet beam, and draws about seven feet water. All save her deck and her bulwarks, are of wrought sheet iron, her sides being of plates five-eighths of an inch thick, riveted to an iron frame work, and most substantially put together. It will be seen from her dimensions, tonnage and draft of water, that she is exceedingly sharp, and of course she must be a most rapid sailer, and especially calculated to go close to the wind: With well proportioned spars and sails she must of necessity be one of the fastest sailers that ever was afloat. Nothing can be judged of by her present rig; for as her captain remarked, she has come all her way under jury masts.

Narrow as she is, she is stiff, and one of the snailers said to us, "Sir, it would be impossible to put her on her beam ends." Captain Crane has been kind enough to furnish us with his log book and we shall give it to the public on Monday. We consider the captain, mate, and crew of this vessel richly entitled to some honorable mark of respect from our countrymen, some memento of the admiration that belongs to so much skill and so much daring."

Captain Crane's adventure.

The editor of the Boston Mercantile Journal, who has himself had practical experience as a sailor—furnishes some reminiscences which show that the above feat of capt. Crane, has not been without its parallel in former years. He says:—

Why it is only a few years ago, that a little schooner, called the Missionary, of about the same size and tonnage with the R. F. Stockton, left Boston for the Sandwich Islands, in the Pacific ocean; and although deeply laden, and of an unfavorable wind, passed through the straits of Magellan, and reached her destined port in safety. We will say nothing of captain Shackford's adventure, who in a little sloop of thirty or forty tons, sailed from Gibraltar for Demarara, whither he arrived in good time, with no one but himself on board, for he was a little deranged in the upper story. But we were once one of three individuals, composing the officers and crew of a vessel of less than thirty tons, which sailed from New York for the Spanish Maine—and although we occasionally suffered for want of sleep, having to perform multifarious duties, we never regarded the trip as in the remotest degree perilous, or even unpleasant. We presume there are few sailors who would object to crossing the Atlantic in the R. F. Stockton, on the plea that such

a vessel would be unsafe—and although captain Crane may be a very worthy, enterprising man, and a courageous and skillful seaman, we do not think the mere circumstance of crossing the Atlantic in a staunch vessel of thirty tons, well found, and with a good crew, is conclusive evidence of the fact.

ORIGINAL LETTER FROM COLUMBUS. Captain Baker of the Baltimore brig Helen McLeod, lately arrived from Genoa, has handed to us the following translation of an autograph letter from the great discoverer of this continent. It was given to captain B. by Mr. Campbell, the American consul, and though of little importance in itself, it will be read with some interest, as an original letter from Christopher Columbus, never before published.

[New York Gazette.

Translation from the Spanish language into the English of an autograph letter of Christopher Columbus, dated the 2nd April 1502, addressed to the Bank of St. George, at Genoa.

On the outside of the cover in which the letter was found folded is this description:

"MDII—Letter of the lord admiral don Christopher Columbus."

Address of the letter:
"To the most noble gentlemen of the most magnificent Bank of St. George."

Most noble gentlemen:—

Altho' my body be walking here, my heart is always with you. Our Lord has bestowed on me the greatest blessing, which since the time of David, he has conferred on any one. The affairs of my enterprise are already brightening up, and would shine yet more did not the darkness of the government cover them. I return to the Indies in the name of the most holy trinity, speedily to return again, and because I am mortal, I leave orders to don Diego, my son, that of all my income he is to account to you for the tenth of the whole, year by year, perpetually, in order to reduce the price of corn, wine and other provisions. If this tenth part be much, accept of it, and if not, accept the good will which I feel towards you. I beg earnestly to recommend to you my son. Mister Nicolo Oderigo is acquainted with all my concerns as much as I am myself. I have sent to him a copy of all my privileges and papers, that he may put them in safe custody, and I should be pleased if you saw them. Of the king and queen, my lords, deign to honour me with the view.

The most holy trinity guard your most noble persons, and increase the dignity of your office.

Done in Sevilgia, the 2d April, 1502.

The high admiral of the ocean, vice roy and governor general of the islands, of the Terraferma of Asia, and of the Indies of the king, and of the queen my lords, and their captain general of the seas.

Sevrs Altissimi Salvatoris } S.
} S. A. S.
} Xristi Marie Yosephi. } X. M. Y.
} X to FERENS.

STEAMBOAT EXPLOSIONS. The Cincinnati papers contain the particulars of a fearful explosion on board the steamboat Buckeye, attended with the loss of several lives, which occurred on the 29th May, at midnight. We find the following account of it in the Republican of the 3th instant, derived from a passenger in the boat at the time of the explosion.

"The Buckeye left New Orleans on the 26th of May, in company with the gen. Brown, or within a few hours of her departure. There was a competition for speed, each boat claiming a superiority, which, we have no doubt, was a principal cause of the disaster which we have now the painful duty to record.

"The gen. Brown had passed the Buckeye above Vicksburg, the latter boat under a high pressure of steam had entered the chute of island No. 24, about six miles above Randolph, (Tenn.) a short distance from the Mississippi line, when an explosion took place, which made nearly as complete a wreck of the boat, as that of the unfortunate Moselle.

"The boilers were thrown up perpendicularly and in their descent, were broken into innumerable pieces and completely wrecked the upper works of the boat. The room of the first clerk, Mr. Charles Starkey, was almost annihilated, and himself considerably, although not dangerously, injured. The pilot at the wheel Mr. Charles Gretzinger, (commonly pronounced Cutsinger,) of Louisville, was thrown into the air thirty or forty feet, and instantly killed on alighting on deck.—The mate Mr. Thomas Rogers, of this city, is among the missing supposed to have been killed. A person on watch at the time, reported to be an engineer, Mr. Prentiss of Portland, Ky. was killed. The other persons known to be killed by this explosion, are one fireman, (colored), and one deck passenger, name un-

known. The second pilot, Butler Randolph, is dangerously injured, and little hopes are entertained of his recovery.

"Captain Jacob Thompson was on the boiler-deck at the time of the explosion; he was thrown some distance above the wreck, into the water, much injured, though not dangerously. The carpenter of the boat was blown ashore, without a single article of clothing, and, as remarkable as it may appear we have the most unquestionable authority for the assertion, he was but slightly injured.

"The day previous to the fatal catastrophe, a dangerous accident, which liked to have proved fatal to the Buckeye, was experienced. A snag ran through the larboard guard, carried away two state rooms, and was in close proximity, in its ascent through the cabin into the steam pipe. The Buckeye was towed to Louisville by the Sultana.

One of the boilers of the steamboat Ponchartraburst on or about the 28th ult when off the Mexican coast.—No one was injured though the machinery suffered considerably. This vessel had recent ly been purchased at New Orleans for the service of the federalists, and was bound to Tampico at the time of the accident.

IMPORTANT QUESTION SETTLED. The following letter from Washington announces the happy termination of the negotiation for the shipwrecked slaves. It is very agreeable news for the owners—for the south, whose rights are thus respected—and for the whole union, because one of the difficult subjects in negotiation is thus adjusted and removed. The government has succeeded in settling a very delicate, difficult and protracted subject. The minister has finally settled it, to the satisfaction of our government, and at the same time to the ample security of the rights of our people. We congratulate our readers on this agreeable result.

[Richmond Eng.

Washington, June 3.

"The Great Western has brought news of an interesting character also as regards this country—at least the southern section of it. It is reported that our minister Mr. Stevenson, has succeeded in making an arrangement with the British government, by which it stipulated that the value of the slaves shipwrecked, some eight or nine years ago upon the Bahama islands, shall be paid to the claimants. This, if true, (and there is no reason to doubt it) is not only important, as regards individual claimants, but equally so in a national point of view, as it establishes a great and important principle. It will be seen, therefore, that our minister has been unjustly censured, by some of the southern statesmen, for a supposed neglect or inattention to this matter. So far from that, he is entitled to great credit for the ability and zeal with which he has conducted this delicate affair; and when the correspondence shall be published, I have no doubt he will receive the thanks of the country—particularly the slave-holding states. The arrangement is said to do ample justice to the claimants as it secures to them the full value of their property with interest. This arrangement secures to the claimants nearly \$500 a piece for their slaves, including men, women and children—more than was ever allowed in any former occasion by the British government. Mr. Gallatin, succeeded, I believe in getting only about \$200 for the slaves that were taken off by their ships of war, during the late war with that country."

TERRIBLE CALAMITY. Three or four years since a company was formed for the purpose of raising the water of the Kennebec river, creating an immense moving power, and erecting manufacturing establishments. A dam was thrown across the stream about a mile above the beautiful village of Augusta. The river, which runs in the center of the river, 600 feet in length, was built of henlock logs from one foot to three feet in diameter, locked together and well secured with iron bolts and iron nails, and the interstices filled with heavy stone. The base was 127 feet thick, the top was capped with stone, and the upper slope loaded with ballast and gravel, the height above the bed of the river, the whole length of the dam, being 42 feet, high ties at the foot of the dam 16 1/2 feet. On the west side was a lock of massive masonry, rising about 13 1/2 feet above the top of the rolling dam. At each end were sluices of heavy stone work, by which the water was to be drawn into canals and carried along the banks below to be poured on the wheels of machinery. The whole length of the dam from the abutments, locks, and sluices, could not have been less than about 1,000 feet. It raised a pond about 15 miles long, of the average breadth of 700 feet, and from 10 to 15 feet deep. The cost of the structure was very great; it has been estimated from 300,000 to \$500,000. Extensive saw mills had been built on the west side of the dam, the manufacture of the lumber from it, from the northern townships. The plan was similar to that by which the waters of the Merrimack have been turned from their bed to operate the vast works at Lowell.

Had it been successful, in the capital of Maine, another city of corporations, with its streets of manufactories and miles of operatives might have been reared to rival the great workshops of production in Massachusetts.

The whole works were destroyed by a remarkable calamity. The Kennebec had been swelled by the recent rains, and on Friday afternoon the river began to sweep to rival the great workshops of production in Massachusetts. The whole works were destroyed by a remarkable calamity. The Kennebec had been swelled by the recent rains, and on Friday afternoon the river began to sweep to rival the great workshops of production in Massachusetts.

LIET. McKENZIE. We cheerfully give place to the annexed testimonial to the character and efficiency, as a naval commander, of lieut. Sidell Mackenzie.

N. Y. American.
Monticello March 24, 1839.
The U. S. brigantine Dolphin, Alexander Sidell Mackenzie commander, left way on the 21st instant, bound to various ports in Brazil and thence to the United States.

Although bound to his own loved home, where many and dear friends are anxiously waiting to greet and welcome him, we cannot allow the occasion to pass without expressing our sincere regret at the departure of this efficient and gallant officer. He has been eminently useful to his countrymen, and has afforded assistance to many of the natives who required his protection in the various political changes of these countries. He carries with him with scarcely a dissenting voice, the best wishes of all who know him, either personally or by reputation.

Without reference to the conduct of any previous commanders, we do hope that in future the "Brazilian station" may be favored with men, who like lieut. Mackenzie, will not allow the rights of their countrymen to be trampled upon with impunity. In no instance during his brief command here did he suffer a foreign power to obtain a single advantage, or suffer a single wrong to be done to any of our citizens. All who are conversant with, or interested in the business of the river La Plata, will remember his decision and firmness in the cases of the American bark *Madonna* and schooner *Fleet*, and the good results obtained by the steps he took in regard to those vessels.

As we said before, we are sorry to part with lieut. Mackenzie, and we wish him well wherever fate may lead him. We are no prophets if his future career be not a brilliant one, should circumstances call him to unsheathe his sword in defence of his country's rights.
Southgate & Co. Zimmerman, Frazier & Co.
Alfred Peabody. Edward Davison,
Wm. A. Rhodes. Wm. P. Fliret,
Amory Edwards.

BRANDING. The Army and Navy Chronicle, in noticing the account of the recent "branding and whipping" of two soldiers at Detroit, states that the branding, as it is termed, does not mean searing with a hot iron, but signifies merely the marking of each man with Indian ink, which is a part of the person so that recruiting officers may not be imposed upon hereafter. The infliction of corporal punishment by stripes or lashes, is allowed by the 7th section of the act of 1853, March 2, on any enlisted soldier who shall be convicted of the crime of desertion. This section should be repealed, and the punishment of branding more abhorrent to the feelings, more calculated to break the spirit, than the infliction of this description of punishment.

VISIT TO THE COUNT DE SURVILLIERS. From the *New Jersey State Gazette*. On Friday last the governor and court of appeals, the judges of the supreme court, senators Southard and Wood, the chief justice, the quartermaster general and a number of gentlemen engaged in public business in Trenton, dined with the count de Survilliers. The respect for the state authorities and our institutions, manifested as well by the previous invitation as by the cordial and unaffected hospitality with which the guests were received, and the elegant and hospitable manner in which the count de Survilliers has secured the highest place in our esteem by a long course of benevolence and urbanity toward private individuals, and of attachment to our public institutions, inferior only to his devotion to his beloved France.

It is painful to those who sincerely admire the venerable exile, to know that his mental vision is fast backward turning to the "past," and the recent decrease of a favorite daughter has added another to the sorrows which press upon his heart. He seeks to mitigate his griefs by amiable arts: by the personal superintendence of his wide and highly cultivated domains, by co-operating with nature to produce pleasing prospects and sylvan shades, by acts of munificent hospitality, and the gratuitous dispensations of a benefactor that knows no limit, and is more than the application of the benevolent inscription on one of his marbles.
"Non ignara mali, miscris succurere disco."

IMPORTANT DECISION. The circuit court of the United States has decided that the late law of congress, concerning steamboats, is not applicable to boats navigating the Mississippi river. There are nearly one hundred and fifty suits, to which this decision is applicable. The case before the court was that of the United States vs. Captain Price, on an information, that the said captain had not complied with the act of congress in procuring iron tiller ropes for the use of his boat.

This decision was founded on the following case: *The United States vs. the captains of several steamboats.* The suite against Captain Price, and other captains of steamboats, by consent of parties, was transferred from the Louisiana district court to this tribunal, on the understanding that the decision of the United States circuit court, in these cases, should regulate the several suits now pending on the same question.

A case agreed upon by the counsel for the several parties, admitted the facts, that these boats were engaged in the navigation of the Mississippi, but that some were merely running within the boundaries of this state, and that they had wheel or tiller ropes in place of iron rods or chains.

The law points, therefore, arising from the above case, were,
1. The constitutionality of this law, and
2d. The applicability of the law to the waters of the Mississippi.

Mr. Sidell, attorney for the United States, on the first question, namely, constitutionality of the law, contended at length, and cited authorities in support of his argument, that congress had a right to regulate foreign and interstate commerce, by the U. S. States, and that the intercourse of countries, that the waters of the Mississippi are waters of the United States, and can be acted on by congress wherever they are found; that vessels which have taken out their license to navigate, and are enrolled as coasters, are strictly under the authority of the United States, and subject to the laws of the United States. That by the law of the 18th February, 1793, coasting is held to mean intercourse, not only between different states by sea, but by navigable rivers running through several states to mean different districts in the same state, but different points in the same state, inasmuch as it has been decreed by the supreme court of New York, that a voyage from New York to Albany, by the Hudson, is not a coasting voyage as from New York to Bedford by sea. That these vessels having taken out a coasting license and enrolled themselves pursuant to the United States laws, are under the control of the general government, and if they accept of the privileges conferred by this license, cannot divert themselves of the restrictions of the law to the Mississippi river, counsel remarked that in this act congress had two objects in view, the safety of passengers, and preservation of property; and that though the title of the act (namely, passengers merely) was deficient, yet that this deficiency was cured by the body of the act, which related to passengers, navigation, commerce, &c. and that the section 9, contended that this defective title would swallow up the entire act. In referring to the laws of the last session passed by our state legislature, counsel contended they were incompatible with the rights of the federal government, who alone had control over the commerce of the country, and that any other supposing would be absurd, inasmuch as the act of congress on this subject, that from the difference of views, parties and local interests, the laws of each state would be at variance with those of the others.

In referring to the words of the steamboat law, counsel contended that though section 8 related merely to vessels at sea or on the lakes, yet that section 9, contained the words, "and the said congress enact universally, and to include all vessels and extend its enactments to the southern waters."

FOREIGN NEWS.

Further extracts from papers received by the *Great Western*.

The Glasgow Chronicle states that a company is forming in that city, for carrying passengers and merchandise between the Clyde and New York, in an iron steambot of great power and capacity, which shall go at the rate of 16 miles an hour, and make the voyage in 10 days. Capital £50,000.

The queen gave a brilliant ball—her first state ball in fact—at the palace on Friday. Every thing appears to have been conducted in a very magnificent style.—Four rooms were opened for dancing, and the rest of the state rooms were variously used for the reception room, drawing room and supper room. There were canopies in all the rooms, under which were placed thrones for the queen, and seats for the royal visitors—the etiquette being, we believe, that none but royalty shall sit in the queen's presence! There was an exhibition of statues from the antique, and the busts of Socrates, and other philosophers. There were portraits of George III, queen Charlotte, the duke of Kent, the princess Charlotte, and there were choice flowering shrubs and exotics, hired

for the occasion. All was very grand—and, for all, John Bull pays.

Among the royal visitors were, the dukes of Kent, duchess of Gloucester, duke and duchess of Cambridge, and princess Augusta of Cambridge, the grand duke of Russia, countess of Cambridge, Henry of Holland, the duke of Wellington, earl Gray, lord Durham, lord Melbourne, and most of the ex-ministry, Bulwer, and so on.

John Van Buren was a guest, as were Mr. and Mrs. Stevenson, (of the embassy,) Mr. Benjamin Rusli, and Mr. H. B. Livingston.

From the *N. Y. Commercial Advertiser*.

On Tuesday, the 7th of May, the whigs resigned, as our readers know, and both houses adjourned to Friday. The queen, according to the London Herald, was deeply affected when lords Cottenham and Melbourne definitively announced to her that the whig ministry was extinct—affected even to tears. Her majesty wished to send for lord Normanby, and entrust to him the formation of the new cabinet; but lord Melbourne honestly advised her to call in the duke of Wellington, and place the country unreservedly in his hands.

The duke waited upon the queen, and advised her to place the formation of the new cabinet in the hands of sir Robert Peel—thinking it most proper that the prime minister should be a member of the house of commons. On Wednesday, therefore, sir Robert was appointed first lord of the treasury and chancellor of the exchequer—receiving, of course, a *carte blanche* for the ministerial arrangements.

Thursday the cabinet was constructed as follows: Lord chancellor, lord Lyndhurst.

President of the council, duke of Wellington?

First lord of the treasury, and chancellor of the exchequer, sir Robert Peel.

Foreign secretary, earl of Aberdeen.

Colonial secretary, lord Stanley.

Home secretary, sir James Graham.

These arrangements were announced in the Morning Post of Friday.

But on Thursday night the Peel ministry was already at an end. The actual cause of this event are differently related by the whig and tory papers—the former alleging that sir Robert, with an amount of exaction that was scarcely courteous, and certainly not prudent, demanded the immediate dismissal of all the ladies composing her majesty's household; and that the queen indignantly refused to comply; with this demand, saying, "I would rather be reduced to the level of a subject, than be deprived of the society of those to whom I am personally attached, and who have been the friends of my childhood."

The tory journals, on the other hand, say that the demand of sir Robert was only for such a proportionate change in the household appointments as should give evidence to the country that the ministers enjoyed her majesty's confidence, and that parties who had ceased to be responsible could no longer exercise an influence upon the royal mind. The Times gives the names of the ladies whose removal was considered by sir Robert indispensable; namely, the dutchess of Sutherland and the countess of Burlington, both sisters to lord Morpeth, lady Charlemont, and the marchioness of Noroumby.

Be this as it may, however, both parties insisted, and sir Robert accordingly tendered his resignation, which was at once accepted, and the queen recalled lords Melbourne and John Russell to their posts. The "explanations" will tell the rest.

In the meantime it is clear that sir Robert has committed a blunder—unless indeed he was satisfied that he could not sustain himself, either with the present house of commons or with the result of a new election—which, perhaps, is the real truth of the matter.

But, if sir Robert was actually expected and intended to remain in office, his movement respecting such accessions of strength in the house of commons as time might give him, and by gradually effecting the changes he thought necessary, he would at once have spared the queen's feelings and gained the power to compel her acquiescence; as it is, he has given her majesty the advantage, by treating her with apparent barshness, and enlisting the sympathies of the country in her behalf—as is abundantly shown in the multitudes of addresses pouring in from all parts of the kingdom, approving and applauding her course, and expressing the warmest satisfaction with its result.

The explanations, it will be seen, were made in the house of commons on the 13th, and in the house of lords on the 14th; and both houses subsequently adjourned to the 27th.

The papers, as may be supposed, abound with rumors of approaching cabinet changes. We give

the following, from the Standard (tory) as a specimen:

Lord John Russell, lord Palmerston, and Mr. Spring Rice, it is said, retire from the cabinet, and are to be raised to the peerage. Lord Morpeth succeeded lord John Russell, at the home office, and is leader in the house of commons; lord Durban to a foreign secretary; Mr. Charles Buller, under secretary; Mr. Poulet Thompson to be chancellor of the exchequer.

That lord Durban will come in we think not very improbable, as his quarrel with the court seems to be made up; for, we observe that he was present at the queen's first state ball for the season, in the evening of the 10th.

[N. Y. Com. House of commons—Monday, May 13.]

Sir R. Peel, lord Stanley, and other leading conservative members, entered the house at twenty minutes before 5 o'clock, and took their usual seats on the opposition benches.

Lord J. Russell entered the house at ten minutes before 5 o'clock. The noble lord was loudly cheered by the ministerial benches, which were met with counter cheers from the opposition side. The scene at this moment was one of the most animated descriptions.

Ministerial explanations.

Lord J. Russell rose, and, speaking in a very low tone of voice, said: Mr. Speaker, since I last addressed this house, stating the resignation of lord Melbourne and his colleagues, the right honorable gentleman opposite—[cries of speak out. At this moment considerable noise was occasioned by lowering the lustres, for the purpose of lighting the candles. The noble lord appeared somewhat disconcerted at the interruption, and at the suggestion of several honorable members, resumed his seat during the process of lighting the candles. The operation being completed.]

Lord J. Russell resumed: Sir, since I had the honor of addressing the house, the right honorable baronet, the member for Lancashire, received her majesty's authority to present to her a plan for the formation of a new administration. My attempt having failed, her majesty has been most graciously pleased to grant to the right honorable gentleman her full permission to state all the circumstances of that negotiation. What I now propose is, that the right honorable gentleman should take the opportunity of making his statement; and when he has done so, I shall state to the house the reasons which have induced me and my right honorable friends to take back those places which we recently tendered to her majesty. What I now propose is, that this house, at its rising, do adjourn to Wednesday next, and on that day it is my intention to move that, at its rising, it adjourn to the Friday in Whitsun week.

Sir R. Peel then addressed the house to the following effect:—

Mr. Speaker, I have reserved to this place and to this occasion, the explanation which I feel it to be my duty to offer, and to which I am bound to refer. I have indicated to me to relinquish the attempt of forming a new administration for conducting the government of the country. In the outset of this explanation, I trust that it is not necessary for me to discuss any sanction on my part of statements which have appeared before the public relating to this subject. Such statements were made without my sanction, and without my wishes, if my wishes could have prevented them. [Hear, hear.] I could most willingly forego all personal considerations on this occasion, and willingly bear any obloquy that might perhaps attach to me by my silence as to recent circumstances, but some of those circumstances were of so important and interesting a character, connected as they were with a pending change in the whole administration of the country, and the practice which has so long prevailed of forming the house of such matters, that my private feelings give way to what I feel to be the duty of entering into explanation of them in the face of this house and the country. [Hear, hear.] I am fully aware of the difficulties which attend all such explanations, and there are some which are peculiar to the present case. From a portion of these, which would otherwise be insuperable, I have been relieved by her majesty's most kind and gracious permission to give an explanation of the circumstances under which I relinquish the attempt to form an administration. For such permission I applied yesterday to lord Melbourne. It is unnecessary for me, I presume, to read my own letter on the subject. The answer to it I received from lord Melbourne, dated South street, May 12, was—lord Melbourne presents his compliments to sir R. Peel, and having already in expectation of such a request, taken her majesty's pleasure on the subject, he feels himself authorized at once to signify to sir R. Peel her majesty's full permission to ex-

plain the circumstances under which he relinquishes the attempt to form an administration, and with that view to make use of the correspondence with her majesty, that took place on the 10th of May." After this gracious permission, no one will, I presume, doubt that I am fully authorized to enter upon this explanation. In doing so, my chief anxiety is, that I may be fully mindful of the sacred obligations under which I am placed, to act with justice and impartiality toward the illustrious lady who is connected with these transactions.

Sir, under any circumstances, I trust that I should feel the full force of that obligation; but if any thing could add to the strength of that duty, it would be the relation in which I have so lately stood to my sovereign, and the intercourse which I have been graciously permitted to hold with her. Sir, it is well known, that in the progress of an attempt to form an administration much communication will pass, and many circumstances will occur, which necessarily enter into such an explanation as I am now making to the house; it is not, therefore, necessary for me to interrupt the statement of the more important facts of the case, by introducing matters which do not bear on those facts; but it, in the course of my statement, I should be thought to omit any important circumstance, or if the noble lord (John Russell) or any other member of the house will invite farther explanation on any point, I shall most readily give it, for I am most anxious that this house and the public mind should be most fully informed as to every material fact that has occurred. If the noble lord will put any question, or suggest any further elucidation as to any part of my statement, I shall most readily answer any question, or give any explanation that I can, with any reserve or qualification whatever. Sir, I will now proceed, therefore, to state those facts which appear to me to have the slightest reference to any matters requiring to be explained.

I waited on her majesty by desire at 2 o'clock on Wednesday, the 8th of May. Her majesty had previously seen the duke of Wellington and had invited him to assist her in the formation of a government. The duke of Wellington had informed her majesty that the chief difficulty of a government would be in the house of commons, and therefore, partly on other considerations, but chiefly on that, advised her majesty to send for one who would have the advantage of being heard in the commons as her majesty's minister, and at the same time, from me, the ministerial benches.] Her majesty in consequence, and was asked whether I was willing to assist her majesty in forming a new administration, that she had parted with her late advisers with great reluctance and regret. [Hear, hear, from the ministerial benches.] Her majesty added, that her late ministers had in all respects given her entire satisfaction, but that in consequence of their resignation, it became necessary to take steps to form a new administration. It is unnecessary for me to go into a detail of all that was said, but I must say that no one could have expressed more fully, more naturally, or more becomingly, the high sense she entertained of the services of her late ministers, and her regret at their loss, nor at the same time could any one have expressed principles more strictly constitutional with respect to the formation of a new government. [Hear.]

I did not hesitate to state to her majesty that I was not insensible to the great difficulties with which I had to contend in the performance of the task she had been pleased to confide to me, but that having been a party to the necessity of forming a new administration, I felt it a paramount obligation on me to render her majesty every assistance and power, as much as if I myself had been the cause of the difficulties in which she had been placed. I therefore, at her majesty's command undertook to form an administration, and I proposed to her majesty that I should return on the following day, hoping that in the interim I should be able to arrange such a list as would secure the administration of the chief executive offices of the state, and to show to her majesty and to the country that I was prepared promptly and energetically to perform the duty I had undertaken. [Hear, hear.] I conferred, in the course of the day, (on Wednesday), with those with whom I had the more immediate opportunity of so doing, and I requested that they would permit me to submit their names for her majesty's approval, and constituting a part of the government. The names I referred to were eight. They were the following: the duke of Wellington, lord Lyndhurst, the earl of Aberdeen, lord Ellenborough, lord Stanley, sir James Graham, Mr. Goulburn and sir Henry Hardinge. On the following day I waited on her majesty, and submitted

those names for her approval, and at the same time stated to her majesty, that while the duke of Wellington placed his services entirely at her majesty's disposal, his own inclination would still be more gratified if he were permitted to hold a place in the cabinet without office, he taking the lead in the house of lords (as the right honorable baronet was understood to say). Her majesty expressed a particular wish that the duke of Wellington should hold some important office. [Hear.] I told her majesty that I should, of course, convey her wish to the noble duke, at the same time assuring her majesty that I had no doubt that he would readily forego any private inclination of his own, and consent take any office, however important, at her majesty's wish. [Hear, hear.] No question arose up to this time, either, as to the formation of the government, or as to its conduct, on which I feel it necessary to remark. Her majesty conceded at once without reserve, all that could be wished or expected, as far as related to offices in the household filled by noblemen or gentlemen holding seats in the or the other house of parliament. The difficulty related altogether to the situations in which I should be filled by ladies. In reference to this point, I think it much better on mature consideration, that I should, at the first instance, enter into no statements as to impressions of what passed, but that I should confine myself exclusively to what actually did pass. Because if I were here to state impressions, I should be stating only those which were my own, and arising from communications that passed where two parties only were present, and I must bear in mind that I alone am here to tell them. [Hear, hear.]

On the Wednesday evening, then, I had an opportunity of consulting at my own house with those friends whose names I was to present to her majesty's approval on the next day. I stated to them—and there are now four of them present, who heard what passed—they are my most tried and my best friends the members for the Cambray, my right hon. friend the member for the Cambray University, (Mr. Goulburn), and my right hon. friend the member of Pembroke, (sir J. Graham), and my right hon. and gallant friend the member for Launceston, (sir H. Hardinge). I stated to them and to the other friends already named the course which I intended to take with respect to the household. In fact, before this, I had very little considered the household, and had very little information respecting it. I now speak of that portion of its offices which were held by ladies. I took the red book, and there saw the several departments of the household:

I said to those who were intended to be my future colleagues that with respect to all those ladies of the household who were below the rank of a lady of the bed chamber, I should suggest no change to her majesty, [cheers from the opposition benches]; but with respect to the superior offices to be held by ladies, I expressed a hope that those of them who were in immediate connexion with my political affairs would immediately relieve the new government from any further trouble on the question of voluntarily resigning. [Loud cheering on the opposition side of the house.] At the same time I stated that I did think it of much importance, as conveying an intimation of her majesty's entire confidence and support, that some change should be made with respect to some of the higher offices of the household filled by ladies, and I did express the names of the ladies of the bedchamber. I said, that even in some instances of these, where there was not any strong political connexion, I did not think any change would be necessary. This passed on the Wednesday evening; and I mentioned it merely as an indication of my willingness that any blame arising from any imperfection of my explanation, or from any misconception as to that explanation, should attach to me only. I said, however, as respects the Thursday—and here I repeat, I shall confine myself, unless pressed to it, to the letters that passed between her majesty and me. Early on the Friday morning, May the 10th, I had the honor to receive the following letter from her majesty:—

“Buckingham palace, May 10, 1839.

“The queen having considered the proposal made to her yesterday by sir Robert Peel to remove the ladies of her bedchamber, cannot consent to adopt a course which she conceives to be contrary to usage and which is repugnant to her feelings.”

In three hours after the receipt of her majesty's note, I addressed the following letter to her majesty:

“Whitehall, May 10, 1839.

“Sir Robert Peel presents his humble duty to your majesty, and has had the honor of receiving your majesty's note of this morning.

“In respectfully submitting to your majesty's pleasure, and humbly returning into your majesty's

hands the important trust which your majesty had been graciously pleased to commit to him, sir Robert Peel trusts that your majesty will permit him to state to your majesty his impression with respect to the circumstances which have led to the termination of his attempt to form an administration for the conduct of your majesty's service.

"In the interview with which your majesty honored sir R. Peel yesterday morning, after he had submitted to your majesty the names of those whom he proposed to recommend to your majesty for the principal executive appointments, he mentioned to your majesty his earnest wish to be enabled, with your majesty's sanction, so to constitute your majesty's household, that your majesty's confidential servants might have the advantage of a public demonstration of your majesty's full support and confidence, and that at the same time, as far as possible, consistently with that demonstration, each individual appointment in the household should be entirely acceptable to your majesty's personal feelings.

"On your majesty expressing a desire that the earl of Liverpool should hold an office in the household, sir Robert Peel requested your majesty's permission at once to offer to lord Liverpool the office of lord steward, or any other which he might prefer.

"Sir Robert Peel then observed, that he should have every wish to apply a similar principle to the chief appointments which are filled by the ladies of your majesty's household; upon which your majesty was pleased to remark, that you must reserve the whole of those appointments, and that it was your majesty's pleasure that the whole should continue as at present without any change.

"The duke of Wellington, in the interview to which your majesty subsequently admitted him, understood also that this was your majesty's determination, and concurred with sir Robert Peel in opinion that, considering the great difficulties at the present crisis, and the expediency of making every effort, in the first instance, to conduct the public business of the country with the aid of the present parliament, it was essential to the success of the commission with which your majesty had honored sir Robert Peel, that he should have that public proof of your majesty's entire support and confidence which would be afforded by the permission to make some changes in that part of your majesty's household which your majesty resolved on maintaining entire without change.

"Having had the opportunity, through your majesty's gracious consideration, of reflecting upon this point, he humbly submits to your majesty, that he is reluctantly compelled, by a sense of public duty, and of the interests of your majesty's service, to adhere to the opinion which he ventured to express to your majesty.

"He trusts he may be permitted, at the same time, to express to your majesty his grateful acknowledgments for the distinction which your majesty conferred upon him, by requiring his advice and assistance in the attempt to form an administration, and his earnest prayer that whatever arrangements your majesty may be enabled to make for that purpose, may be most conducive to your majesty's personal comfort and happiness, and to the promotion of the public welfare."

Sir, although I may not be allowed to enter into any statements as to what occurred at that time, yet I may be permitted to refer to the reports that have arisen as to the individuals whom I proposed for officers in the household. [Hear.] Sir, I can only say that these are the single names which I submitted to her majesty for any appointment in her majesty's household. The first was the earl of Liverpool, whom her majesty had wished to hold some office in the household, and the only two other names which I proposed, and which I declare I did exclusively from an impression that they would be most acceptable to her majesty, were those of my noble friend the member for Dorsetshire, if I could persuade him to lay aside his strong sense of public duty and accept of office, and of my noble friend lord Sidney, with the same motive. [Hear.] I have also heard it said, sir, that I proposed an universal dismissal of the ladies of the household, [hear,] and among them one of the earliest friends of her majesty—the baroness Lehzen. [Hear hear.] I heard that stated, sir, on the evening of Friday, but my answer to the person who informed me of the report was, that this was the first time for the last four years that the name of that lady had occurred to me, and that I had never mentioned it to her majesty—[cheers from the opposition;] and I must refer with respect to my intentions—still, however charging myself with all blame for the intentions which I held as to consulting her majesty's household—to the testimony of my honorable friends who are now sitting near me. [Hear.] Sir,

I did decline to undertake the duty of forming an administration on the understanding that the whole of the appointments in her majesty's household that were held by ladies should, without exception, continue unchanged. I did come to that conclusion—[hear, hear;] but I did it on public considerations, and from a sincere belief that it was impossible to encounter the difficulties with which I was encompassed in attempting to conduct public affairs, unless I had the most unequivocal proofs of her majesty's confidence. Sir it appeared to me, that never was there a time when a demonstration of that sincere confidence and support was more absolutely necessary than the present. [Cheers from the opposition.]

The duties of the office of prime minister are, as I conceive, the most arduous, the most important, that any human being can be called upon to perform, [cheers;] it is the greatest trust, almost without exception, in the whole civilized world, that can fall on any individual. [Cheers.] Sir, I was ready to undertake that office; but could I look around me in the present condition of public affairs, and not see that it was my absolute duty to myself, to this great country, and above all to her majesty, to require every aid that could possibly be given to me? [Cheers from the opposition.] What were the questions, sir, that immediately presented themselves for my consideration? The state of Lujo, the state of Jamaica, and the state of Canada, would all require my immediate consideration, and would call, perhaps, for some proportion of legislative measures. I should have had also to consider the state of this country, with insurrection rife in many of its provinces, rendering it necessary, according to the letter published by the noble lord, that all the respectable persons in the country should unite in endeavoring to suppress these disturbances. [Hear, hear.] But in addition to these public questions, was there ever a time when such duties were so peculiarly arduous? [Cheers from the opposition.] Sir, on seeing the present agitated condition of the country, I considered that it would be my duty to endeavor to conduct public affairs through the intervention of the present parliament. [Cheers.]

I did not think it would be advisable to follow the course pursued in 1834, and have a dissolution of parliament. On considering the state of the country, notwithstanding the balance of parties in the house, I thought if my duty in the first place to her majesty, the present house of commons. [Hear.] But what is my condition in the present parliament? I should be the government with a minority. [Cheers and counter-cheers.] I did not come from the functions that were proposed to me, but could I be insensible of the difficulties with which I must have to contend, or overlook this fact, that in the house of commons I did not commence with a majority? [Cheers and counter-cheers.] If, then I began the administration of public affairs without the confidence of the house of commons, could I ask for less than that I should have the entire and unqualified confidence of the crown? [Cheers and counter-cheers.] Her majesty's ministers retired on the question of Jamaica, with a majority of five. I should have had to undertake the settlement of the affairs of Jamaica with a minority of five; and that minority consisting, amongst others, of gentlemen on whose support most probably I could not place much dependence in future. [Cheers and laughter.]

But the conflict I should have had to fight would have been the selection of a speaker. On the very first day on which I took my seat as prime minister of this great country, and as a member of her house of commons, I should have had perhaps to risk the fate of the government, or been driven to a dissolution of parliament, on the choice of speaker [Hear.] Sir, all these considerations impressed me with the deepest convictions that it was my public duty, that it was an indispensable duty on my part, a duty I owed to the queen, to seek for every possible demonstration that I possessed her majesty's entire confidence; and I confess to you, sir, without reserve or hesitation, that it did appear to me that if some of the chief officers of the household were held by relatives of those ministers whom I had displaced [vociferous cheering from the opposition, returned by the ministerial side.] and who are my rivals for political power [continued cheering.] I say, sir, it did appear to me, that I never could improve the country with a conviction that I possessed her majesty's confidence. [Cheers and counter-cheers.]

Let me take that particular question on which my difficulty would particularly rest. Who can disguise from himself the conviction that my difficulty would not be the state of Canada—nor the state of Jamaica; but that it really would be the question of Ireland? [Cheers and counter-cheers.]

No, sir, I admit it fully. What would have been the facts? I should have undertaken the office of prime minister, wishing to carry on public affairs through the intervention of this house of commons, if possible; in order to save this country from the agitation, and perhaps perils, of a dissolution; and on the question of Ireland, I should have begun with a minority against a majority of twenty-two, who decided in favor of the policy of the present Irish government. The principal members of the present Irish government, whose policy was approved by a majority of this house, were the marquis of Normandy and the noble lord opposite, the marquis of Normandy. Sir, the two chief officers of the household that are filled by ladies are held by the wife of the noble lord and the wife of the marquis of Normandy. [Cheers.] I say not a word in reference to those ladies, that is not prompted by every feeling of respect, for they are persons who cast the highest lustre on the court, less by their rank than their own eminent merits, [cheers;] but I ask any one whether they think it would be possible that I could safely undertake the conduct of an administration and the management of Irish affairs in this house, consenting as a previous stipulation that the whole of the ladies who now form part of the household should continue to fill their present offices? [Great cheering and counter-cheering.] Sir, the policy of these things depends not upon precedents, not upon what was done at other times, but mainly rests upon the consideration of the present period. [Hear, hear.]

The household has assumed a political character [cheers from the opposition,] on account of the appointment that have been made to it by her majesty. I do not complain of it; it may have been wise to place in the immediate offices of the household ladies connected with the members of the government; but when a change of that government takes place, it does embarrass the government if those ladies are to remain. [Cheers.] I do not mean to say that any unfair use may have been made of such opportunities; those ladies may have attended only to the duties of their office; but does not that question equally apply to the lords of the bedchamber? [Cheers.] The true question is, whether, in point of public impression, it would be considered that a minister had the confidence of the crown when the near relatives of his immediate political opponents were in the highest offices of the household. [Cheers.]

My impression was, that according to public opinion, I should not have the confidence of her majesty. It has been said, moreover, that in the event of any change in the government, the marquis of Normandy is a candidate for the office of prime minister; [hear, hear;] and the noble lord has been designated as the leader of the house of lords, [hear, hear, and a laugh from the opposition;] and I know not whether the talents of the noble marquis might not justify his holding that position, [cheers;] but, sir, I ask you to look to former times—take Mr. Pitt, Mr. Fox, or any other minister, and let me ask this question—during the severity of contest, should you, being prime minister, not object to the wife of your chief political opponent holding an office that placed her in immediate contact with her majesty? [Cheers and counter-cheers.] I felt, sir, it was impossible that I could contend successfully with all the difficulties by which I was surrounded, unless I had a proof of the entire confidence of the crown.

As I said before, I should begin without any certainty of a majority in the house of commons, and I should have to rely on an appeal to the good sense of many members for their support, and to the forbearance of others, to enable me to carry on the government, being perfectly prepared, on the failure of my attempt to govern with the present house of commons, to advise her majesty to resort to the only means which might enable me to retain my post. But if the agreement, if the understanding upon which I was to enter upon my office was, that I should encounter all those difficulties, and yet that the ladies of those who preceded me, of those with whom I was to be in daily conflict, were to be in immediate contact with the queen, and considering the political character given to the household, that I was to acquiesce in that, there was something still stronger than any personal consideration, and it was this, sir, that although the public would lose nothing by my abandonment, although the public would lose nothing by my personal exclusion from power; yet the public would lose, and I should be abandoning my duty to myself, to the country, and above all, to the queen, if I permitted as an understanding on my acceptance of office, that the ladies connected with my warmest political opponents, should continue to retain offices in the household—there was something that told me I must not undertake the office

of prime minister of this great country. [Cheers.] Sir, I have endeavored to give this explanation in as fair and unexceptionable a manner as I can, and I owe it to truth to state that intervening reflections have only confirmed my previous impressions. [The right honorable baronet resumed his seat amidst loud cheering.]

THE FLORIDA WAR.

Gen. Macomb's report of his proceedings in Florida. Head quarters of the army of the U. S. Fort King, Florida, May 22, 1839.

SIR: Agreeably to the instructions I had the honor to receive from your hands at Washington, on the 20th of March last, I lost no time in repairing to Florida, and arrived at Black Creek, the general depot of the army, on the 5th of April. There I had the good fortune to meet with brigadier general Taylor, the commander of the forces in the territory, then on a tour of inspection and review of the troops, and, at the same time, engaged in his plan of dividing the country nearest to the settlement into squares of twenty miles, and establishing posts thereon. This fortunate meeting enabled me to place in the hands of general Taylor a copy of your instructions, and to give him orders to co-operate with me in carrying those instructions into effect, directing his attention particularly to the protection of the settlements along the line from Garey's Ferry to Tallahassee, and west of the latter place, authorising him at the same time to call into service such a force of militia as mentioned in your instructions. General Taylor, having him in interview, and Indians connected with the hostile party by ties of consanguinity and intermarriage, was desirous to open, if possible, a communication with them and thereby make them acquainted with the fact of my arrival in the country, and my wish to see the chiefs and warriors at this post by the 1st of May inst. to hold a conference with them.

Colonel Twigg, who was then commanding at Garey's Ferry, having military authority over a considerable extent of country, was also made acquainted with my instructions, and he rendered a ready and efficient aid in furthering my view. Colonel Warren of Jacksonville, who heretofore had command of the militia serving in Florida, and was highly recommended to me on account of his efficiency and activity as an officer, was invited to raise and take command, as lieutenant colonel, of a battalion of mounted militia, to assist in the defence of the settlements west of the Suwannee, and expel the Indians. Although he was incontinent to him at that time, on account of his private affairs, the colonel very promptly complied with my wishes. In the meanwhile, gen. Taylor was making arrangements with the governor of Florida in raising, for the defence of the settlements on the west of Suwannee, a military force. Notwithstanding all these measures, the Indians dividing themselves into small parties, penetrated the settlements, committed some murders, and fired from their coverts on the expresses and passengers going from post to post.

Under these circumstances, it was the general belief that no communications could be opened with the hostile parties, especially as it had been given out that the Indians would on no account receive any messenger, but would destroy any person that might approach them with a flag. This threat having been made, and more than once, confirmed the opinion that it was worse than unprofitable to attempt to communicate with them. Finding at Garey's ferry a party of prisoners, consisting of one man, and two well grown lads, and a number of women and children, amounting in all to eighteen, it occurred to me that, by treating them kindly, I might, through their instrumentality, communicate with the hostile bands. Accordingly, I set them at liberty, and sent them into the country in search of their friends; that they might make known to them and the Indians generally the object of my coming among them. Gen. Taylor had sent out his Indians, in whose sincerity and honesty he had great confidence. This first attempt to open a communication entirely failed, general Taylor's Indians having left him and joined the hostile party below Tampa, and those sent by me returned without seeing any whatever. In the mean time, reports were received of the continued hostilities of the Indians, and of their attacking defenceless people and killing them. According to my previous notification that I would be at this post by the 1st of May, I left Garey's ferry on the 25th of April, with a guard of dragoons, taking with me the prisoners previously mentioned, and again sent them off in search of their friends; but it was not (after remaining here) until the 9th inst. that any Indians called to visit me.

Knowing the slowness of the Indians in performing any matter of national importance, I did not

yield to the general belief that none would attend my invitation, and I had the gratification to receive a visit from a young chief of considerable importance, accompanied by seven young active warriors. I explained to the chief the object of my mission, telling him that his great father (the president) was sorry that there had been so much fighting between his white and red children, and that for their good he recommended to them to cease firing on each other and to make peace. The chief expressed himself greatly delighted with the prospect of peace. I told him that if the whole nation would retire below Pease creek, hostilities would cease, and that they might remain there until further arrangements could be made. He again expressed his readiness at hearing what I said, and promised that he would take my communication and spread it round, being persuaded that it would be well received by all his people. In a few days after he collected a considerable party of his people, consisting of men, women and children, and paid me another visit. I repeated to him, in their presence, the same talk, and they seemed all pleased with it. I then made them some presents, after which they departed much gratified, for they were all in a most destitute condition as to clothing and other necessities.

On the 17th instant, lieut. col. Harney, of the 2d dragoons, who had previously received my directions to open a communication with the Indians in the southern portion of the peninsula, near Key Biscayne, arrived with Chitto Tustenuggee, principal chief of the Seminoles, who had been recently elected by a council held by the Seminoles and Micasauees. Chitto Tustenuggee expressed a great desire that the business on which he was called to meet me might be speedily attended to. Accordingly, on the next day, a meeting was held, composed of Chitto Tustenuggee, attended by O-che-Hadjo, a brother of Blue Snake, who came with him to witness the proceedings at the request of the council of the nation, and Harlock Hadjo, chief of the Micasauees in this section of the country, and all his band that had not been despatched by him to call in the warriors who were out in detached parties. After going through the usual ceremonies among Indians of shaking hands and smoking, I explained to the meeting who I was, and the object of my mission among them, at which they immediately evinced great satisfaction.

I then dictated to them the terms of peace, which they readily accepted, manifesting great joy on the occasion, and they have since been dancing and singing, according to their fashion, in token of friendship and peace, in which many of our officers joined them, all being satisfied of the sincerity of the respective parties. The enclosed general order, announcing the result of the conference, exhibits the terms of the peace. Under existing circumstances, I did not think it necessary to enter into a formal written treaty—such an instrument, with Indians, having but little binding effect. Nor did I think it politic, at this time, to say any thing about their emigration, leaving that subject open to such future arrangements as the government may think proper to make with them. No restriction upon the pleasure of the government in this respect has been imposed, nor has any encouragement been given to the Indians that they would be permitted permanently to remain in Florida.

There is every reason to believe that when the Indians remaining in Florida shall learn the prosperous condition of their brethren in Arkansas, they will, at no distant period, ask to be permitted to join them.

I have the honor to be, sir, very respectfully, your obedient servant, ALEX. MACOMB,
Major general commanding-in-chief.
Hon. J. R. POINSETT,
Secretary of war, Washington city.

THE PRICE OF COTTON.

The following circular has caused considerable excitement among the dealers in, and holders of, cotton. But there appears to be some doubt as to its authenticity, and particularly whether it is or is not a movement of the U. S. bank of Pennsylvania. The New York American says: "United States bank is the principal party to the circular, and that it has taken pains to satisfy itself that Mr. S. F. S. Wilder is authorized and prepared to make the advances which it promises." The Journal of Commerce is of the opinion that the U. S. bank is the "backbone of the proposition," and the Courier and Enquirer says, it has reason to believe that "it proceeds from a source, entitled from its standing, to hold the commanding language which it does on the subject to which it relates," and then remarks: "Considered as an attempt, to obtain consignments to a particular house, or to carry out its particular views in regard to the future state of the cotton

market, we should not consider it within our province to animadvert upon it; yet if it be regarded as a systematic plan to regulate the price of our great staple—and its tenor warrants the conclusion that it does—it becomes a question of high public interest, and as such ought to be taken into consideration. Taking this view of it, therefore, we do not hesitate to express the opinion, that its tendency is injurious, for it aims by a combination of "powerful interests" to counteract the natural influence of actual demand or consumption upon prices, and though this may be successful, once or twice, it must at last prove detrimental to the planter, by inducing production to an extent which actual consumption does not warrant, and ruinous to all who embark their capital in the visionary attempt."

The Express, on the other hand, says: "We hear it confidently stated by those that ought to know, that the U. S. bank has nothing to do with it. They are neither the promoters nor the sustainers of the plan. There are various opinions as to the advantages and disadvantages of a measure of this sort, and there is much to be said for and against. We are not the advocates of bank monopoly, as our course in relation to them has often been made manifest. If, however, an individual or a number of individuals, get together and offer to the public to make advance on any of the principal staples of our country, and if not injurious to the public, we see no reason why they should not have the privilege and the right. It is "free trading" which is in accordance with the principles of our government."

The Journal of Commerce, in its evening edition of Saturday, says that the only effect of the circular on the market, was to cause holders to withdraw their cotton from market at the late prices, and that they were delighted with the movement.

The New York correspondent of the National Intelligencer, under date of Saturday evening, after stating that in the opinion of Wall street, "the United States bank is the responsible mover" of which, however, he says "there is no proof;"—thus writes:

If the bank of the United States has taken this responsibility, there is much to be said for it, and much against. The interference of banks in mercantile operations is, as a principal highly improper; but when, as in the case of the bank of England, there is a direct attack upon the great staple of a nation, so as to exact from that nation its specie instead of its staple, a patriotic, if not a proper operation is performed by the power that meets foreign by domestic combination. The drain of bullion upon the bank of England has compelled it for its own safety to try to turn the exchanges in favor of England, and it looks to America as having bullion to spare. "The monster" chooses, it is stated, to pay in cotton at present prices, and it offers to draw for any amount at 109 1/2.

Such a bold step this, so characteristic of Mr. BRIDLE, if it be his, naturally excited the money circles. It is the great topic of talk to-day. The money market feels sensibly relieved. The cotton holders are as happy as kings. The stocks are so tickled that they hardly know where to stand, but they have all "jumped up," and "the monster (which never jumps) has taken a stride of one per cent. The fact is, the monsters of John Bull and Brother Jonathan are about to have a little fight, and the stocks have no doubt that Brother Jonathan's monster will carry the day."

CIRCULAR.

New York, 6th June, 1839.
You have doubtless received the very unfavorable advices by the Great Western in relation to the cotton market. These advices it is apprehended, do not disclose even to the full extent, the dangerous situation in which our great staple is placed.

The diminished demand for yarn and cotton goods on the continent; the short harvest of the last year; the shipment of bullion from the bank of England; must all inevitably tend to a greater and more accelerated decline in prices, if some steps are not promptly taken to prevent the remaining stock of cotton now in the country from being offered for immediate sale in the European markets.

If the consumption of raw cotton in England had only diminished some 10 or 15 per cent. still in consequence of the low now clearly ascertained deficiency in the last year's crop, (which has fallen nearly as low as the lowest estimate of past prices) would not only have been safe to the shippers, but profitable, and hence they are not obnoxious to the charge of unwarrentable speculation, which so often deprives the spirit of rash commercial adventure of all just claim to sympathy.

This extraordinary falling off of the consumption of the raw material is, perhaps, not a little aided by a determination on the part of the English spinner

to have the residue of the crop at his own price, under the belief that as the *great and tenacious holder* of the last year is out of the market, there exists no serious difficulty in his way, by working short hours for a few weeks, to accomplish a desirable end. It becomes necessary, therefore, to supply the absence of this great protector by some co-operation among individual interests.

Now, it is quite obvious, that but two moths would be likely to counteract the result that must otherwise inevitable flow from the causes just indicated.

The first would be to organize through the aid of the bank of the United States and the banks of the principal emporiums of the different states, a combination sufficiently powerful to advance a sum on each bag of cotton on this side of the water, which would ensure it being kept in this country for three months.

The other scheme would be to concentrate in one house in Liverpool, the whole or the greater part of the cotton now to go forward, by an arrangement for untailing adequate and collateral aids, sufficiently powerful to enable the house in question to hold over until a greater part of the present stock of cotton in England is worked off at an advanced price; a result which the successful execution of this plan would inevitably secure. The first scheme however is liable (notwithstanding its direct and immediate power to produce the desired result), to the conclusive objection of arresting all our foreign exchange operations, which might hazard the ability of our banks, even in the Atlantic states, to continue to make payments, whilst the last would be entirely free from this objection, as it would at once arrest at the current of exchanges and enable us to weather the crisis, which the first plan would be too apt to produce.

These views are the result of a conference which yesterday was held with one of the most influential and intelligent merchants of Philadelphia, in conjunction with commercial gentlemen of equally high standing from other portions of the union.

It is therefore announced to you on the best authority that an arrangement of the best and most advantageous nature that has been made, on what may be estimated as the present market price of cotton, say 14 cents) will be made on every bale in this country at all our principal shipping ports, to all holders, if they desire to avail themselves of the advantage. The consignments are to go forward to Humphreys & Biddle, who, sustained by adequate means or both sides of the water, will be able to hold on till prices vigorously rally.

If the usual casualties of the season render a short, or any thing under an average crop, probable this plan must result in great profits to shippers and benefit to our country. If, on the other hand, the autumn should disclose the promises of an abundant harvest, the large stock of cotton which Messrs. Humphreys & Biddle, in case the shipments made to them would hold, would probably induce the *great and powerful interest* which sustains them, to enter the market in the first quarter of the new year, by advancing on this side of the water for a reasonable period, so as to make the final result of the short crop of 1833 entirely safe to all *American shippers and holders*.

A copy of this circular is enclosed to the principal cotton factors and shippers, and presidents of the banks in the southern cities, to whom with all propriety and deference it is suggested, in case the advance on the shipment to Messrs. Humphreys & Biddle should not cover the full convenience of the shippers, that the institution over which they preside do offer, on good personal security, the residue of the accommodation which may be required.

Your hearty co-operation in this plan is solicited of saving the interests of our great staple which must end in establishing, not its speculative value, but its fair price, according to the just relationship, supply and consumption of each other. An agent empowered to more fully to disclose these views will be in your city in a few days, on his way to the south, and will be prepared to carry them fully into effect.

P. S.—From the most authentic sources of information, you may take the following as the probable and entire stock of cotton in the United States, of the crop of 1833, on the 15th day of June next ensuing—either actually present in depot or to come forward from the interior markets:

New Orleans,	100,000 bales.
Mobile,	25,000 do.
Florida,	12,500 do.
South Atlantic states,	50,000 do.
New York,	75,000 do.
At unenumerated points,	12,500 do.

285,000 bales.

Of this amount the manufacturing establishments of the United States will require at least 75,000 bales before the new crop comes into market, leaving about 210,000 bales for foreign export. It ought to be remarked, that the bales this year are 15 per cent. shorter in weight from the now general use of smaller compressing boxes with a view of rendering the cotton packages more portable.

N. B.—For obvious reasons it is not desired that this *private* circular should appear in the public prints—make otherwise what use you please of it.

LETTER OF MR. B. W. LEIGH,

To the committee of invitation of the dinner given to Mr. Rives in Amherst county
Richmond, May 15, 1839.

GENTLEMEN: Your letter of the 19th inst. inviting me to the public dinner to be given to the hon. William C. Rives, at Amherst court house on the 20th, has been delayed on the road; I did not receive it till yesterday.

I thank you for the polite terms in which you have communicated the invitation. Business, which requires my constant attention at home, would have prevented me from availing myself of it, if it had been received in time. But candor compels me to add, that that would not have been the only, or indeed, the principal reason which would have induced me to decline it.

I have seen much in Mr. Rives' recent conduct to respect and approve. I am most desirous to see every man sustained against that despotism of party, wretched by the patronage of the executive, which allows no independence of thought or action, and which after having destroyed so many public men, is now levelled against Mr. Rives in his turn, with its usual ruthlessness of vengeance. After having seen the senate of the United States humbled and degraded in a manner struck out of our political system, it has afforded me particular pleasure to see Mr. Rives asserting and maintaining, in that body, his own independence of executive control, and at the same time, the independence, the dignity, and the just authority of the body itself. Such conduct ought to redeem him from the blame of many former errors and faults. I am even disposed to admit it as a partial atonement for his concurrence in the expunging resolution. He is now an object of persecution to the faction, whose baleful power he has contributed to establish; and I am really happy to see public honors bestowed upon him by others who take a different view from mine of the present state of politics. But so long as Mr. Rives holds himself wholly unacquainted of the subject of the presidential election, I cannot in honor and conscience, commit myself to the support of Mr. Rives—and at the same time I am aware that my support or opposition is utterly insignificant and inconsequential to him and every body else but myself.

While the doctrine stands admitted, that the president is entitled by the constitution to the custody of the public treasure, it is, in my humble opinion, a question of comparative insignificance, whether the system of sub-treasuries, or the select state bank system, with general or special deposits, or any other scheme for keeping the public treasure, which the wisdom of the legislature or the ingenuity of the executive can devise, shall be adopted; for, in effect, the custody of the public money, will still be in the president's hands. The doctrine itself, which it behooves the people to explode and condemn, as the most false, the most impudent, and the most dangerous, of all executive pretensions.

As regards the presidential election as in truth the only important question, the great question of national interest, which involves and absorbs all others, in the present juncture of affairs. Nothing, in my sense of things, can stop, or even check, the transition of the federal government into a mere elective monarchy, and a monarchy elective through the instrumentality of the most malignant faction and the foulest corruption, but the dismissal of the present rulers from the public councils and confidence forever; rulers I call them, for they are no masters in fact, whatsoever they ought to be in theory; and hard masters too, who maintain and pay the army of partizans on which they depend for power, by openly and avowedly dealing on the honor and emoluments of office, without the least regard to any merit but party zeal and party services. In one instance (and I believe in many more) an officer, after having received and appropriated public money to his own use, has been knowingly permitted to retain his office, and to enjoy the spoils, in order to secure the continuance of his own and his friends' support of the adminis-

tration, and the cabinet minister, who was president Jackson's instrument in this gross and indecent abuse of executive patronage, is still president Van Buren's secretary of the treasury. Corruption is raising her head without shame, without fear, and (so far as the dominant faction and the reigning dynasty is concerned) without reproach. The stimulus to the agrarian spirit administered by the government at Washington, through all its organs—the cry of the poor against the rich, which has been willfully and successfully raised—the clamor against all intemperance in the administration of justice, which is but the prelude to an assault on the principle of property—those disgusting professions of ultra-democracy, louder and louder, always in proportion to their conscious insincerity, and the success of these odious and dishonest arts; these are symptoms of degeneration from our republican institutions, the nature and tendencies of which are not to be mistaken by any man who has bestowed the least attention to the history of the progress and downfall of republican governments. And unless the practice of these arts can be signally rebuked, by discarding from office the unpopularity or the guilty man, who, willfully or by compulsion, is the leader, or the tool of the faction which practices them, I for one shall cease to have any hope of the republic. In fine, I must insist, that Mr. Rives and every honest man who thinks as he thinks of the merits of his administration, ought to stand forth with Mr. Tallmadge, and proclaim an unflinching hostility to the election of Martin Van Buren.

I have written this letter to avert the possibility of any misunderstanding of my own opinions by those who have thought proper to honor me with the invitation which you have communicated to me. Whether these opinions are right or wrong, as I entertain them, it is but honest to avow them. But I am by no means desirous that you shall publish them—though I have no objection to your doing so, if you think proper.

I am, gentlemen, with all respect your obedient servant,

B. W. LEIGH.

AGRICULTURE AND DOMESTIC MANUFACTURES.

The annexed petition to the legislature of Pennsylvania praying encouragement to agriculture and domestic manufactures, justly sets forth the importance of a new enactment for this purpose. The act of 6th March, 1820, granted money to the agricultural societies to be bestowed in premiums for encouragement of the art. The act of 21st March, 1821, was for the same purpose, but more especially had relation to the agricultural society of the county of Philadelphia.

To the honorable the senate and house of representatives of the commonwealth of Pennsylvania, the undersigned respectfully represent:

That having been appointed by the "Philadelphia Society for promoting agriculture" to request a revival of the law passed on the 30th of March, 1821, entitled, "An act supplementary to an act for the promotion of agriculture and domestic manufactures," they deem it respectful to state, very briefly, the reasons which recommend that measure.

To a commonwealth of farmers, as Pennsylvania is, and to a legislature like ours, consisting mainly of cultivators of the soil, it would be superfluous to speak of the importance and value of agriculture. It is admitted to be the basis of the prosperity of our country.

It occupies most of us—it feeds all of us,—and on its success mainly depends the comfort and happiness of the great mass of the people of Pennsylvania. Now it cannot be dis-embled that, while the other occupations of life have, within the last twenty years, received an impulse, which has driven them forward with unexampled rapidity, the pursuit of farming have been comparatively stationary. During that period there has come up among men a new power which has changed the habits and fortunes of the world.—The union of the two most hostile elements, hitherto deemed incapable of association has opened to commerce the most distant regions of the earth, and has given to manufactures the means of multiplying a thousand fold the power of human hands. By these improvements have not yet reached agriculture.—They pass down our rivers, they rush over the surface of our farms, but leave no trace on the soil.—This should not be. Agriculture must in turn receive her share of these advances. Nor should we be deterred from attempting to improve it by an indisposition to what are considered novelties—a sentiment quite unworthy of this age, and especially of this country, which, far more than any other, is the country of progress and of improvement. Nearly all the improvements of our age were derived as innovations until they were suddenly hailed as blessings. Nor is it at all extravagant to anticipate, that, by the inventive genius of our country-

en, the gigantic powers engaged in transporting goods will soon be employed to create it; a function quite as vital, and to which it is undoubtedly best destined. There are, besides new powers, to be applied to the operations of husbandry, new processes of cultivation, new implements of farming, new animals, new plants, to be naturalized from foreign climates, every one of which could not fail to bestow real benefits on the state.

That the progress of these is slower in farming than in any other pursuits, is probably owing to the facts, that farmers are, from the nature of their residence, more insulated—less acquainted with distant occurrences—less excitable than crowded communities—with less communion of thought about their own interests, to invite improvements, and less accumulation of capital to reward them. These incidents inseparable from the farming interests, seem to justify a more active assistance from the legislature than other pursuits require. In truth since the commencement of Pennsylvania has expended nearly thirty millions of dollars in making canals and roads and means of transporting the productions of the soil, it should not be deemed unnatural, or inconsistent with true economy, to apply a very small portion of the public funds to the purpose of rendering these productions more valuable and abundant.

The legislature of Pennsylvania is judged in passing the laws of the 6th of March, 1820, and the 30th of March, 1821, avowedly giving the aid of the public funds for the promotion of agriculture and domestic manufactures. These laws proved highly advantageous to the farming interest during their existence, but being limited in their duration, it require the action of your honorable bodies to revive them. Such a revival, so far at least as respects the act of the 30th March, 1821, which is confined to the city and county of Philadelphia, is now respectfully asked on behalf of the "Philadelphia Society for promoting agriculture." They wish it under a deliberate belief that it will be greatly for the benefit of the Commonwealth, and an assurance that so far as the duties devolve on the society, they will be executed in a manner satisfactory to your honorable bodies.

N. BIDDLE,
JAMES GOWEN,
KENDERTON SMITH

SOUTH SEA EXPLORING EXPEDITION.

Copy of a letter from Lieut. Charles Wilkes, commanding the exploring expedition, to the secretary of the navy, dated

U. S. Ship Vincennes, Orange Harbor,
Terra del Fuego, February 22, 1839.

SIR: I have the honor to advise you of my arrival with the squadron at this harbor, all in good health, on the 19th instant; this being the rendezvous I designated previous to carrying into effect your orders relative to exploring south in the antarctic circle, and the employment of the scientific corps in those regions.

Since my departure from Rio de Janeiro on the 6th of January, I have had no opportunity of communicating with you.

We had a long, although pleasant passage, owing to light winds, to Rio Negro, on the coast of Patagonia, where your instructions carried me.—Other duties have prevented my completing my report of the observations there; it shall be forwarded, however, to you the earliest opportunity, and will, I hope be satisfactory to you.

We experienced some detention at Rio Negro, owing to the exposed situation of the open roadstead, and regret to inform you that we lost four anchors and cables, one by the Peacock and three by the two tenders, all the vessels having been compelled to get under way and run off during a gale; the Peacock, Porpoise and tenders, were compelled to slip their cables.

On our return the next day the Porpoise recovered hers, but the others could not be obtained, after a diligent search, owing to their boys having broken adrift; and, having completed all that your instructions required of me, I left Rio Negro on the 21 of February for this anchorage. On my tract here I passed through the straits of La Maire, around and within four miles of Cape Horn, with the squadron in company.

I found the Relief here engaged in preparing for us, agreeably to my instructions to her commander. We have been also since our arrival constantly engaged in preparing the vessels for a cruise to the antarctic regions. Although I am fully aware that the attempt is hazardous, and may probably be unsuccessful, yet advantages may accrue from it to our future operations in any attempt we may hereafter make, and I cannot forego the opportunity which the season yet affords of making the trial.

I take leave also to enclose herewith the instructions I have given for this cruise, which will give

you full information in regard to our intended movements.

I shall leave the Vincennes only in this harbor, safely moored, and proceed with the Porpoise and tender Sea Gull, to endeavor to gain a further knowledge of the extent of Palmer's land to the southward and eastward, as there may be less ice in that vicinity at this late season than at any other time, the new ice not having yet formed, which I trust will enable me to gain information for my future attempt.

Previous to leaving Rio de Janeiro I was apprehensive, as I informed you, that I should be very late in the season for this duty. I shall endeavor to improve our limited time to the best advantage, as will appear in the copies of my instructions herewith transmitted.

The Vincennes will await my return here as long as practicable, and, in the event of my detention by ice, she will proceed to Valparaiso, there to join the other vessels that may not be detained, with instructions to captain Hudson to carry out as far as possible, previous to an attempt to aid me on breaking up of the ice another season.

The Peacock, Porpoise, and tenders, have been filled with provisions from the Relief, and are well supplied with warm clothing, preserved meats, and antiscorbutics, for any emergency, to make us comfortable in case of detention.

I take with me the pendulum and other instruments, to employ my time if we should be detained, which it will be my endeavor to avoid, for I am fully convinced of the delays and disadvantages such a detention would cause to the more important duties and operations of the expedition; yet I trust, in the event of such an accident, our time will not be misspent or lost. I have the honor to be, sir, most respectfully,

CHARLES WILKES, Com. Exp. Ex.
Hon. James K. Paulding,
Secretary of the Navy, Washington.

OPERATIONS OF COMMODORE READ ON THE COAST OF SUMATRA.

From the *Globe*.

It will be recollectcd that an outrage was committed by the Malays off Quallah Battoo, in the island of Sumatra, on the ship Eclipse of Salem, which resulted in the murder of the captain, and one of the crew, and the plunder of the vessel of specie, and other property, to the value of about thirty thousand dollars. On hearing this, commodore Read, who had been instructed to visit the coast of Sumatra for the purpose of protecting the trade of the United States, immediately proceeded to that island, with a view to the recovery of the property, and enforcing the delivery of the principals in this daring act of piracy.

It appears from his report to the navy department, an extract from which we give below, that his first visit was paid at Quallah Battoo, for the purpose of acquiring accurate information in relation to the particulars of the outrage, and the persons concerned. The result of his inquiries corresponded with the details given in the protest of the survivors of the crew of the Eclipse, transmitted from St. Helena by the commercial agent of the United States at that island, which exonerated the rajah and people of Quallah Battoo from all participation in the outrage for which he had come to exact reparation, but that one of the pirates was now residing at that place. It appeared, however, from information derived from a native who came on board the Columbia, and who stated that he was well acquainted with all the circumstances of the case, that the whole affair was planned, with the sanction of the rajahs at another settlement called Muckie, situated at no great distance, where most of the money had been carried, and where the principals in the crime now resided.

Commodore Read demanded of the rajahs of Quallah Battoo and Muckie, in succession, the delivery of the pirates stated to be within the limits of their authority; but receiving only evasive answers, and finally, assurances of their inability to comply with his demands, he proceeded to execute the purpose of his visit, in the manner detailed in the following extracts:

"Having come to anchor three miles from the latter place, (Quallah Battoo), I deemed it my duty immediately to make the demand for the pirate and property said to have been conveyed to that place with him. Lieutenant Palmer, accordingly, was sent to the rajah, to make the demand, and to say to him that the government of the United States desired—that you had some as friends, but it would depend upon himself whether we should or should not leave him with the same sentiments. The rajah professed himself willing to comply with my

wishes, but stated his apprehensions that the man could not be taken for the purpose of delivering him to me. The pirate had many friends, and the people generally feared him, but he would endeavor that night to have him taken while asleep.

"Commander T. W. Wyman was sent the following day and the same excuses were repeated. The hour of sunset of the 24th was named as the limit of the time which would be allowed for the apprehension of the pirate, and the bringing him on board the Columbia. The rajah was told that unless this was done in the time specified, I should be under the necessity of considering him an enemy, and of proceeding to treat him as such, assuming him that it was impossible for him to convince me that he could not secure and give up a pirate found within the limits of his command.

"The hour of sunset passed, and nothing further had been done by the rajah, in compliance with the demand; and I now conceived that all the rajah had promised had been done for the purpose of gaining time. If I had now left him without inflicting some chastisement, I feared he might hereafter question our power, or have an injudicious opinion of its existence. I therefore caused the ships to be dropped as near to the shore as they could swing with safety, and having sprung their main-decks to the forts, commenced a fire upon them. The fire of the ships was returned with but three shots. Two of the forts hung at white flags, and after a few shot well directed at the rajah's fort, I directed the firing to cease.

"As I did not consider the object for which I contemplated sufficient to justify the landing of a party of men to destroy the place, I directed the ships to be got under way, and to proceed to Muckie. We arrived at the common anchoring ground off that place on the 30th, and the demand for the offenders, who it was said were residing there, was immediately made. Excuses similar to those we had before heard, were now given for not having confined the persons claimed. I desired to obtain possession of the rajahs, and invited them on board, but could not prevail on them to come. Having sent another message to the rajahs on the succeeding day, and being satisfied that they did not mean to comply with my demands, for the persons concerned in the piracy, I directed all preparations to be made for hauling in the ships.

"On the morning of the 1st of January, we commenced towing and warping in, and by half past 10 A. M. got into an excellent position for sweeping with our fire the peninsula on which the town stood. The two ships now not being more than a cable's length from the edge of the town. No sooner had we commenced this operation than it was observed that the inhabitants were engaged in carrying off their property from the town. It was impossible to prevent this as early as I could have wished; but a few guns were soon brought to bear, and we saw no more persons employed in this business. A slow fire from a few guns on the main and spar deck was kept up, merely for the purpose of preventing any preparation for defence on shore, and for the protection of our own proceedings. By half past 12 M. three hundred and twenty seamen and marines were landed and formed on the beach, under the command of commander T. W. Wyman. The divisions from the Columbia were commanded by lieutenants Magender, Turk, Turner and Pennock. The marines of the squadron were led by lieutenant Baker. The two divisions from the John Adams were headed by lieutenants Thompson and Minor. The firing from the ships ceased, and the expedition moved towards the town, with order and regularity. Much anxiety was felt at the moment as to the result. The conduct of the rajahs the evening before being such, it was believed that a steady and determined resistance would be made; but, to my great surprise, the party entered without opposition. The town was soon after in flames; all the dwellings of the rajahs, and their fire-arms, were destroyed.—The guns of the forts 22 in number, found loaded and primed, and matches lighted, were spiked and thrown into the ditch. A magazine of rice, and storehouse filled with pepper, were destroyed; some valuable boats of large dimensions on the stocks, and several of less value, were consumed in the flames. In short, there was nothing left above ground, and by half past 2 o'clock, P. M. the officers and men had returned to their respective ships, without the occurrence of a single accident."

Commodore Read does full justice to the promptitude and decision of commander Wyman, and all the officers employed in these transactions who acquitted themselves to his entire satisfaction.

The navy department has furnished for publication the following copies of the engagement entered into by the rajahs of Soosoo, Quallah Battoo &c. with commodore Read:

We, the rajahs of Soosoo, for ourselves and the inhabitants of the town of Soosoo, on the west coast of Sumatra, sensibly affected by the clemency practised towards us on the late visit of the frigate Columbia and John Adams, do hereby pledge ourselves to suffer no American vessel to be molested hereafter, and, by all means in our power, to prevent all wicked designs for annoying or in any way injuring them. Should we ever hear of any plan being laid for the capture of an American vessel, we engage forthwith to give notice of the same to the commander, or whoever may be on board said vessel, in time to prepare themselves for the defence of their lives and the protection of their property. And we do further pledge ourselves that, in case any piratical expedition should hereafter at any time be attempted, or successful plunder be attempted upon any American vessel, and the plunderers should take refuge among us, we will secure their persons and the property taken in the best manner we can, and keep them until they can be delivered to the first vessel of war of the United States of America which shall arrive on the coasts, or to any merchantman who shall be willing to take them to the United States for their trial. But we profess our inability to comply with your demand for the delivering up of the pirates and the property brought with them to this place, belonging to the ship Eclipse, the pirates having fled from the place the moment that it was known that the United States ships of war under your command had come to Soosoo for the purpose of securing them. In that we promise to do all that lies in our power to cultivate the friendship of the United States, by doing all those acts which are necessary for the continuance of that friendship with us which we know to be our interest to preserve, and which we here solemnly pledge ourselves henceforth in every way to endeavor to maintain.

In testimony of these our desires and our solemn pledges, we hereto affix our several signatures and seals,

DATTOO BUGGHA,
DATTOO BUGGENAH,
DATTOO MOODAH,
DATTOO UPATE.

To commander GEO. C. READ,
Commanding the American ship of war off Soosoo, January 8, 1839.

PO QUALLAH, peder rajah of Quallah Battoo, having come on board the Columbia, with desires to make peace with the government of the United States, hereby declares, that henceforth he will use every effort on his part to assist the American ships which may be trading on the west coast of Sumatra, and bring all the means in his power to suppress all piracies on the coast. And in case any designed robbery or attack upon any American vessel should be known to him, he will use his power to stop it, and give immediate information to the captain and all who may be on board, for their defence and protection. And should any of his men be guilty of the crime of piracy against any American vessel, or should any pirates take refuge among his people, he pledges himself that they shall be punished by death, or given up to the government of the United States for trial, or the demand of the commander of any armed United States vessel, or to the captain of any merchantman who may be willing to take them to the United States.

Witnesses:
PON-YAH OUSSEN.
PON-YAH HEIT.
TOOKOO AHLEE.
GEO. C. READ, commander of the U. S. naval forces in the Indian Seas.
FITCH W. TAYLOR, chaplain U. S. frigate Columbia.

A. W. PENNOCK, acting lieutenant U. S. frigate Columbia.

DERRER SYLVEE, commander of the ship Sumatra.
J. HENSHAW BELCHER, professor of mathematics U. S. frigate Columbia.
U. S. frigate Columbia, off Soosoo, Jan. 11, 1839.

AFFAIRS OF MEXICO.

From the *New Orleans Courier*, May 30.
The United States cutter Woodbury, arrived this morning, brings intelligence from Tampico to the 15th inst. and from Vera Cruz and Mexico to the 10th.

From Tampico, the news is that the centralists, under gen. Arista, were within 15 miles of the city, and it was believed would enter the place without resistance. One American, one English and one French sloop of war were lying at anchor near Tampico, and the merchants of those nations had sent off the most valuable parts of their effects on board of the vessels of war, fearing lest the Mexican soldiers might be allowed to pillage the place,

after taking possession. Business was at a stand at Tampico, and many people had left the place.

From the capital, we learn that gen. Urrea has been taken and carried there wounded. Santa Ana was received with the most extravagant demonstrations of joy. It is said in the papers that he is taking the most active measures to recruit soldiers, and fill up the army skeletons. An official report gives the number authorised by law, viz: 9,600 cavalry, 3,600 artillery and 26,000 infantry. It appears the number actually under arms is a little over one-third of the force called for by law, say 2,800 artillery, 3,900 cavalry and about 8,000 infantry.

President Bustamante issued a proclamation on the 4th inst. in which he called on the people of the internal provinces, and those of the state of Tamaulipas, to submit and rally under the central government. He points to the Texans and savages on the eastern frontiers of Mexico, as the only real foes of the country, against whom the Mexicans may gratify their military ardor.

The accounts from the different cities and states of the interior of Mexico, as published in the papers of the capital, warrant the conclusion that tranquillity reigned, and no disposition was felt to oppose the central government. It may possibly happen that a collision will take place between Bustamante and Santa Ana for the supreme power, but it is evident that the liberal party in Mexico has been existing for years to come.

The general opinion among the best informed people is, that upon the fall of Tampico, Santa Ana will be declared dictator, and that his plan is to close all the Mexican ports against foreign commerce, with the exception of Vera Cruz.

Bustamante had issued a proclamation, inviting the people to their duty to the government party, which, if they did, the country would have no other enemy to contend with than Texas.

The New Orleans Louisianian has the following interesting letter relative to the execution of Mexico, and the effect of that unfortunate event upon Mexican affairs:

Mexico, May 11, 1839.

The recent defeat of the federalists in the vicinity of Puebla is a mortal blow to the liberal party. Thenceforward that party exists only by name. In fact it is annihilated, or at least reduced so low that it will be long before it will be able to do any thing for the restoration of the country.

Santa Ana has become the idol of the day. His name is the common word in the mouth of the people, and such is the frenzy of these backguards who are in a majority, that if his excellency chose to make himself king, emperor, dictator, in one day the central government would disappear and be replaced by a tyrant and a troop of slaves. I should not be surprised if such were the plan of Santa Ana. All the men in power are sold to him; the aristocracy are for him, body and soul. Against him are the clergy and the military, who are devoted to Bustamante. If it were not for the fear entertained by Santa Ana of the abdication of the federal president, and raised himself by a decree of congress to the dictatorial throne. But what he dares to do not openly, he plots in silence and darkness: he prepares the ground on which he means to contend. If Bustamante does not return here soon, his ejection from the presidency is not very uncertain, and if he returns at all, it will be to salute his sovereign master, if he wishes to escape the fate of the unfortunate Mexico.

To overthrow Bustamante, however, requires an effort of genius in his antagonist, of which I do not think him capable. Bustamante is very popular throughout the country. Besides the support of the priests and the army, he is the idolized chief of a party which is not spoken of, but which exists, nevertheless, and may take an imposing attitude, should the opportunity ever present itself. You will perceive that I allude to the Scotch masons. The principal leaders of the army belong to this party; and you are aware that they make common cause with Bustamante, and are ready to raise his standard whenever he gives the signal.

Bravo, who commands in the south, and who after Bustamante, is the most popular man in the army, also belongs to the Scotch party. The union of these two will suffice any time to destroy all the plans of Santa Ana. The last, however, is active in pushing his schemes, and sooner or later there will be an open rupture. We expect it every moment, and we are in hopes that from the struggle will arise a new order of things, in which correct principles of government will flourish. Such is my opinion at least—I hope it may be better founded than my opinion respecting the unfortunate Mexi-

Santa Ana repaired to Puebla in person to prevent the surrender of that place, and to put down all risings in favor of federalism. After Mexico's defeat, he dictated the order for the execution of that unfortunate chief, and superintended the execution, evincing in this instance all the cruelty of his nature.

The substance of the sentence was: "Whereas the citizen Mexia was found in arms, fighting against his country; it is ordered that he die the death of a traitor. He will be shot, with his back turned to the soldiers."

Mexia protested in vain against this ignominious sentence; he was obliged to submit, and prepared to die like a brave man. At the distance of twelve paces from the detachment that was to shoot him, he received the first fire of his executioners with the calmness which only belongs to true courage and a just cause. Three balls struck him and mangled his shoulder. He stood firm, but to end his sufferings and the horrors of his situation, he begged the soldiers to fire upon him with the muzzles close to his body. The soldiers complied with his request, and approaching nearer, fired a second time; his head was shot through, his head demolished, and his soul escaped to a happier region!

Such was the end of a man in whom the liberal party placed their last and dearest hopes; his death has terminated their noble enterprise. His memory is cursed by the enemies of good order and democratic institutions. But history will do him justice and assign him a distinguished place among the heroic martyrs to the sacred cause of national independence and happiness. I hope this reflection will soften the regrets of the numerous friends of Mexia in New Orleans, and assuage the bitter sorrow of his unhappy widow, who I now understand is now in your city. The last words he pronounced were for his country, his wife and his children! His memory will be dear to them all.

All the news received here relative to the battle of Puebla, agrees in representing Mexia as having acted in the bravest manner. But badly seconded by the other generals, and falling into an ambuscade he lost the victory after the most heroic exertions to obtain it. He was induced to enter a defile, which he was told was the highest road to the city, and was suddenly attacked by forces five times more numerous than his own. Notwithstanding this inferiority the battle lasted more than five hours. After these attacks, he made himself master of the enemy's artillery, and would have been victorious but for the unexpected arrival of 500 cavalry, who bore down upon his men, already overcome by fatigue, and their number greatly diminished. At this critical moment the flight of Urrea and other generals decided the fate of the gallant Mexia. In the midst of a handful of brave men, he still resisted the attacks of the cavalry. But seeing that all hope was gone, he put on the coat of a dead soldier, to avoid being taken prisoner; but fortune again betrayed him; he was recognised in his disguise by an officer of the cavalry, who made him prisoner, and carried him on the crupper of the same horse on which he rode, to Puebla, where he was forthwith tried, condemned, and executed by Santa Ana. I have been told that some minutes were allowed him to write his last adieu to his wife and children. Will Santa Ana allow the letter to go to its address? The bloodhound is base enough for such an act of wickedness and cruelty.

After what he calls a triumph, Santa Ana has returned to Mexico, where he was received with extraordinary honors. He had rejoicings, balls, illuminations, public plays, for an event over which every good man grieves. The populace admires the hero of Tampico, patriots deplore the miseries of civil war. One party weaves garlands for the victor, the other is filled with grief; on one side you hear songs of victory, on the other wallings for the dead. Time will shew us the end of this medley of things. Yours.

Matamoros which has been so long closed to foreign commerce has at length been opened by order of the Mexican government. The following regulations in reference to it have been issued by the Mexican authorities:

REGULATIONS.

"According to the supreme order of the 1st inst. communicated to me by his excellency the president, commander of the army of operations. Anastasio Bustamante, it has pleased his excellency the president ad interim of the republic, to renew the authority, granted to me on the 17th January last, to permit the introduction into this port of all sorts of merchandise, even such as come under the head of illegal trade, on the express condition that the duties be paid immediately in cash, and that this permission shall exist for no longer time than

will be absolutely necessary for me to render all proper and complete assistance to the meritorious in my under my command.

"In consequence of this privilege, and acting in conjunction with the head of the department of finance, it is decreed:

"1. All sorts of merchandise, prohibited by the general tariff of maritime duties, shall be admitted, *only into this port.*

"2. The following shall be excluded: 1. metal tools, engraved on either side with the Spanish or other national arms; 2. obscene stamps, miniatures, paintings and pictures of all kinds; 3. books, pamphlets, and manuscripts prohibited by competent authority [priests], and 4. all warlike articles.

"Published for the information and government of the public.

"Head quarters at Matamoros, 14th May, 1859.

"VALENTIN CANALIZO,
"PEDRO JOSE DE LA GAZA."

COMMERCIAL CONVENTION.

The committee of ten, to which has been referred the report of the convention, directing them to ascertain and report whether goods have not been exported and sold at the southern ports, upon as good terms, and at as fair rates, as they can be procured at the northern—and whether the country merchants cannot now procure at the southern sea-ports as full a supply and as good assortments, upon as good terms, and as favorable periods of payment, as they can be procured elsewhere—and whether there exist any and what advantages in making purchases from the direct importers at the south, carefully submit the following:

REPORT.

The inquiries to be made, in the foregoing resolution, are deeply interesting to all the friends of southern direct trade. If facts will justify affirmative conclusions to them the success of the enterprise, if per- rided, is unquestionable, unless defeated by the onward action of the general government, or an insensibility of Providence against which human industry is altogether powerless. The facts necessary to arrive at these conclusions are, however, com- plex, and exceedingly complicated, and require collection, consideration and arrangement, of time and opportunities than the present oc- casions; and your committee being composed of planters, dealers and planters, from the interior of the southern States, and labor under many difficulties in the investigation. In the result of which, the committee, in con- junction with all they represent, have a deep interest, in nothing less than the discovery of those mar- ket, where they can sell their staples for the highest price, and the goods they consume, at the lowest price—and the opportunities as they possessed, to be employed to the best of their ability, and submit the result to the consideration of the convention.

The southern States have at all times been the producers of staples of great richness and value in the market of the world, which from their earliest settlement, gave them a direct trade with the great nations, of an extent and importance greatly beyond their proportionate population. The growth and increase of this trade kept more than even pace the increase of population, and enriched them a prosperity, before unparalleled. Since the commencement of the period of free trade, it has developed and expanded to an immense extent, as has been fully already submitted to the convention. The settlement of new states, southwest and west, and the pursuits, institutions and staples, have swollen the products of their industry, until they are more than sufficient for the domestic exports, and com- pete to that extent, the basis of all the foreign com- merce of the United States.

The fiscal action of the general government in the taxation and disbursements of its revenue, has al- ways been unfavorable to southern commerce, and through the additional burdens of the protective system of duties, the disastrous effects were apparent be- fore the eyes of the people, and the spirit of the people, and broke the spirits of her people. Direct trade which was her own by every law of nature and equity, and which should have grown and increased every year, grew less and less until it disappeared, while the ports and people suf- fered to the north and south, and the people en- couraged by these burdens, our capital sought propitious locations for its employment, or en- gaged in other business—our merchants and capital- moving to the northern ports, with their funds, and employing from commerce and investing in manufactures, while the other ports, for example, were not found to supply their place. We attempt the business they had been forced to do. The importing merchants of the south are an almost extinct race; and her direct trade, in cotton, flourishing and rich, dwindled down to a few articles, and it would seem to be undeniable that if the same things by which these disastrous losses were wrought with such fatal effect, upon our direct trade,

continues to exist, that the south cannot recover what it lost under their operation. It becomes therefore an important point to be determined, whether any and what changes or modifications of these cir- cumstances have taken place, which will enable the south again to enter into a struggle for her own direct trade with foreign nations, with any reasonable hope of fair success.

That such a struggle have for several years been in progress is most certain, slowly and gradually, but certainly and beneficially. The compromise laws have already produced great amelioration, and every bi-ennial reduction is an impulse to enterprise and trade, which has already caused much capital to return, and has opened new channels with something like its ancient status before the war. The legislatures of the planting States have, with prudent foresight, avail- ed themselves of the opportunity, and by wise legis- lation, done much to encourage the enterprise and aid individual efforts in the patriotic effort; and it is believed will yet do much more for this great and vital measure, by lightening the remaining burthens which oppress commercial capital in the heavy taxation on its employment. Lightened of much of this oppres- sive taxation imposed by the national legislation, and animated by the prospect of still further reduc- tions, and a well founded confidence in the fostering mercantile legislatures, the race of importing merchants has returned, and individual and part- nership firms, appeared in our cities, and in mar- ket-banked large capitals, with great spirit in the business. It gives the committee great pleasure to add, that they have every reason to believe, that their op- erations have been conducted with the energy and with a success as advantageous to them as it is beneficial to the country.

If we consider the general principles, which natu- rally regulate trade we see no reason why foreign goods used in southern consumption, could not be brought by our own merchants at the place of their production, and brought direct to our markets as by their merchants. If the cost of the transportation elements of cost, could they be clearly ascertained, might enable the committee to arrive at exact con- clusions, but it is impossible for the committee in the time permitted for the inquiry, to attain such cer- tainty in the multitude of circumstances which must be taken into account, and which are in constant change of circumstances, the fluctuations in mar- kets, and the thousand occurrences every hour, tend- ing to disturb the regularity of trade, the exchanges and the money market, would perhaps, the very next day, vary that statement and present another view. It is, however, so also, if all the foreign goods brought into the country for its consumption, were imported by regular importing merchants, more certainty might be attainable. It happens however so far from this being the case, that im- mense amounts of foreign goods are often poured into the United States, upon the great points of im- portation, and the fluctuations of commercial pres- sure and distress, produce the influence of price, and fluctuation of prices. At such periods, the man- ufacturers, if pressed for money, instead of at once reducing the price of goods, at their warehouses, (which is considered the last thing to be done), go to stock at distant places, and sometimes ship to for- eign ports and sell by their own agents, or their own account, in which case they can learn the price, and also escape the addition, which is put on the mer- chant by our revenue laws, for the expenses on the make loans from mercantile houses, having branches in other countries, and deposit their surplus goods as security, upon the agreement that they are sold for whatever they will bring, to refund the ad- vance, if they are not paid when due. Great quan- tities of these goods and also of falling merchants are sold for the northern markets, especially New York, and sold at auction, for whatever they will bring—great sacrifices are inevitable, and the pur- chases, may be at prices which would prove ruinous to the regular importing merchant whether northern or southern. Such instances should be considered as departures from regular trade, and as exceptions to the general, regular and steady course which it should naturally and necessarily follow, but control business and prices, such transactions are not fair examples for regular business—and whether they are beneficial in the long run to the trade and prosperity of a place may well be doubted, as regular importation to disturb commerce and destroy the trade.

Before proceeding more into detail, it will be proper to remark, that the report will be confined, after a few remarks on domestic goods, to those of foreign fabric and importation. The consumption of domestic goods has increased greatly and is still increas- ing, and it is estimated by the merchant to ex- tend already to 35 per cent of the whole consump- tion. That they can be bought upon better terms, where they are manufactured, than at the southern ports, is generally conceded, except where the man- ufacturers have agencies at the southern ports, and sell at manufacture prices, including freight, insur- ance, &c. This, to a limited extent, is done, and

may, and probably will, in the course of time, be due to an extent commensurate with the demands of consumption. But if the southern merchant still goes to the northern manufacturer and buys and carries the goods back with him for sale, it is not the less a direct trade, and can be bought as cheap, and with the exception of the manufacturer himself, sell as low as any other competitor.

It is manifest that the merchant who buys his goods cheapest, and has fewest burthens and ex- penses at the lowest rates, will be able to sell his goods at the lowest rates. It is fair to presume, that what can be done in fair competition, by our merchants, in fair competition, will be done by trade, with their northern brothers. Let us see what are the elements which enter into the solution of the problem, which enjoys the greatest advantages in this honorable rivalry.

In carrying out this comparison, it will be most satisfactory to select places which may be consid- ered fair exponents of the two sections of the union, and the committee therefore select New York for the north, and Charleston for the south. In selecting that being there, the committee are influenced by the fact more information, and they are enabled to procure it, than of any other southern importing city; and it is believed that the same general principles, and its applicability to its trade, may, with such modifications as will readily suggest themselves in each case, be applied to the other southern importing cities re- spectively.

In the south, the ports are good and safe, and open all the year to ships. In the north, many and con- siderable obstructions exist during a part of the winter and cold and ice. The same may be said of their internal communications, the rivers and canals of the north being frozen, and the rail roads obstructed by the snows and often for considerable periods of time. In the summer, the southern ports are not so healthy, and their intercourse with the interior markets is less in amount and activity. The establishment of rail roads permitting the most rapid travel and perfect safety through the unhealthy districts adjacent, has greatly diminished the impediments of summer season, with other southern ports, to which similar improvements are extending. The great advan- tages from the perfect system of communi- cation with foreign parts and her customers at home, her commercial connections with Europe, and especially in the greater facilities her banks give her merchants for credits in Europe, and discounts at home for long periods, and on their cus- tomary notes. Were the only question, which city can sell its merchandise the cheapest in its own stores, the answer would probably be that New York can generally sell as low or lower than Charleston. But the true question for the southern country mer- chant is, can he buy the goods, at his home, cheaper from New York than from the north, or any other southern port? If he buys lower in New York, and the expenses of getting them home makes the expense more than he could get them at from the southern port, his own interest as well as patri- otism, will induce him to deal at his own ports. In coming to a correct view of the cost of the goods at the two markets, we must take into the circumstances which create cost, and go to the prices of merchandize. All the expenses attending traffic must be charged in the profits and taken out of them, and consequently enhance the cost of its merchandize. These expenses, in some important respects, are believed to be greater in New York than Charleston—and the following views are illus- trative of this opinion. The foreign goods imported into this country are paid for chiefly by southern produce or bills of exchange, drawn from it. To say this, the northern merchant must employ his own commission agent, and pay from one to two per cent commissions; the southern importer is on the spot where the produce is, and buys, in person, this produce or bills, saving that commission. In general, exchanges on Europe are lower by one to two per cent. at the south—at present it is not so, but the general experience has been that way; and the present difference in the exchange is not what is ascribed in a considerable extent to the amount of American loans negotiated through New York, creating a larger fund to draw on, a state of things temporary in character. House rents and store rents are believed to be twice or three times as high in New York as they are in Charleston; clerk's wages are higher; and the expenses of clerks and living, are considerably greater. Another charge, which is believed goes considerably to enhance the price of goods, grows out of the manner in which the mer- cantile business is done in New York. The import- ing trade, as a general rule, does not deal directly with the country merchant, but the imports in bales and packages, which he does not break up into bales and packages, quantities too large for country merchants. The business is divided also into almost as many distinct classes of importers, as there are distinct classes of goods. Assortments in quan- tity by had from the dealer or country merchant, can- only be had from another class of merchants, called jobbers. The jobbers, as they were called in retail, buy from the importers by the bale or pack- age, and breaking them, sell to the country dealers in quantities to suit their assortments. They are

grow immensely upon the mind, prefiguring a career of prosperity which will add vast power and influence to the south, and I gave new guarantees for the stability of her institutions. The safety of investments and the certain profits in the trade will offer, when known, inducements to the superabundant capital of other sections and even of Europe itself, to seek a location amongst us in new mercantile firms, in partnerships or agencies of foreign houses or loans to our own merchants. In a portion of these anticipations be realized, advances will probably take place in the value of the commodities in the trade, and an invigorating influence will be produced on the arts, the industry, enterprise of the country, in all the benefits of which, no class will participate more largely than the country merchants. In the improved condition of their customers, new wants will spring up and a greater demand for goods arise, at the same time that a better market will be created at home, to buy from them whatever of the simplest products of the country they may have to sell, and larger stocks and wider ranges of goods will be offered for the selection of their assortments, at prices and credits more favorable, as capital and competition increases.

F. H. ELMORE, *Chairman.*

BATTLE OF KING'S MOUNTAIN.

Interesting revolutionary document.

We have never seen the following document in print which we now publish from the original manuscript, in the possession of a gentleman of this county. It was the property of a brilliant officer in our revolution, drawn up at the time by the chief actors in it, and expressed in the plain strong style that belonged to the period. This, with very many other battles in the south, has never attracted the applause, or attained the historical notoriety which have attended the revolutionary incidents of similar magnitude in other quarters; and, indeed, so much more has been written concerning the revolutionary incidents of the north, and so much more been done by the people and the states in that section to commemorate and signalize them, that the present generation in the neighborhood of Cowpens and King's Mountain know more about Bunker's Hill and Lexington, and more of Starke and Putnam, than of Pickens and Campbell.

"No monument, inscription-stone; Their race, their deeds, their names, almost unknown!"

We have always thought that those battle fields in our state which were illustiated by the gallantry and devotion of our ancestors should be marked by permanent mementos, at the cost of the state—every one, from Fort Mifflin to King's Mountain. And he who would carry such a measure through the legislature would himself deserve a monument.

[*Columbia Telescope.*]

A statement of the proceedings of the western army, from the 25th day September, 1780, to the reduction of major Ferguson and the army under his command.

"On receiving intelligence that major Ferguson had advanced up as high as Gilbert Town, in Rutherford county, we set out to cross the mountains to the western waters, colonel William Campbell, with four hundred men, from Washington county, Virginia; colonel Isaac Shelby, with two hundred and forty men, from Sullivan county, North Carolina; and lieutenant colonel John Sevier, with two hundred and forty men, from Washington county, North Carolina, assembled at Watauga on the 25th day of September, where they were joined by colonel Charles McDowell, with one hundred and sixty men, from the counties of Burke and Rutherford, who had fled before the enemy to the western waters. We began our march on the 26th, and on the 20th we were joined by colonel Cleveland, on the Catawba river, with three hundred and fifty men from the counties of Wilkes and Surry. No officer having properly a right to the command in chief, on the first of October we dispatched an express to major-general Gates, informing him of our situation, and requested him to send a general officer to take the command of the whole. In the mean time, colonel Campbell, was chosen to act as commandant till such general officer should arrive. We marched to the Cowpens, on Broad river, in South Carolina, where we were joined by colonel James Williams, with four hundred men, on the evening of the 6th of October, who informed us that the enemy lay encamped somewhere near the Cherokee ford of Broad river, about thirty miles distant from us. By a council of the principal officers, it was then thought advisable to pursue the enemy that night, with nine hundred of the best horsemen, and leave the weak horse and footmen to follow as fast as possible. We began our march with 900 of the best men, about eight o'clock the same evening, and marching all night, came up with the enemy about three o'clock, P. M. on the 7th, who lay en-

camped on the top of King's Mountain, twelve miles north of the Cherokee ford, in the confidence that they could not be forced from so advantageous a post. Previous to the attack, on our march, the following disposition was made; colonel Shelby's regiment formed a column in the centre, on the left; colonel Campbell's regiment another, on the right; colonel Cleveland's regiment, headed in front by major Winston and colonel Sevier's regiment, formed a large column on the right wing; the other part of colonel Cleveland's regiment, headed by colonel Cleveland himself, and colonel Williams' regiment, composed the left wing. In this order we advanced, and got within a quarter of a mile of the enemy before we were discovered. Colonel Shelby's and colonel Campbell's regiments began the attack, and kept up a fire on the enemy, while the right and left wings were advancing forward to surround them, which was done in about five minutes, and the fire became general all around. The engagement lasted an hour and five minutes, the greater part of which time a heavy and incessant fire was kept up on both sides. Our men, in some parts, where the regulars fought, were obliged to give way a small distance two or three times, but rallied and returned with additional ardor to the attack. The troops upon the right having gained the summit of the eminence, obliged the enemy to retreat along the top of the ridge to where colonel Cleveland commanded, and were there stopped by his brass and a flag was immediately hoisted by captain Depoisture, then commanding officer, (major Ferguson having been killed a little before) for a surrender. Our fire immediately ceased, and the enemy laid down their arms, the greater part of them charged, and surrendered themselves prisoners to us at discretion.

"It appears from their own provision returns for that day, found in their camp, that their whole force consisted of eleven hundred and twenty-five men, out of which they sustained the following loss: Of the regulars, one major, one captain, two sergeants and fifteen privates killed; thirty-five privates wounded, left on the ground, not able to march; two captains, four lieutenants, three ensigns, one surgeon, five sergeants, three corporals, one drummer and forty-nine privates, taken prisoners. Loss of the Tories: two colonels, three captains, two hundred and one privates, killed; one major and one hundred and twenty-seven privates wounded and left on the ground, not able to march; one colonel, twelve captains, eleven lieutenants, two ensigns, one quartermaster, one adjutant, two commissaries, eighteen sergeants and six hundred privates, taken prisoners. Total loss of the enemy, one thousand one hundred and five men, at King's Mountain.

Given under our hands, at camp,

WM CAMPBELL.
ISAAC SHELBY.
BENJ CLEVELAND."

BROUGHAM'S PORTRAIT OF FRANKLIN.

The following admirable sketch of the American philosopher is from a new work by lord Brougham, recently published in London, entitled—"STATESMEN IN THE TIME OF GEORGE III." It has not yet been published in this country.

"One of the most remarkable men certainly of our times as a politician, or of any age as a philosopher was Franklin; who also stands alone in combining together these two characters, the greatest that man can sustain, and in this, that having borne the first part in enlarging science by one of the greatest discoveries ever made, he bore the second part in founding one of the greatest empires in the world.

In this truly great man every thing seems to concur that goes towards the constitution of exalted merit. First he was the architect of his own fortune. Born in the humblest station, he raised himself by his talents and his industry, first to the place in society which may be said to have the help of every ordinary abilities; great application, and good luck; but next to the loftier heights which a daring and happy genius alone can scale; and the poor printer's boy who at one period of his life had no covering to shelter his head from the dews of night, rent in twain the proud dominion of England, and lived to be the ambassador of a commonwealth which he had formed, at the court of the haughty monarch of France who had been his allies.

Then, he had been tried by prosperity as well as adverse fortune, and had passed unscathed through the perils of both. No ordinary apprentice, no commonplace journeyman, ever laid the foundations of his independence in habits of industry and temperance more deep than he did, whose genius was afterwards to rank him with the Galileos and the Newtons of the old world. No politician born to shine in court, or assist at the councils of monarchs, ever bore his honors in a lofty station more

easily, or was lost so soon by the enjoyment of them than this common workman did when negotiating with royal representatives, or carried by all the beauty and fashion of the most brilliant court in Europe.

Again he was self-taught in all he knew. His hours of study were stolen from those of sleep and of meals, or gained by some ingenious contrivance for reading while the work of his daily calling went on. Assisted by none of the helps which affluence lenders to the studies of the rich, he had to supply the place of tutors by redoubled diligence, and of commentaries, by repeated perusal. Nay, the possession of books was to be obtained by copying what the art which he himself exercised, furnished easily to others.

Next, the circumstances under which others succeed he made to yield, and bent to his own purposes—a successful leader of a revolt that ended in complete triumph after appearing desperate for years; a great discoverer in philosophy without the ordinary helps to knowledge; a writer famed for his chaste style without a classical education; a skilful negotiator, though never bred to politics; ending as a favorite, nay, a pattern of fashion, when the guest of frivolous courts, the life which he had begun in garrets and in work-shops.

Lastly, combinations of faculties, in others deemed impossible, appeared easy and natural in him. The philosopher, delighting in speculation, was also industriously a man of action. Ingenious reasoning, refined and subtle consultation, were in him combined with prompt resolution, and inflexible firmness of purpose. To a lively fancy, he joined a profound and deep reflection; his original and inventive genius stooped to the convenient alliance of the most ordinary prudence in every day affairs; the mind that soared above the clouds, and was conversant with the loftiest of human contemplations, disdained not to make proverbs and fables parables for the guidance of apprentices, youths and servile maidens; and the hands that sketched a free constitution for a whole continent, or drew down the lightning from heaven, easily and cheerfully lent themselves to simplify the apparatus by which truths were to be illustrated, or discoveries pursued.

His discoveries were made with hardly any apparatus at all; and if, at any time he had been led to employ instruments of a sort that less ordinary description, he never rested satisfied until he had, as it were, afterwards translated the process, by resolving the problem with such simple machinery, that you might say he had done wholly unaided by apparatus. The experiments by which the identity of lightning and electricity was demonstrated, were made with a sheet of brown paper, a bit of twine, a silk thread, and an iron key.

Upon the integrity of this man, whether in public or private life, there rests no stain. Strictly honest, and even scrupulously punctual in all his dealings, he preserved in the highest fortune that regularity which he had practised as well as inculcated in the poorest.

His domestic life he was faultless, and in the intercourse of society, delightful. There was a constant good humor and a playful wit, easy and of high flight, without any ambition to shine, the natural fruit of his lively fancy, his solid, natural good sense, and his cheerful temper, that gave his conversation an unspeakable charm, and alike suited every circle, from the humblest to the most elevated.

With all his strong opinions, so often solemnly declared, so impressively recorded in his deeds, he retained a tolerance for those who differed with him which could not be surpassed in men whose principles hang so loosely about them as to be taken up for a convenient cloak, and laid down when found to impede their progress. In his family he was every thing that worth, warm affections, and sound prudence could contribute, to make a man both useful and amiable, respected and beloved. In religion he would be reckoned by many a latitudinarian; yet it is certain that his mind was imbued with a deep sense of the divine perfections, a constant impression of our accountable nature, and a lively hope of future enjoyment. Accordingly, his death-bed, the test of both faith and works, was easy and placid, resigned and devout, and indicated at once an unflinching retrospect of the past, and a comfortable assurance of the future.

If we turn from the truly great man whom we have been contemplating, in his celebrated contemporary in the old world, (Frederick the great), who only affected the philosophy that Franklin possessed, and employed his talents for civil and social affairs, in extinguishing that independence which Franklin's life was consecrated to establish, the contrast is marvellous indeed, between the monarch and the printer.

CHRONICLE

Arctic land expedition. Letters have been received from Messrs. Dease and Simpson dated at Fort Confidence, Great Bear Lake, Sept. 16, 1833, giving a narrative of the unsuccessful attempt to explore the residue of the eastern part of the continent. The season was very much extremely unfavorable, and they were able to advance with their boats only to a point three miles from the site of Franklin's farthest encampment in 1821. Mr. Simpson, with a part of the company, advanced, on foot, 100 miles farther, to lat. 63, 43, 33, long, 105, 3. They propose to renew the attempt the present season, in hopes of finding a more open sea.

Diad. At Port-au-Prince, Hayti, in February last, Prince Saunders, esq., attorney general for the government of Hayti. Mr. Saunders was one of the best educated colored men ever reared in this country. He was born in Theford, Vermont, where he received a good English education.—About the year 1805, he was employed to teach the free colored school of Golecher, Conn. and subsequently, it is believed, graduated at Dartmouth, where it was that he taught in Boston. From Boston he went to Hayti, where he was employed by Christopher, "the first crowned monarch of the new world," as his agent to improve the state of education in his dominions, and was sent to Europe to procure means of instruction. In England he was treated as an extraordinary man, and his companion being mistaken for his title, he was conversant with the nobility, and admitted to the society of the king, and quite at home at the house of sir Joseph Banks, then president of the royal society.

From some cause or other, his conduct in Europe did not please his royal master, and on his return home he was dismissed from this employment. After remaining a short time in Hayti he returned to this country, studied divinity and at one time officiated in a church in Philadelphia.

How long he remained here the writer knows not, but he removed hence to Hayti again, and at the time of his death was the attorney general of the government. As he was an extraordinary man, it is hoped this notice of his death may be the means of calling forth further particulars respecting him.

N. Y. Commercial.

Deaths in New York for the week ending on the 9th inst. The number of deaths in the city during the past week was 114—fourteen more than the week previous. 70 were men and 44 were women and 23 girls. There were 25 under 1 year of age, and but 1 between 60 and 100; eight—three were born in the United States and 11 in Ireland. Ten of the 114 were colored persons.

Interesting scene on the 4th of July. The New York Express says the teachers of the various Sunday schools have entered into an arrangement to have the children celebrate the day on Staten Island in a manner worthy of the occasion. At least twenty thousand will embark in steam and row boats, land on the island, and there in a rational and happy manner. Provisions will be furnished, and every arrangement made for their safety and enjoyment. This is a noble plan, and one that will give general satisfaction.

The legislature of Ohio have authorized the following loans to be made during the present year, to carry on the internal improvement system of the state:

Table with 2 columns: Loan description and Amount. Includes Washish and Erie canal, Missungum improvement, Hanging canal, Wabash and Erie canal, Western reserve and Maumee road, Warren county canal company, Zanesville work.

In all, to be borrowed this year, \$1,730,000. These loans are to be paid in 1850, and are not to bear a rate of interest exceeding six per centum.

Mr. Wm. C. Keen, late postmaster at Printer's Row, (Pa.) has been sentenced by the U. S. district court, to ten years' penitentiary confinement, for purloining money from the mail.—an unsuccessful effort was made by his counsel to procure a new trial.

Crops in Mississippi. The Vicksburg Whiz of the 23d, states that the accounts from all parts of the state are most cheering. The cotton looks well, and if the weather should continue favorable, Mississippi will raise a better crop than she has produced for 7 years. The corn is likewise said to be in a flourishing condition. Mississippi sorely needs abundant harvests. It is by the ample produce of her soil alone that she can expect ever to extricate herself from her difficulties.

Indian murders. A letter from the Indian superintendent of the western territory, dated at the Choctaw agency, on the 14th ult. states, that two men named Crump and Backus, had just been murdered in that vicinity by the Indians.

Flour. It is estimated that the amount of flour shipped at Detroit this season, has been 150,000 barrels, and from Toledo, 25,000—making the value of the export of this article from the eastern side of the peninsula, about \$1,000,000. The amount conveyed through various channels to lake Michigan, is supposed to have been 70,000 bbls. worth \$5,000,000. The Detroit Free Press thinks that the surplus of the last year's harvest may be valued at \$2,000,000.

A sheriff run away with. On the 23d ult. Mr. Brotherton, the sheriff of St. Louis, attached the steamboat Gen. Brady. On the night of the 24th, the deputy sheriff, Mr. Lacey, slept on board. About 4 o'clock in the morning, discovering that the boat was raising steam, he went to the pilot house and took possession of the wheel, but the pilot and hands overpowered him and put off with the boat, deputy sheriff and all, for New Orleans. A considerable distance below, Mr. Lacey was put on shore. On the 23d ult. the sheriff Mr. Brotherton, left St. Louis in pursuit of the boat.

Of course there will be a criminal prosecution against the officers of the boat.

Imports of Mobile. The following statement has been furnished to the editor of the Register by the collector of Mobile, and will show the state of the foreign import trade for the gloomy year of 1838.

Statement, showing the quantity or value of some of the leading articles of imports into that port for the year 1838—

Table with 2 columns: Article and Value. Includes Coffee, Raisins, Earthen and China ware, Segars, Salt, Brown sugar, White sugar, Coal, Ready made clothing, Smeetscates, Brandy, Wines of all sorts, Porter, Cotton goods.

Jno. B. Hogan, collector.

Custom house, Mobile, May 23, 1839.

Thomas J. Sutherland, ex-general in the Canadian patriot service, has been set at liberty by order of sir George Arthur. The Ogdensburg Times announces his arrival at that place. It is said that sir John Colborne refused to keep him in custody any longer.

Lynchers punished.—A good example.—In Yazoo, Miss. some time ago, a Mr. Harris, for some real or supposed offence, was severely lynched by H. W. Dana, C. W. Bain, and others. He prosecuted those two individuals for the outrage, and the case was tried at the late session of the circuit court of Yazoo county. The jury returned a verdict for the plaintiff of \$2,000.

Luxurious travelling. The great southern rail road from Fredericksburg to Halifax, cars have been constructed with state rooms, berths, and all the necessary accommodations for lodging, "for single persons and families." They are also furnished with rocking chairs—only that the chairs are made fast, so that the faculty of rocking cannot be exercised.

A lesson from a horse. A large number of citizens of this city, on the 31st ult. received edification from a horse in this wise: a stray young one was dabbling in the mud in Chartres street, and a horse let loose to drink, which came capering by, actually lifted the child from the gutter in its teeth, and placed it on the sidewalk. Hundreds witnessed the circumstance with surprise.

New Hampshire legislature. We learn from a slip of a paper of the 10th ult. that the legislature organized on Wednesday, the 12th inst. The senate made choice of James M'K. Wilkins, for president.—Asa Fowler, clerk.—Peter Sanborn, assistant clerk, and Wm. Fisk, doorkeeper.

In the house, the whole number of votes for speaker, was 231. Moses Norris, Jr. received 150, and was elected. Thomas M. Edwards had 75—and there were 5 scattering. [Boston Merc. Journal.]

Connecticut. At a meeting of the wing members of the general assembly of Connecticut, previous to their adjournment, a series of resolutions were adopted, from which we extract the following:

Resolved, That the confidence we have ever felt in the integrity, patriotism and talents of Henry Clay, is confirmed and strengthened by the daily history of his public life, as well as by the constant and increasing attachment of his fellow citizens throughout the United States.

Resolved, That of all the candidates proposed for the presidency of the United States, we prefer Henry Clay. But as we regard principles more than men, and our confidence more than our party, we will cheerfully unite in the support of the candidate who shall be nominated by our political friends in national convention.

It is contemplated at Savannah, (Ga) to build a bridge over the Savannah river at that place. The object of the improvement is to secure a larger amount of the trade between the western states and the southern ports of the Atlantic.

Early fruit. The editor of the Mæcon (Georgia) Post was shown on the 3d inst. a large ripe peach, from the plantation of a gentleman near the city.

Hill corn. On the 23d ult. at Grand Gulf, on the Mississippi they were already reaping upon early ripe corn, at the season of growth.

Cat catches mice. A western paper, styles Mr. Fitzgerald, who in his capacity of bank treasurer, has displayed such commendable activity in exposing the impious operations of wild cat banks, "the Van Amburgh of Michigan."

The Globe contains an official statement denying that lieutenant E. W. Moore and fifty American midshipmen had entered the service of the Mexican republic. The denial is contained in a letter of Mr. Moore, in reply to an inquiry of the secretary of the navy. The original false statement was promulgated through a New York newspaper.

Death of Wm. Brooks. William Brooks, a native Flathead Indian, aged about twenty years, died in New York a short time ago. The deceased came to this city about two months since, with the rev. Jason Lee, a Methodist Episcopal missionary to the Flathead tribe of Indians. The denial is also traced through a considerable portion of the eastern states, he was a very estimable youth, and gave great promise of future usefulness, particularly to the natives of the Oregon country, to which he was about returning with Mr. Lee and the reinforcement of missionaries soon to sail for that territory. [Portland Courier.]

A letter from Livermore, in Oxford county Maine, published in the Boston Atlas, states that col. Andrews, of that county, has absconded with county funds to the amount of \$4,000. He was treasurer of the town where he lived.

American silk. The Lancaster (Pa.) Union, of this week, notices a number of beautiful pocket handkerchiefs, made of Lancaster county silk, and reeled and spun by the Messrs. Carson, of that city. The editor is quite confident that he "never saw a better article of the kind." The handkerchiefs were woven in Philadelphia, and are said to be woven as hard as imported ones of similar size, with all the softness which characterizes the fabric. Some samples of sewing silk from the same establishment had also been submitted to a competent judge, and were found to be unsurpassed for evenness, strength and color. The Messrs. Carson, it is said, have an extensive cooconomy in operation, and feed a great number of silk worms. One leaf of the multicaulis grown in their this summer, measures 15-3-8 inches across.

The life boat. The packet ship Memphis was launched on Saturday afternoon, from the ship yard of Messrs. Smith, Denon & Comstock. We have seen one of Francis's life boats, built for this ship, which will support from two to three hundred persons. We think that every ship going to sea with passengers should have one or two of these extraordinary boats. They are certainly as safe as the ordinary boats, and are believed, by competent judges, to be what they profess to be, life preservers. We are told that captain Gedney, of the United States navy, was at Stryker's bay last week, and made a number of experiments—fully satisfying himself of the utility of the boats. Captain Gedney anchored the Washington in Stryker's bay, being the first time a public vessel has been above the city since the war of the revolution. [N. Y. Com. Adv.]

Slaves captured. The British ship of war Buzzard's captain Fitzgerald, and two vessels, the Eagle and the Clera, captured by her on the coast of Africa, on suspicion of having been concerned in the slave trade, have arrived at Havana.

The vessels, it appears, are both American built, and the officers were all Americans. When taken they had the Spanish flag flying. The vessels were fitted out at Havana. One of the captains is, it seems, a native of New York, and the other of Philadelphia.

The object of the vessels is, to detain the negroes to be sent to authorities for sale, and for this purpose negotiations are now pending between the British officers and the magistrates here—says a New York paper.

A divorce case. The scandal-mongers have been much gratified at the report of proceedings before a committee of the legislature of Connecticut, on the application of a Mrs. Jarvis, for a divorce from her husband, the rev. Dr. Jarvis, of the ground of malconduct in bed. The report of the committee was unfavorable to the prayer of the petitioner, and recommended, says the New Haven Herald, that she "have leave to withdraw her petition, on the ground that there were not sufficient allegations proved to authorize the committee to recommend a divorce. The committee also report that the most of the allegations in the answer of Dr. Jarvis were unsupported by the evidence. In regard to the personal character of both parties, (respective of the unhappy controversy subsisting between them) honorable testimony was born by the chairman of the committee on the part of each house in their remarks accompanying the report, and which, as we expected, and as we have no doubt is probable that Dr. Jarvis and his lady could live happy with each other, it was the duty of Dr. Jarvis to make a just and suitable settlement for her separate maintenance. They further declared that they found nothing affecting the moral character of either party, and that both in the judgment of the committee and of the public, the best policy would be to respect, as if the difficulties subsisting between them had not occurred." The report was adopted.

It has been decided in a court of justice in Rhode Island, that to drink strong drink in a tavern subjects a man to divorce.

The court of inquiry in relation to eom. Elliott, which had been sitting for some time at the city yard, Philadelphia, adjourned on Friday the 7th inst. at the instance of eom. E. until the 27th inst.

NILES' NATIONAL REGISTER.

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BALTIMORE, JUNE 22, 1839.

[VOL. LVI.—WHOLE No. 1,347

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

APPOINTMENTS BY THE PRESIDENT. *John P. Anderson* to be attorney of the United States for the western district of Pennsylvania, in the place of Benjamin Patton, jr. resigned.

Ely Moore, surveyor of the district, and inspector of the revenue for the port of New York, to take effect on the 1st of July next, in the place of *Hector Craig*.

POLITICAL. *Francis Thomas, esq.* (Ad.) was nominated on Saturday last, by a convention which assembled at Hagerstown, for re-election to congress from the district composed of part of Frederick and Washington and Allegheey counties, Maryland.

PHILIP FRANCIS THOMAS, esq. of Easton, was on Wednesday last nominated for congress by the democratic convention, for the district of Talbot, Caroline, Queen Anne, Kent and Cecil.

BALTIMORE POST OFFICE. The clerks and letter carriers in the Baltimore post office have presented to *John S. Skinner, esq.* a very elegant cane, made of Acana wood, mounted with gold, and bearing upon a gold plate the following inscription:—"Presented to John S. Skinner, by the officers of the Baltimore post office, as a testimonial of their regard and esteem, June 7, 1839."

BANK NOTES AND EXCHANGE. The New York Herald gives the following table of rates of bank notes and domestic exchange in that city.

Bank notes.		Exchange.	
N. Y. Safety Fund,	½	Discount.	
Pennsylvania, par	a2		
Maryland,	¾a	Baltimore,	½
Virginia,	1¼	Richmond,	1a1¼
N. Carolina,	2a3¼		2¼a3
Georgia,	4a5	Savannah,	2¼a3
S. Carolina,	2a3	Charleston,	2½
Florida,	15a20	Apalachicola,	15a20
Alabama,	10a12	Mobile,	10a12
Louisiana,	2a3	New Orleans,	2a2½
Kentucky,	5a6	Louisville,	3a3½
Tennessee,	7a8	Nashville,	7a8
Mississippi,	15a17	Natchez,	20
Missouri,	3a6	St. Louis,	2a3
Ohio,	5a6	Cincinnati,	2¼a3
Michigan,	no sale	Detroit,	4a5
Indiana,	5a6		½
Illinois,	4a5		

NEW YORK STATE SENATE. In the Rochester Democrat we find the following statement of the condition of the senate:

Those who go out, are	
District.	Whigs.
at,	Administration.
d,	Henry F. Jones,
d,	John Hunter,
d,	{ James Power,
d,	{ Noadiah Johnson, (dead).
th,	Micah Spraker,
th,	David Sterling,
th,	George Huntington,
th,	John Beardsley—8.
th,	Chauncey J. Fox—1.
Those who remain in, are	
st,	F. A. Tallmage,
st,	Gabriel Furman,
st,	G. C. Verplanck,
d,	D. Johnson,
d,	H. Van Dyck,
d,	E. P. Livingston,
d,	A. C. Paige,
th,	Martin Lee,
th,	Bethuel Peck,
th,	Joseph Clark,
th,	David Wager,
th,	Avery Skinner,
th,	Lawrence Hull,
th,	D. S. Dickinson,
th,	Alvah Hunt,
th,	John Maynard,
th,	S. C. Nichols,
th,	Samuel Works,
th,	Henry Hawkins,
th,	Wm. A. Mosley—13.

Thus, of those whose terms have not expired, the whigs have 13, and the administration 10. As 17

constitutes a majority, we have but 4 to elect to secure such majority; or, with the casting vote of the lieutenant governor, 3 will equally secure a whig ascendancy upon every question, as, where there is a tie, the president of the senate has the casting vote.

UNITED STATES CONSUL AT MARTINIQUE. From recent statements respecting the conduct of our government at foreign ports, it would seem that some of these dignitaries consider their offices created for almost any purpose but that of giving protection to American property, or assistance to American citizens when either may chance to come within their consular jurisdiction. A letter from a respectable ship master to his owners at St. Pierre, Martinique, early in May, makes serious and aggravated charges against Peyton Gay,* American consul at that port. The captain states that while in port, with a portion of his men sick and in the hospital, the remainder of the crew were inveigled away from him, and received into the consul's own house, the latter being dissatisfied because the vessel was not consigned to him. The ship was thus left with only the officers and cook attached to her, in a port where it was impossible to ship a new crew, the consul also retaining his papers, and demanding one hundred and twenty-five dollars, for the papers and men. By advice of others, however, the captain was induced to pay him seventy-five dollars as a bribe, besides all legal fees, which he did to prevent detention, &c. The consul then turned upon the men whom he had sheltered four days, had them taken up by the police as deserters, when they were soon restored to the ship. A statement of the above has been forwarded to the proper authorities at Washington, and it is further stated that the merchants and masters at Martinique, connected with the American trade, had forwarded a petition to our government exposing some of the consul's proceedings and praying for his removal from office. [*Boston Courier.*]

WASHINGTON BANK ROBBERY. We learn from the Intelligencer of Friday, that the trial of A. W. Goodrich, who was indicted for a collusion with Dennis G. Orme, the teller of the bank of the Metropolis, at Washington city, to rob the bank of a large sum of money, came on Thursday last, and after a patient investigation before an intelligent jury, he was acquitted. The jury were absent but a few minutes. The defence set up was that in receiving the money from Mr. Orme, he did it with no criminal intention, but the rather to preserve it, and he kept it for the time he did, in order to screen Mr. O. from whom he had formerly received favor and kindness. The trial of Orme was by consent of the counsel on both sides, postponed until the ensuing term of the criminal court.

PROTESTED POST NOTES. The notes of the Mississippi Planters Bank to the amount of three or four hundred thousand dollars, payable at the Bank of America, are now running to maturity, but there are no funds to meet them, and they are of course protested. [*N. Y. Jour of Com.*]

MISSOURI RIVER. The Globe states that information has been received at the engineer department from the superintendent of the improvement of the Missouri river, that the steam snag-boat *Helipolis* had worked 280 miles up from the mouth, and removed all the most dangerous snags from the main channel. The river is represented as being much changed in its appearance, and the navigation so much improved, that, up to the point reached by the snag-boat, steamers are now enabled to run in the night, which was not attempted by any of them previous to the commencement of the work.

TACTICS AND REGULATIONS FOR THE MILITIA, by major Cooper of the United States army. This is the title of a work published by R. P. De Silver, Philadelphia, which has already received the patronage of several of the states, and the legislature of New York at its last session appropriated money to purchase 2,500 copies. Since its publication, upwards of thirty thousand copies have been printed and sold. The following states have subscribed to the work: Pennsylvania 10,000 copies, South Carolina 5,000, Louisiana 2,000, Ohio 1,000, Mississippi 1,000. The book is to be had at the principal bookstores in this city. [*N. Y. Post.*]

ESPY'S THEORY. The Philadelphia Gazette contains a very remarkable fulfilment of a pre-

*Mr. Gay has been removed from office by the president.

dition of Mr. Espy, in the announcement of a storm. On the first of April, (a clear day in Philadelphia), he stated, "that at this moment a storm is raging at the south, in the latitude of Charleston." Memorandum was made of the fact. By a careful examination of the papers of the next fortnight, it was seen that there was frequent mention of marine disasters around the precise locality indicated by Mr. Espy. This is certainly curious; although the first of April was a capital day for the storm, in event of a failure, it would have been a capital April joke.

CHARLESTOWN NAVY YARD. The Charlestown Aurora represents the Charlestown navy yard as in a most excellent condition. The Constellation in the dry dock is nearly ready for coppering. She will come out of the dock equal for a new ship; two of her decks have been put in new, and some of her planking, &c. Her beautiful model has been entirely preserved, and we presume she will prove one of the finest ships in our navy, of which the gallant Tuxton, her early commander might well be proud. The sloop of war *Concord* is lying at the wharf, in beautiful trim, waiting for orders. The *Marion*, another fine sloop of war recently launched, is nearly rigged, and may soon be got ready for sea.

THE BRITISH NAVY. The London correspondent of the New York Journal of Commerce writes as follows under the date of April 24:

"Sir Edward Codrington last night brought forward his motion in the house of commons, on the inefficient state of the navy, in the shape of a resolution to the effect that the system of reducing the crews of vessels of war, during the time of peace, below the number required in war, is injurious to the best interests of the service, and that for the future only one complement of men should be the rule of the service. The gallant admiral contended that ships ought to be sufficiently manned at all times; and that it would have been a fatal affair had a collision taken place between Sir C. Douglas and admiral Baudin, entirely owing to a scarcity of hands. The secretary to the admiralty, Mr. Charles Wood, opposed the motion, on the ground that it had invariably been adopted and even sanctioned by lord Howe in 1773—and by the most distinguished officers in the British navy. The motion was lost by 90 to 27—the majority against it being 63."

DR. HOLMES, the alleged murderer of Tasche, who is now in jail at Montpelier, Vt. awaiting the decision of the proper authorities whether he shall be given up to the authorities of Canada, came very near making his escape last week, some one having furnished him with files, saws, aquafortis, &c.

TECUMSEH. A short time before the battle of Tippecanoe, a talk was held between general Harrison and Tecumseh. The general arrived first at the appointed place, which was an open spot, carpeted with green sward, and covered only by the canopy of heaven. He was accompanied by his suite, arrayed in full regimentals, and presenting a gay and imposing appearance. Soon after, Tecumseh approached the spot, clothed in splendid Indian military costume, which was well calculated to display his athletic form. His manner was not that of a suppliant. His bearing was as haughty as if worlds were at his disposal; and as he advanced towards the spot where Harrison awaited him, his step was firm, his form erect, with the head slightly thrown back, his features stern and rigid, and his nostrils were distended like those of the warhorse, when he scents the battle from afar. Indeed his whole appearance was that of one who asks no favor, but who, goaded on by contempt and hatred, breathes nought but defiance upon his enemies.

As Tecumseh proudly approached, general Harrison rose to receive the chief, and pointing to a bench prepared for the purpose, said "your white father requests you to be seated."

Tecumseh cast upon the American general a look of unmitigated scorn and indignation, "you my father?" said he. "No. The sun pointing to that luminary in the heavens) is my father! The earth (pointing to the ground) is my mother! And throwing himself on the ground,) I will rest no where but on her bosom!"

The annals of Roman or Grecian history will hardly furnish a reply to equal, in grandeur and sublimity, this of the untutored Indian. [*Boston Mer. Jour.*]

THE COTTON CIRCULAR. We find the following letter from Mr. Wilder in the New York Express in relation to the late cotton humber.

"I had supposed that my former communication on the 11th inst. relating to the cotton circular, would have satisfied the editors of the Journal of Commerce, but in this expectation it seems I have been mistaken. Had this journal confined its remarks to statements founded on inference, I should have disregarded their assertions as unworthy of notice, but as they have assumed the responsibility of using the expression "we know," it cannot be submitted to with impunity. In their paper of yesterday is an editorial article containing the following extract:

"Lastly Mr. Dunlap, the president of the bank, Mr. Cowperthwait, the cashier, and Mr. Bevan, of the Philadelphia house of Bevan & Humphreys, were all here and spent the day on Thursday, and were in consultation with Mr. Wilder and Mr. Rockwell, and we know that Mr. Wilder was in consultation with Mr. Dunlap, with one of these circulars in his hand."

In relation to the above, I deem it my duty to say, and I do it in the most explicit manner.

1st. *It is utterly false*, that Mr. Cowperthwait was in this city on Thursday as stated above, or at any other time for several weeks past.

2d. *It is utterly false*, that Mr. Bevan spent the day here on Thursday. He was here, I am informed, on Friday, but I did not see him, nor did Mr. Rockwell see him, nor did either Mr. Rockwell or myself know that he was here.

3d. *It is utterly false*, that there was any consultation whatever on any subject between Mr. Bevan, Mr. Cowperthwait and Mr. Dunlap, or either of them and Mr. Rockwell, and myself, or either of us.

4th. *It is utterly false*, that I was in consultation with Mr. Dunlap with one of the circulars in my hand. Mr. Dunlap, it is true, was in this city from Wednesday afternoon until Thursday afternoon, but I did not know he was here until about an hour and a half before his departure. I saw him then only accidentally for a few minutes, but at that time I did not know of the circular—had never seen it and had never heard of it. I did not know it was in existence or in contemplation until Friday morning, when printed copies of it were presented to me.

In conclusion I now repeat what I stated in my former communication, that the Bank of the United States had nothing whatever to do with the circular so far as I know and believe. S. V. S. WILDER.

RELEASE OF A STATE PRISONER. Some time during the last year, Reynolds, alias David Deal, son of David Deal, of Shippensburg, Pennsylvania, a promising youth of 19, visited Buffalo, in the state of New York, where he was persuaded to enlist with a company of volunteers to join the patriots, for the invasion of Canada. Young Deal, with several others, was soon captured by a company of British lancers, was tried and sentenced to death. His situation was made known to his friends, by whose entreaty sir George Arthur was induced to suspend the execution of the sentence for a time, and the young man was sent to England and committed to prison, there to await the approval of the sentence passed upon him in Canada, and its final execution. The rev. Mr. Cockman, judge McLean and Dr. Sewall, who were informed of the situation of young Deal, and the distress of his family, addressed letters to Mr. Stevenson, setting forth the circumstances of the case, and requesting his influence with the authorities of the British government, to save, if possible, the young man's life. Mr. Stevenson made every effort in his official capacity, but in vain; when he applied to the queen, and requested his release as a personal favor, upon which she promptly granted a free pardon, and the young man is now on his passage home. And thus an aged father and mother, and a large circle of other family connexions are made to rejoice in the restoration of a favorite boy, who, we hope, will learn a salutary lesson from the consequences of his indiscretion, and long live to thank Mr. Stevenson for his disinterested exertions, and bless queen Victoria for the exercise of his clemency. [Globe.]

FROM BRAZIL. The Portuguese schooner Eliza arrived at Rio de Janeiro about the 26th April, having on board the chevalier De Figaniera Morao, minister of her most faithful majesty to the court of Brazil.

The Rio de Janeiro Journal of Commerce of the 27th April says—

We have been informed by a person of respectability, who we know to have good sources of information, that on the departure of the English schooner Orestes, from Montevideo, negotiations for the arrangement of the French question were on foot, and that every thing gave promise that they would have a successful result.

The ship Louisiana, at Philadelphia from Rio de Janeiro, brings papers to 1st May. The United States Gazette says:—We perceive that a considerable excitement had been caused by a circumstance

connected with the British ship, which had brought in three captured slavers. The papers do not give a full account, but so far as we can learn, the capturing of such vessels is not sufficiently popular, and one of the slave captains was rescued by the mob. Subsequently, a steamboat was passing near the British ship, and was hailed—no answer was given; whether the silence was intentional, or whether the noise of the machinery prevented the captain of the steamer from hearing, is not known.

A gun was fired from the British ship, and the ball struck a passenger of the boat in the forehead, and killed him; his wife, to whom he had been, and was cently married, was standing at his side, and was wounded slightly in the nose. This caused a terrible commotion on the boat. The English captain attempted to land, but was driven back; he then brought from his vessel an armed force, but was unable to get on shore. We see by one of the latest papers that a demand had been made upon the British commander for the persons who discharged the gun.

The Montevideo and Buenos Ayres dates are to the 6th April. The British packet has a notice of the death and funeral of Mr. John Benito Zimmerman, second son of Mr. J. C. Zimmerman, of Buenos Ayres.

Correspondence of the U. S. Gazette.
Montevideo, April 6th, 1839.

GENTLEMEN: Our frequent advices of late have us but little to say by the present opportunity, and the continuation of the blockade of Buenos Ayres, whence our accounts reach the 1st instant, gives no chance of general improvement in our market. The supplies of flour have been confined of late to the receipts of various small parcels in coasting vessels from Rio de Janeiro, which have all been sold at \$22 per barrel, which is the value of it at present.

Of lumber, we received lately two cargoes from the United States, bringing together, 250,000 feet—but which, though a large quantity, both sold for at \$45 per 1,000. The direct arrival from Batavia, with so large a cargo of rice, has supplied us with this article.

Plain domestic cottons are in large supply and only saleable at losing prices. Drills and osnaburghs answer better, but must not be sent in too large quantities. But few articles of American import are scarce or wanted, viz: wood and cane seat chairs, cordage, leaf tobacco, yellow soap and sperm candles. Salt keeps abundant and dull, at 9 rls. on board.

THE PERU-BOLIVIAN CONFEDERATION DISSOLVED AND GENERAL ANDRES SANTA CRUZ, SUPREME PROTECTOR, ABDICATED. From Peruvian papers lately received, we copy the proclamation of Santa Cruz, made at Arequipa in South Peru, after his defeat by the Chilean expedition in January:

Recent events in Bolivia and at Puno demand of me every sacrifice, to avoid the evils of civil war; I, therefore, decree—

"I. I abdicate from this moment the protectoral authority, which I legally exercised, over the states of the confederation."

"II. The state government of south Peru, and the local authorities, will continue to preserve order and enforce the existing laws, until a national convention shall decide upon the future state of the country."

By another decree, general Santa Cruz resigns the presidency of Bolivia; and in an address to the people of the republic, he says:

"Do not scandalize the world, Bolivians; by excesses, which must bring odium upon our country. Anarchy will destroy you if you be divided among yourselves, and yield to the counsel of evil passions. Wherever Divine Providence may conduct us, I shall not cease to hope ardently for your prosperity, which has been my only object for the last ten years."

Whilst general Santa Cruz still remained at Arequipa, his troops mutinied, and he retired to Islay a port on the Pacific. He was there lodged with the English consul, Mr. Crompton. An attack was apprehended from the populace, and seventy men were lauded from her Britannic Majesty's ship Samarang, to protect Santa Cruz. On the 13th of March, he embarked, taking with him generals Miller, Cerdana, Riva, Augero, Senor Garcia del Rio, Senor Irsarri, late Chilean plenipotentiary, and other persons of distinction. [Globe.]

A NEW MODE OF PROPELLING SHIPS. By the following extract of a letter, dated London, May

17, it seems that the new plan of propelling vessels by means of screws, has succeeded:

"The ship Archenedes has arrived at Portsmouth after a cruise in the channel, having beat a government steamer. The great value of the screw is now fully tested. The water thrown by it on the astonished of naval officers. She turns in double her length; her first action on starting is to answer her helm. The ship has encountered bad weather, but has met it beautifully. Paddle boxes of the ocean are now superseded, and as a tug, no known power can have such hold of the water."

NAVAL. The United States' steamer Poinsett, recently fitted out at this port under the direction of the war department, left here yesterday afternoon for Norfolk, to complete her armament and crew, whence she will proceed to Florida, to co-operate with the army in that quarter in the suppression of Indian hostilities. [Balt. Amer.]

The following is a list of her officers:

- Isaac Mayo, commander.
- Leaves—Isaac S. Sterrett, John L. Ball, John A. Davis, Samuel E. Manro.
- Acting master—Levin Handy.
- Purser—Wm. A. Slacum.
- Surgeon—Wm. Maxwell Wood.
- Passed assist/surgeon—Daniel S. Green.
- Lieut. of marines—Thos. T. Sloan.
- Passed midshipmen—Henry Waddell, Strong B. Thompson.
- First surgeon—Mayo C. Watkins, Alex. Murray.
- Wm. M. Caldwell, Clement W. Bennett.
- Captain's clerk—Wm. Clement Tuck.
- Sailmaker—George Thomas.
- Boatswain—(acting)—Elijah Foster.
- Carpenter (acting)—James McDonnell.
- Gunner—
- First engineer—James Adkinson.
- Second do.—Nailor C. Davis.

The U. S. ship North Carolina was at Rio on the 1st May, to sail for home in three days. The U. S. sloop Enterprise was to sail in five days.

OFFICIAL—MEDICAL STAFF. The medical board for the examination of candidates for appointment as assistant surgeons in the army, which adjourned on the 14th instant, have appointed the following persons:

- 1. James W. Russel, N. Y.
- 2. Henry H. Steiner, Pa.
- 3. John C. Glen, S. C.
- 4. Henry E. Crutenden, D. C.
- 5. James Simons, S. C.

Before the same board examinations were held for promotion in the case of assistant surgeons, J. B. Wright and John B. Wells, and in the deference case of surgeon Burton Randall, all of whom we approved.

Before another board, subsequently organized and which adjourned on the 17th instant, examinations were held for promotion in the case of assistant surgeon John B. Porter, and in the deference case of surgeon H. L. Heiskell, both of whom we approved.

Engineer orders, No. 5. *Engineer department Washington, June 17, 1839.* It has become painful to the chief engineer to announce the corps of engineers the death of a brother officer captain Wm. A. Eliason, who expired suddenly Alexandria, D. C. on the morning of the 15th inst.

As a testimonial of respect for the deceased, officers of the corps and those of the military a demy will wear the usual badge of mourning thirty days.

Jos. G. TRUTTEN, *col.*
and chief engineer.

STEAM VESSELS OF WAR. The Army and Navy Committee states that the board of engineers and naval constructors at the late session, had under consideration the model, size, form and location of machinery, of two steam vessels of war, which the government have determined to build. The dimensions of the vessel are not stated. The board was composed of captain M. C. Perry, of the navy, president; Messrs. W. Kemble, one of the proprietors of the V. C. Point foundry; S. Humphreys, chief naval constructor; S. S. Hart and G. Lenthall, naval constructors; and C. H. Haswell, engineer of the United States ship Fulton.

MR. WEBSTER. The New York correspondent of the Boston Atlas, who has, evidently, the means of procuring information upon the subject, makes the following important statement in relation to the designs of Mr. Webster:

"I perceive a paragraph in some of the papers, stating that Mr. Webster had accepted a nomination as vice president of the ticket with general Everett. This is not correct. On the contrary, I myself wanted in saying that Mr. Webster had declined from the field. I am assured that he was determined, previous to his leaving the United States, to address a letter to his Massachusetts friends."

ing his views and wishes, but on his reaching this city he was persuaded to suspend the letter until his arrival in England. My impressions, therefore, are, that before this day, that letter has been written and is probably now on its way to this country.—Nor is my information derived from street rumor, but from a highly respectable and confidential friend of Mr. Webster, who conferred with him on the subject, previous to his sailing.

LETTER FROM THE PRESIDENT. *From the N. York Evening Post.* It having been understood that the president of the United States intended to visit his native state this summer, our general committee have been making arrangements for his reception. In answer to a communication in behalf of that committee, the following letter has been received from him.

Washington, June 14, 1839.

DEAR SIR: I have received your letter, in which, on behalf of the democratic general committee, you ask to be informed of the probable period of my arrival at New York, with a view to a public expression of regard for myself and approbation of my official conduct.

In intending to travel by private conveyance, I cannot fix a certain name the day on which I shall reach there, but I hope to do so by the first of July, the interchange of personal civilities with my fellow citizens in the course of my journey, will afford me the most lively gratification, and the only sentiment in regard to it that I desire to express is the hope that it may be attended with the least formality that is consistent with entire respect to the wishes of my friends.

As your letter leads me to believe that the committee design to invite me to a public dinner, and I have been apprised that a similar kindness is contemplated in other places, I trust I shall be pardoned if I express, in advance, of more formal terms, the obligation I shall feel myself under, to decline such compliments.

I am not insensible of the apparent indelicacy of us anticipating the intentions of my friends; but feel that in so doing, I may safely throw myself on their indulgence, and I need not assure them that I can never be unmindful of any manifestation of their regard or confidence.

Do me the favor to make these sentiments known to the committee, and to accept for yourself my thanks for the obliging manner in which you have conveyed their request. I am, sir, very respectfully, your friend and obedient servant.

M. VAN BUREN.

WHIG STATE CONVENTION. Delegates from twenty-five counties of the state of Pennsylvania, met at Chambersburg on the 13th inst., for the purpose of nominating delegates to a national convention, and framing an electoral ticket. George Haubers, of Franklin county, was chosen president; William Clarke, of Dauphin; J. Price Wetzel, of Philadelphia; Alexander Reed, of Washington county and J. G. Palmer, of Schuylkill county, were presidents. Resolutions strongly in favor of Henry Clay were adopted, although, not without a strenuous opposition from a respectable minority.

Resolutions were offered by C. B. Penrose, esq., a speaker of the senate, who proposed that the convention should adjourn, and a new one, composed of all the elements of opposition to Mr. Van Buren, be assembled at Harrisburg, on the fourth Monday in August next. Mr. Penrose's resolutions were negatived by a vote of 50 to 25. After a minority had used their utmost exertions to prevent the adoption of the resolutions favorable to Mr. Clay, reported by the committee, seventeen of them, among whom were Messrs. C. B. Penrose, John Dickey and William Clark, entered their solemn protest against the proceedings, withdrew from the convention, and after organizing, passed a preamble and resolutions, recommending the assembling of a state convention of delegates of the Democrats of Mr. Van Buren, on the fourth Monday in August next, to elect delegates to the whig national convention which is to meet in Harrisburg on December next. The majority of the convention adopted an address, and nominated J. Andrew Tulz and Joseph Lawrence as senatorial delegates to the national convention.

DIRT. *Circular of the whig central committee.* The democratic whig central committee for the state having been strongly solicited to call a convention of a limited number of delegates from the several counties in the state, in proportion to their representation in the general assembly, for the purpose of appointing delegates to the national convention, which is to meet in December next, to nominate candidates for president and vice president. This method of appointing delegates to the

national convention has been also recommended by a public meeting recently held in Miami county. However proper this method may in itself be, the central committee, after an interchange of opinion with several of the most discreet and influential whigs in various parts of the state, deem it improper to advise its adoption. They consider this question to have been settled by the great whig convention of the 31st May last. Those who were present at that convention will recollect that the subject then elicited considerable discussion and some warmth of feeling, and that the vesting in each congressional district the right of appointing its own delegate was adopted by a large majority, as being most democratic, and best calculated to bring out the real sentiments of the people. Any attempt to substitute a different course at this time, would, it is feared, excite jealousies among the friends of the illustrious persons whose names are most prominent as candidates for the presidency, and add to the difficulty, already too great, of reconciling conflicting opinions. Whatever course shall be adopted to select the delegates of the national convention, it is to be presumed that Ohio will with one voice, present to that convention her own illustrious son as her favorite candidate, agreeably to the successive decisions of three of the most numerous conventions ever held. But should the union of the opposition to misrule and executive usurpation, throughout the union, render it necessary to recede from this stand, that her delegates will with equal unanimity and cordially, give their voice for that individual who will be most likely to effect that union, and render its object successful.

ALFRED KELLEYS, chairman.

JOSEPH BURGWAY, sen.

WARREN JENKINS,

LEWIS HEVL,

SAMUEL DOUGLAS.

Columbus, May 21, 1839.

MEXICO AND TEXAS. The Charleston Mercury contains the following letter from colonel Bee, the Texan envoy to Mexico. This may be deemed an official account of the colonel's reception. It was before stated that he had left Vera Cruz for Havana.

Havana, June 9, 1839.

To the editor of the Mercury:

SIR: I arrived here on the 6th, in the French steam frigate Phœton, M. Goubin, commander. We were eight days on Vera Cruz—having had head winds the whole voyage. An arrival from New Orleans yesterday brought papers of that city to the 1st June. They contain remarks founded on the first ebullition of feeling evinced at Vera Cruz on hearing that an agent from Texas was on board a United States vessel of war, in their waters. But it is due the citizens of Vera Cruz, and more especially his excellency general Victoria, commandant of this department, that I should correct an improper impression upon this point—as, after being a few days on board the beautiful fifty-two gun ship La Gloire, Monsieur Le Conte Laine, commander, to whose hospitality and kindness, an everlastingly indebted—I landed under the sanction of general Victoria, and remained in his city ten days, in the perfect enjoyment of my liberty; and receiving at his hands the most distinguished courtesy. It is true, that after several communications with the authorities at Mexico, it was decided that I could not be received as the representative of Texas. But there was no indignity offered "the rebel," and unlike king David's ambassadors to Nabum, I returned on board the French fleet, without my head being shaved.

It was perhaps expecting too much of Mexico, to suppose she would receive me—inheriting as they do, all the pride of the Spaniards—Mexico herself having but recently been acknowledged by Spain, after years of separation—but Texas is a forward "banding," and I thought the sooner the mother's eye was met the better—if she was to be rejected with frowns, she would deplore it—if received with smiles, be gratified. The result is, (or has been), that I have not been received as the bearer of the olive branch from Texas. But the ice is broke—we have done our part, and I flatter myself the day is not distant, when a definite treaty boundary will be established between Mexico and Texas, consecrated as it must be by a lasting peace. I am, sir, your most obedient servant,

BARNARD E. BEE.

ANOTHER STEAMBOAT CALAMITY. The John Bull a valuable steamboat, was destroyed by fire on the morning of the 19th inst. whilst on her way to Montreal, and a large number of passengers (estimated at twenty) were either drowned or burnt to death. The event occurred between 3 and 4 o'clock in the morning, when the boat was off Larabee, about eight miles

above Sorrel. The Montreal Gazette contains the following particulars of the calamity.

"Mr. Thomas, the purser, was the first to discover the fatal event. He was in bed in his berth, on the foot of the main stairs, leading from the lower to the deck, and was awakened by the crackling noise of fire on the same side of the boat, being the larboard. Upon going on deck, Mr. Thomas discovered, to his horror, that almost the whole of the boat amidships was in one blaze of fire, and that the flames were making such rapid progress to the stern, that it would be difficult to rouse the passengers from sleep, and get them on the main deck in time to save them. He immediately gave the alarm to the captain, and by throwing billets of wood through the skylights of the gentleman's cabin, called the attention of those below to their dangerous situation.

From both cabins, the passengers immediately began to issue in their night dresses, and without being able to carry any of their luggage or property with them, owing to the stifling smoke and heat, all the passengers did not succeed in making their way to the upper in the stern of the boat. Immediately upon discovering that the boat was on fire, captain Thomas, whose conduct throughout was beyond all praise, ordered her to be steered toward the shore, where she grounded at the bow in about eight feet water, but with her stern aloft. The great object now was to save the passengers, for which the boats of the John Bull, and the vessels which were in the harbor, immediately employed, the masters and crews of those vessels working them with zeal and activity, and otherwise giving every possible assistance in saving the passengers from the burning bog. By this means, many of the passengers were got ashore; but we lament to state that it is supposed about twenty of them have been lost, either by falling into the water, or by throwing themselves into the river to escape so dreadful a death. Among the latter was a Miss Ross, of Quebec, who it is said, was there conveyed by her brother; but no one on board was acquainted with her, or knows to what family she belongs.

Many were the narrow and hair breadth escapes which were made by a number of the passengers; and much valuable property has been lost, the amount of which it is as yet impossible to ascertain. The second engineer of the John Bull, a fireman, and one of the crew, are missing, and are supposed to have been either drowned or burnt to death. These three individuals were on duty when the fatal accident happened; but were the other persons on board who could give any information as to the vessel, or which the fire originated. Both the engines of the John Bull were in full operation until a short time before she struck overboard, in consequence of the hull being burnt to the water's edge. The remaining portion of the boat then rose about two feet out of the water, when she a second time burnt to the water's edge.

Immediately after the dreadful event had occurred, the purser came to town with the intelligence, when Mr. Mulson despatched the Canada for the purpose of bringing up the passengers of the John Bull, and affording them such other relief as they may have stood in need of. We have been unable to obtain a list of the John Bull's passengers, but the following were among those on board: Messrs. Rhynas and Mr. Robertson, Merchants of Montreal, Messrs. G. Nepean, Upper Canada, captain Fraser, of Quebec, Mr. James Dickson, of Three Rivers, and Mrs. W. K. McCord, formerly of Quebec. These have all since arrived here, by land, or by Canada steamer, this morning. The body of Miss Ross was also brought to town.

It is more in sorrow than in anger that we are compelled to state, that the conduct of the Canadian habitans to the unfortunate passengers on board the John Bull, was of a description which reflects the utmost disgrace upon their ancient character for good feeling, humanity and hospitality. They could not be prevailed upon to lend the least assistance, or make any payment to an amount beyond reasonable compensation; and when they did lunch their way, it was evidently, more for the purpose of plunder than with the view of saving life and property.

As an instance of their misconduct, one gentleman, who was clinging to the stern of the John Bull, cried to some habitans for assistance; but they cruelly refused to comply with his request, unless he would promise to give them ten dollars. One of the passengers asked for a glass of water, but was harshly told that there was plenty in the river. And, shocking to state, it is said that such were their avidity for plunder that the ear-rings of Miss Ross were torn away. A considerable quantity of baggage, and articles which floated from the wreck, were found secreted in the neighboring houses; and even some of the re-delivery of them proved fruitless, until returned by a body of two or three of the passengers at once. Much property of value still remains concerned in the possession of the country people; and we are truly happy to learn that a body of police has been despatched from town to the spot, in order to protect all that can be saved from the wreck of the unfortunate John Bull."

CAUSES OF PATRIARCHISM. The overseers of the poor at Portland, Maine, have found that of the twenty-four brought there either directly or indirectly by intemperance. They have ascertained that of the eighty-eight

families partially assisted out of the almshouse, seventy-four were reduced to want by intemperance; that of the sixteen belonging to Portland, who became chargeable in other towns, thirteen were in consequence of intemperance, and that of the three hundred and ninety-one who were during the year, in mates of the almshouse, three hundred and eighty were brought there directly or indirectly by intemperance.

The summary of the whole then is that there were inmates of the almshouse during the year,		331
Chargeable to intemperance directly or indirectly,		330
Leaving the other causes of pauperism, Families partially assisted out of the almshouse,		11
Chargeable to intemperance		88
Leaving to other causes		74
Paupers belonging to Portland but supported in other towns		14
Chargeable to intemperance		16
		13
Leaving to other causes		3
Received into the house of correction		24
Chargeable to intemperance		24
Leaving to other causes		0

WHEAT AND MARRIAGES. The Massachusetts Spy has gathered up the following as one of the modern discoveries of the politicians of the day, that the high price of agricultural production diminishes the number of matrimonial contracts. The proof is sought in the statistics of England, and a table was exhibited by Mr. Rantoul in one of his lectures, showing that love rose and fell with the market value of living. The evidence is contained in the columns of figures below, showing the price of wheat and the number of marriages in the United Kingdom of Great Britain.

Years.	Price.	Marriages.
1791	50s. 6d.	71,730
1795	72s. 11d.	63,330
1798	50s. 4d.	79,477
1799	66s. 11d.	77,557
1800	110s. 5d.	69,851
1801	115s. 11d.	67,283
1802	67s. 9d.	90,396
1803	57s. 11d.	94,379
1815	63s. 8d.	93,444
1816	76s. 2d.	91,946
1817	81s. 0d.	88,224

The average price of wheat in each year above stated is 73s.; of marriages, \$1,791. [N. Y. Express.]

ANNUAL STATEMENT OF THE COMMERCE AND NAVIGATION OF THE UNITED STATES. We have received from Washington an abstract of this interesting document; from which we present the following:

Imports for the year ending Sept. 30th, 1838.		\$113,717,404
Total amount,		
Of which were imported in American vessels	103,087,443	
In foreign vessels	10,629,950	
Exports.		108,486,615
Total amount,		96,033,521
Of which were domestic produce	12,432,793	
Foreign produce		
Domestic articles.		79,856,539
Exported in American vessels	16,178,322	
" in foreign vessels		
Foreign articles.		9,964,200
Exported in American vessels	2,488,599	
" in foreign vessels		
Navigation.		
American shipping entered the ports of the United States for the year ending Sept. 30, 1838	Tons. 1,302,974	
Do. cleared from do.	1,403,761	
Foreign shipping entered during same period	592,110	
Do. cleared do.	604,168	
Registered tonnage as corrected Sept. 30, 1838	822,551	
Enrolled and licensed	1,041,105	
Fishing vessels	121,102	
Total tons,		1,994,798
Employed in whale fishery,	129,649	
Shipping built in the United States during the year ending Sept. 30, 1838.	41,839	
Registered,	71,275	
Enrolled		
Total tons,		113,134

The imports of the previous year, ending 31st September, 1837, amounted to \$140,999,217, and the exports to \$117,419,376. It will be observed that while parts of 1837-8, are less by \$27,000,000 than in the imports of 1837-8, are less by only \$9,000,000 more. The tonnage of American shipping which entered in 1837-8, is greater than in 1836-7, by 3,254 tons, while the foreign tonnage is less by 173,593 tons. This again is a favorable indication. The actual tonnage owned in the United States has increased within the year, from 1,895,835 tons, to 1,994,798; or 93,113 tons. Rather less tonnage was built in 1837-8, than in 1836-7.

[N. Y. Jour. of Com.]

the debate relative to the corn laws, March 12, 1839.

National debt of England and other countries, with the proportion of such debt which falls on each individual.

	£	s.	d.	Debt per head, proportion of		
				£	s.	d.
England,	500,000,000	32	0	0		
France,	194,400,000	5	19	7		
Russia,	35,550,000	0	11	9		
Austria,	78,100,000	2	7	6		
Prussia,	29,701,000	2	7	7		
Netherlands,	148,500,000	23	5	5		
Spain,	70,000,000	5	0	8		
United States,						
Sicilies,	18,974,000	2	11	2		
Bavaria,	11,811,000	2	16	0		
Sardinia,	4,584,000	1	1	2		
Turkey,	3,667,000	0	7	8		
Sweden,						
Portugal,	5,649,000	1	2	6		
Denmark,	3,799,000	1	18	4		
Rome,	17,142,000	7	9	0		
Poland,	5,740,000	1	3	3		
Saxony,	3,300,000	2	9	1		
Hanover,	2,284,000	1	11	0		
Baden,	1,670,000	1	9	2		
Wurtemberg,	2,505,000	1	12	7		
Tuscany,	1,384,000	1	4	11		
Hesse, (Darmstaet)	1,154,000	1	3	11		
Hesse, (Electorate)	220,000	0	6	1		
Switzerland,						
Norway,	252,000	0	3	1		
East India company's territories,	47,609,000	0	9	0		

Comparative wages of English and foreign operatives.

Operatives are paid in		
France,	5s. 6d. per week of 72 hours.	
Switzerland,	5s. 5d.	82
Austria,	4s. 0d.	76
Tyrol,	3s. 9d.	88
Saxony,	3s. 6d.	72
Bona, on the		
Rhine,	2s. 6d.	84

The average wages being a fraction under 4s. per week. The average wages paid to hands similarly employed in England, but for a few hours, being 12s. a week.

GERMANIC POWERS. The following is an account of the military forces of the Germanic powers and confederated states, more correct than what we published, some ten days since, from a Frankfort paper, and which is supplied us by a correspondent in that city:—

States.	Men.
Austria,	744,000
Prussia,	451,200
Bavaria,	68,000
Saxony,	17,800
Hanover,	29,600
Wurtemberg,	22,406
Baden,	12,600
Electorat Hesse,	8,600
Grand Ducal Hesse,	9,479
Nassau,	4,200
Saxon Duchies,	9,565
Brunswick,	3,700
The two Mecklenburgs,	4,960
Oldenburg,	3,450
Other states,	27,282
Total,	1,417,400

The above numbers are independent of the war-reserve corps.—A statement of the military force of Russia, which we derive from the same source, but which we are inclined to think, is greatly overrated, runs as follows:—

Imperial guard,	43,000
127 regts. of infantry of the line,	508,000
36 battalions of infantry in garrisons,	108,000
63 regiments of regular cavalry,	68,000
38 regiments of regular Cossacks,	30,000
Irregular cavalry, Cossacks, Tartars,	
Colnouchs, &c.	87,000
Corps of dragoons,	14,000
Artillery, 1,750 pieces,	67,500
Engineers and auxiliary corps,	19,500
Polish army united to the Russian,	50,000
Officers of all ranks,	24,000
Total,	1,020,600

The Austrian navy is composed of 8 sail of the line, 8 frigates, 4 corvettes, 6 brigs, 7 schooners, and several smaller vessels; besides a flotilla of 25 armed boats on the Danube.—The Russian navy is composed of 36 ships of the line, 28 frigates, 8 cutters, 10 brigs, 61 schooners, 27 galleys, 142 gun boats, 30 floating batteries, 32 steamboats, making in all 874 sail, having together 7,400 guns, 36,000

sailors, 1,100 marines, and 5,500 marine artillery-men.

STATISTICS OF LOWELL MANUFACTURES. Compiled from authentic sources, January 1, 1839.

Capital stock,	9,000,000
Number of mills, 28, exclusive of print works, &c.	163,404
Spindles,	5,099
Looms,	6,471
Females employed,	2,077
Males do.	1,961,259
Yards made per week,	
Bales of cotton used per week,	347,300
Pounds cotton wrought per week,	255,500
Yards dyed and printed per week,	11,556
Tons of anthracite coal per annum,	3,851
Cords of wood per annum,	65,285
Gallons of oil per annum,	

Remarks.

Yards of cloth made per annum, 55,135,000

Pounds of cotton consumed, 18,059,500

Assuming half to the upland, and half New Orleans and Alabama, the consumption in bales, averaging 361 lbs. each, is 46,070

A pound of cotton averaging 3-12 1/2 yards.

A hundred pounds of cotton will produce eighty nine pounds of cloth.

As regards the health of persons employed, great numbers have been interrogated, and the results show, that six of the females out of ten enjoy better health than before being employed in the mill of males, one half derive the same advantage.

As regards their moral condition and character, they are not inferior to any portion of the community.

Average wages of females, clear of board, Per week.

Average wages of males, clear of board, 80 cts per day.

THE BRITISH MINISTRY.

The following table will show the names of the present ministers who constitute the British cabinet with their titles, salaries expressed in pound sterling:—

Wm. Lamb, Viscount Melbourne, first lord of the treasury, £5,000

Charles C. Pepys, baron Cottenham, lord chancellor, 14,000

Henry Petty, marquis of Lansdowne, lord president of the council, 2,000

J. W. Ponsbury, viscount Duncannon, lord of the privy seal, 2,000

Right hon. Thomas Spring Rice, chancellor of the exchequer, 3,000

Lord John Russell, secretary of state for the home department, 5,000

Henry Phipps, marquis of Norwunby, colonial secretary, 5,000

G. E. Kynmond, earl of Minto, first lord of the admiralty, 4,000

Sir J. C. Hobhouse, president of the board of control, 3,000

Sir Charles Poulett Thompson, president of board of trade, 2,000

Viscount Howick, secretary of war, 2,000

H. R. Vassal Fox, baron Holland, chan. of duchy of Lancaster, 3,000

The marquis of Normandy has lately been removed from the government of Ireland, where his salary was £20,000, to succeed lord Gleichen in the colonial department. His administration in Ireland is severely censured by the opposition.

The ages of ministers are as follows:

Viscount Melbourne 61

Lord Barnton 56

Lord Cottenham 5

Viscount Duncannon 4

Marquis of Normanby 5

Earl Minto 5

Lord Holland 6

We have not the means at hand of ascertaining the ages of the other members of the cabinet.

It may be interesting to know how far some of the leaders of the opposition have got along in life, therefore set down some of them.

Lord Wellington is 70 years old.

Lord Lyndhurst, who is son of John Cople the distinguished portrait painter, was born in Boston, 1772, and is 67 years old.

Lord Brougham is 60.

Earl Durham, J. G. Lambton, 47.

The oldest peer of England is baron Schlabach, who was born in 1751, and is consequently 88 years old. The earl of Westmoreland is one year younger. [Salem J.]

LONGEVITY. Marshfield, (Mass.) vs. rough, (Me.) We find in the Bangor Whig a notice of a long life from Mr. Adam Rogers, whose pride appears to have been aroused by the publication of the case he refers to.

The editors of the Whig & Courier:
 DEARS: Having seen in the Wesleyan Journal of 25th ult. a notice of a case of remarkable longevity in a family that originated in Scarborough in your state, the children of which were eleven in number, two of whom are still living, eight having died at the age of eighty years, I take the liberty to send you a notice of another case, which though exactly of the kind, is in my belief, more remarkable.

My father's family were all born and brought up in Marshfield, Massachusetts, and consisted of six brothers and four sisters. The following died at the ages set against their names.

Timothy Rogers	105 years
Israel Rogers	103 "
Poleg Rogers	107 "
Amos Rogers	85 "
Zachus Rogers	97 "
Adam Rogers (my father)	104 "
Lydia Lewis	90 "
Bethia Tolman if living, is about 110	" "
I have not heard of her death.	
Eunice Ford died last year	100 "
Jane Oldham if living upwards of	100 "

Adding their aggregate ages 988 " it is probable that Betsey Tolman and Jane Oldham died a few years since. If so it will reduce to a amount somewhat. Will some one in Massachusetts who may happen to find the fact inform me if they can deal, when they die, by letter addressed, Bangor, Maine, directed to me. ADAM ROGERS.

FIRST ARKANSAS CARAVAN TO MEXICO. About the 1st of May, a caravan with 40 men and 18 wagons, besides a number of mules, led Van Buren, in the state of Arkansas, fitted out by Messrs. Pickett & Greig, of that place, bound on a land voyage to Chihuahua, in the republic of Mexico, with an assorted stock of merchandise, principally dry goods, about 40 U. S. dragoons, under the command of Lt. Bowman, were to meet them at camp Holmes, the Canadian, 150 miles west of Fort Gibson, to escort the caravan a portion of its journey through a country of the wild Indians.

The distance from Van Buren to Chihuahua is not 700 miles; but as that town is not a port of tray, the caravan will necessarily first perform a journey to Santa Fe, nearly 600 miles out of its way, in order to enter their goods at the custom use. Suitable representations were made to the Mexican minister at Washington during the late session of congress, and there is every prospect of Chihuahua being soon made a port of entry, which will greatly facilitate the transmission of merchandise to that portion of the Mexican dominions, where they are so greatly needed—the recent blockade by the English having been the means of keeping the whole country destitute of the necessary and ordinary goods of wearing apparel. [Arkansas Gazette.]

THE FIRE AT PORT GIBSON. The following account of the late disastrous fire at Port Gibson, is taken from a letter written by a gentleman at Grand Gulf, to a gentleman in New Orleans.

"The fire occurred about eleven o'clock, on the morning of the 1st inst. and originated in a kitchen, the rear of, and adjoining the store and dwelling of Messrs. Andersons. Commencing near the ceiling, it spread in both directions, and the flames being very high at the time, it was soon found possible to stay its ravages. Its progress was rapid, most beyond conception; and in a few hours the whole business portion of the town, together with most of the public buildings, were one complete mass of smoking ruins. The sufferers are the Messrs. H. and A. Andrews, Moore, Burroughs & Co., Wells & Person; Bush & Elmer; R. Parkinson; Kelly & Lyd; Thomas & McGill; Moody & Man; T. D. Squires; A. J. Bodewell; Merrifield and Dillon; and R. Wright, merchants. The goods were saved in some instances almost without loss. The Messrs. Andersons, and Moore, Burroughs & Co. being the principal sufferers at that time, the value on the real estate, among them, burned, but saved all her books, papers, and every thing of value, as also, did the court house and post office. The principal loss in buildings will upon J. Loring, esq. Passamore Hodges, Mr. Waller, Pierson & Co. and the Messrs. Andersons. The surance, we understand, was only partial, not extending perhaps one-third of the real value on the real estate. The private residences burned, did not exceed five or four, and those comparatively but of moderate value. It is impossible at present to estimate the real loss; but it probably will not fall far short of \$300,000, and may exceed it.

SULLY'S VICTORIA. The controversy between Mr. Sully and the St. George's society of Philadelphia, relative to the property of the portrait of Victoria, as we announced some time since, has been settled by arbitration. As the case is one of interest

to artists, we copy some particulars in regard to it. The facts admitted are:

1st. That Sully contracted, for a stipulated sum, to paint a picture of queen Victoria for the St. George's society of Philadelphia.

2d. That upon the examination of witnesses on general usage was established proving the right of an artist to exhibit a picture taken on such a contract. Mr. Sully on his return from Europe attempting to exhibit the picture for his own benefit, an injunction was obtained, which ended by submission to an arbitration composed of Messrs. Horace Binney, Wm. Rawle, and T. I. Wharton, esqrs.

The complicated questions arising, were— 1st. Does an artist contracting for a specific piece of art, for a specific person or society, own the idea of it, so as to multiply copies himself, and to prohibit the purchaser of it from taking an engraving from it, or multiplying copies of it?

2d. Can the artist have a copy right of a picture, he thus contracted to take for another?

3d. Has he the right to exhibit what is called the original picture, after the time when it is ready for delivery, and when he is by contract bound to deliver it.

It was contended for the St. George's society, that in ordering the painting they ordered it for a charitable exhibition, and contracted for full property in it. One of its elements of value was that it should be unique. Copies of it would diminish its value. The suggestion of the subject was by the society. The idea was theirs.

It was contended for Mr. Sully, that he had as much right to a copy right of his picture as a writer of his book, or a patentee of his patent, and granting that the original was theirs, the study was his, of which, it being his idea, he had a right to make as many copies as he chose.

A majority of the arbitrators, Mr. Wharton dissenting, decided—

1. We do award, and adjudge, that the society of the Sons of St. George shall forthwith pay to Thos. Sully, the sum of five hundred dollars, and the said Thomas Sully shall thereupon forthwith deliver to the society of the Sons of St. George, the full length picture of queen Victoria, in her coronation robes, painted by the said Thos. Sully for the said society.

2. And we do further award, order, and adjudge that upon such delivery, the said corporation shall procure to dispose of the same as they shall see fit, and that they are not, and shall not be deemed to be the assignees or owners of the design or invention of the said picture, and shall not have authority to obtain a copy right for an engraving thereof.

3. And we do further award, order, and adjudge that the full length picture of queen Victoria in her coronation robes, painted by the said Thomas Sully, for his own use, shall be retained by him, and that he is and shall be and remain the absolute owner thereof, to dispose of the same as he shall see fit; and that he is and shall be deemed to be the author and exclusive owner of the invention and design of the same, and also of the design and invention of the picture to be delivered as aforesaid to the society of the Sons of St. George, with all the rights incident to the said authorship and ownership.

JEWELRY. The Salem Gazette remarks that scarcely any branch of manufacture has advanced more rapidly and steadily in this country, during the last twenty years, than that of articles of jewelry.

In 1820 it might be said, with almost literal truth, that nothing of the kind was manufactured in the United States. But now, much the larger part, of all the more rich and solid articles are made in this country. There are very good and extensive assortments in the stores, were not a single specimen of foreign jewelry to be found. Articles of English manufacture are entirely superseded by the superior skill and taste of our workmen; but there are some sorts of work done by the French jewelers, which cannot be equalled here. Those are all the mock and counterfeit articles which make the show of solid gold, with an incredibly small quantity of the precious substance. The English and American workmen excel in the more rich and solid fabrics, while the French excel in the more specious and fragile commodities.

BLUE LAWS. An individual was convicted yesterday morning at the police court, of violating a law of the commonwealth, which forbids the performance of any work or labor on Sunday, which is not a work of necessity or mercy. It appeared that the defendant did dig about forty or fifty holes in his garden on Sunday the 2d of June, in which potatoes were afterwards planted. The complainant, named Dilloway, lived next neighbor to him, and had a sink or drain emptying into the premises of the defendant, which had been stopped by the digging, and yet

the complainant proved no right to drain his water in that direction.

It was proved for the defendant that he was a respectable, hard working man, employed as a teamster in Ager's foundry, at south Boston—that he had to work from four o'clock in the morning until night and often in the evening—that his family had been sick, and that he was reduced in his circumstances. Notwithstanding this, judge Simmons ruled that the digging might have been done on some other day, and as the law was peremptory, he could do not otherwise than find the defendant guilty, and find him as low as possible, two dollars and costs. The complainant admitted on the stand that he had inimical feelings towards the defendant. According to this law there is no printer of a daily paper in this city that is not liable, with all his journeymen and boys, to be brought before the police court every Monday morning and fined. [Boston Courier.]

WASHINGTON ENCAMPMENT. We learn from the Trenton Empirum that on the 11th inst. a mounted detachment of the United States dragoons, numbering between 80 and 90 men from the Carlisle barracks under command of capt. E. V. Sumner of the 1st dra, goons arrived at the encampment. They are fine looking men and had noble horses.

There are now about seven hundred men in the encampment. It is rumored that the troops in expectation of Florida, will not arrive. The ability of the renewed attacks from the Indians, will perhaps detain them.

The Trenton State Gazette of Friday the 14th inst. states that the troops drill in companies twice a day, and parade about half an hour before sundown. At the parade on Monday, a soldier whom the spectators observed to be lame, and who was in the ranks of the troops drawn up in a line, and an officer read that he had been found guilty of deserting his post while in Florida, and that he was sentenced to be shot in the presence of the army. The spectators who had visited the camp for amusement, began to think they were about to see a tragedy until the officer announced that the president had commuted the punishment, and that he had labor at hard labor for the said army, during the whole term of his enlistment, to have an iron chain and ball fastened to his leg, to be allowed no more clothing than was absolutely necessary, to receive no pay, and at the expiration of his term to be dishonorably discharged.

FREE NEGROES. The New Orleans Bulletin states that the law of Louisiana which prohibits free negroes from entering or residing within the limits of that state, under severe penalties, was enforced a few days ago, under the following circumstances:

A free woman of color named Jane Richardson, was indicted for being found within the state after receiving a license to remove to another state. The attorney general conducted the prosecution in person. He recited the law to the jury, and introduced evidence to prove the allegations of the indictment. On the part of the prisoner it was shown that she had been several years in the state, during which time her department had been correct and praiseworthy. Upon these facts a motion was submitted to the jury, to acquit the prisoner, which they brought in a verdict of guilty—in accordance with which she must be sentenced to imprisonment at hard labor for one year. This is the first trial of the kind and at the request of a humane officer to the criminal court, we are induced to give publicity to the proceedings, in order that the numerous class of persons now in the city liable to similar conviction, may make their escape before it is too late.

The law provides that for the second offence the punishment shall be imprisonment for life.

THE LATE DR. COOPER. From the Charleston (S. C.) Telescope. We announced, in our last, the death of Dr. Cooper, and must now say something in regard to him. His name has been before the public, attracting a good deal of attention, for sixty years, during which time there is scarcely any department of intellectual exertion with which it has not been connected. For the extent and multifariousness of his knowledge, he was indeed a very extraordinary man. He published works on law, medicine, medical jurisprudence, political economy, and was a liberal writer upon the current politics of the day. Justice de Broussais. He received an honorary diploma of doctor of medicine from the university of Pennsylvania, and was a judge of the court of common law of that state. He was at one time professor of chemistry in the college of Carlisle—was offered the same chair in the university of Virginia, by his friend Mr. Jefferson, and subsequently filled it in the college of South Carolina. Of the last he became president, upon the death of Dr. Moxey; and by order of the trustees, lectured on chemistry, geology, and political economy. To these encyclopaedia acquirements and occupations, he added a large acquaintance with elegant literature.

The predominant qualities of Dr. Cooper's intellectual character were industry and activity. He had pursued the whole field of learning with untiring rapidity. It incessantly sought for knowledge; not with any apparent drudgery or toil, but up to the last moments of his life, with that youthful and fresh alacrity which belongs to the pursuits of pleasure. He did not hesitate to follow his reasoning wherever it led,

and what he thought he said. Authority had but little weight with him. He always endeavored to apply the touchstone of reason to every proposition, and to judge of it by that test alone.

His military studies, and his uncommonly wide observation of society, had enriched his memory with vast stores of useful and agreeable topics; and these, combined with a cheerful temper, a social spirit, and a most pleasant style of conversation, rendered him a most delightful companion. He was an admirable talker— terse, epigrammatic, gay, and instructive. He was rarely in a company in which he did not say the best thing that was uttered. His conversation was illustrated by well turned anecdotes, ornamented by sparkling classical allusions, and enriched by sensible and judicious remarks. His temper was most agreeable, and his whole *maniere d'être* distinguished by a pervading *bon homie*, and kindness of nature. He was benevolent, friendly, and unobtrusively prompt to do a good turn, "to spread friendships and to cover hearts." He was fond of children, addicted to pets, and kind to servants. Throughout his whole behavior there was a winning simplicity and directness; always agreeable but in one of his age, learning and abilities peculiarly captivating. He resided amongst us for twenty years, and we doubt whether he has ever been known to manifest a feeling of personal unkindness towards any individual.

Whether his labors in the cause of science and liberty shall give a lasting memory to his name, we shall not undertake to judge; but we confidently say that he will long be remembered by those who knew him with affection and respect. As he honored us with his friendship, and received in return our love and admiration, it was gratifying to us to see the firmness and equanimity with which he sustained himself through a long and painful sickness, and the resignation with which he watched the slow and certain approach of death.

NEWSPAPER CREDITS. From the *Cincinnati Chronicle*. We observe a notice that the newspaper convention is to be held, or has been held, at some time, or some where. It is no matter. Conventions are of no moment anywhere.

But this reminds us of one small matter, which publishers, editors, printers, readers and all should join hand in hand about. It is the substitution of *cash for credit*, in the newspaper system. This change would do more for the interests of all concerned in the periodical press, and would do less harm, than any other would save many publishers from ruin, and would increase the remuneration and respect paid to the newspaper press.

Some of the evils of credit for newspaper subscriptions are these.

In the first place the sums to be collected are too small and too much scattered to admit of collection without very great expense in the collection, even when promptly paid.

In the next place, during the time for which credit is given, numerous changes take place among the subscribers by which a positive loss accrues. According to the postmasters' brief epistles some are dead, some are gone to Texas, some to Illinois or Iowa, and have not told where, and some are seized with a very short memory, and forget they ever subscribed. In most newspaper establishments, in the interior, this class of persons amount to one-fourth the whole number of subscribers. As an example of the effects produced by this system, we are told there are two newspaper establishments in one of the cities of Iowa, which have \$100,000 of bad debts accumulated in this manner, and the other \$60,000.

But the evil effects of this system, are not confined to one side of the question.

The people lose a great deal in this way. Many publishers often send their papers to gentlemen who never subscribe, and who are unwilling to tell the proprietor, they will not take his paper; and because the cash is not called for, let it slip along from day to day, till by and by, he is saddled with a bill, without ever ordering the paper. Had it been the cash system, he would have given a decided no, as he now does to a further continuance of his paper.

But, further, some who are willing to tell the proprietor, that the publisher can always afford a *trade discount* to the subscriber, than the money is worth to him. This is usually 20 per cent, and the loss to the bona fide subscribers to papers in the United States, is, in the aggregate, an immense sum.

There is every reason, then, both to the proprietors and the public, why newspaper credits should be abolished.

The true plan is to *sell* papers as any other article is sold, and if credit is to be given, let it be given wholly to the responsible agents who may undertake their distribution.

INHUMAN ACT. Yesterday morning a small negro boy, said to be owned by a Mr. Bertram of the third municipality, slipped and fell on a part of the asphaltum pavement, spilt salt, but in pursuing his way, leaving the slight impression of his hands, on the surface of it.—One of the men, employed in preparing the bitumen, perceiving the lad prostrate, and probably irritated at his carelessness, clutched him in his arms, and running with him to that portion of the street, where the molten liquid was being poured, thrust both his hands into it!

The agony of the young negro must have been excruciating; for he roared at the utmost extension of his lungs; ran through the streets, as if deprived of his senses; and in his hands, to no purpose, as the boiling substance, acted on by the cool air, only adhered the closer! Where he fled to we could not ascertain; his shrieks still ring on the ears of those who saw and heard him!

A gentleman who was a witness to the transaction immediately went for the police, for the purpose of securing the molten bitumen, and calling the perpetrator arrested, but seeing one of the aldermen of the municipality, on his way to the guard house, he detailed to him the circumstances, when the alderman requested him to keep watch on the ruffian, while he repaired to the police station. This was done; but the fellow became apprehensive of the consequences, and bolted; he ran some distance, and then after him, still in the Royal street, when he met the alderman accompanied by some of the police, and pointed out the perpetrator to them. Chase was given but to no purpose, as he succeeded in effecting his escape, either by entering a house or secreting himself in some back place.

We know not by what process the bitumen can be raised from the hand of the man, and an attempt is only made of accomplishing it will be, by tearing it off, and bringing the skin of the hands with it. For the sake of humanity, we hope the unfeeling scoundrel may not escape the punishment that such an atrocious act so justly merits; indeed, one of the witnesses of it is so indignant, that he has determined on keeping a strict look out for, and having the ruffian, still under to justice. [Louisiana.]

PRINTING. A curious legend exists relative to the discovery of printing. On an evening of the fifteenth century, Faust was travelling towards a town in Germany. Just before him rode a traveller on horseback. The shoes of his horse led on the stones, and he made every regular impression repeated with exactness each step. Faust observed this. The next day printing was invented.

There is a similar account given of the discovery of lithography, which took place only forty years ago.

One night Aloys Senefelder, chorist of the Munich theatre, entered his small room, with three things in his hand, a piece of zinc, a stone, and a printer's ball charged with printing ink, for it was he who made on the theatre checks the little mark changed each time to prevent fraud. Scarcely had he laid the order on the mantle before it was blown off, and fell into a basin of water. Aloys snatched up the precious paper, wiped it, and replacing it on the mantle, he put the ball on the stone, and blew away the new mark, which on the way had rubbed against the ball. The black marks made by this contact were observed next day, transferred with admirable precision to the damp paper. The chorist, Aloys Senefelder, observed this, and lithography was invented.

EARL OF STIRLING. We noticed recently, among other items of foreign intelligence, that a gentleman, calling himself the earl of Stirling, and assuming the possession of the Canadas and part of Maine, with power to create baronets, under a charter granted by Charles I, in 1629, was under trial for forgery, some of the documents to authenticate this claim, having proved false. The result of the trial was, that the man, who assumed an extinguisher on his claims, without its having appeared that he had been privy to the forgery. His chief claim was founded on a document written, (or said to be written) in 1706, on the back of an old map of Canada, published 1703. But this map was one by De Lesle, who was appointed geographer to the king of France in 1718, and still taking impressions from the plate of 1703, added, under his name, the words "geographer to the king" retaining the date of 1703, to fix the commencement of his copyright. The earl of Stirling's map was one with the addition of "geographer to the king" to De Lesle's title, and could not have been published until 1718. Of course, then it could not have been in existence in 1706, and the writings on its map, thus dated, must have been forgeries.—One curious part of the affair was that the earl of Stirling, on the failure of a trial in the Scottish court, had gone to Paris and made acquaintance with an ancient-forteller, named Mademoiselle Le Normand. It was she who had procured him the additional documents on which he again brought forward his claim. This she had said, had been forwarded to her through the post. To her he had given a bond for 400,000 francs, payable in case that he obtained his property, and the recognition of his title. It is suspected that she forged them. She was upwards of 70 at the time. The forgeries are said to have been imitated. [Potsville Journal.]

THREAD. On a late visit to Pawtucket, we called at the thread manufacturing establishment of capt. N. E. G. Dexter & Son, and were astonished to see to what perfection the manufacture of thread had arrived in this country. The whole of this extensive concern is under the control of capt. Dexter, who by his personal supervision, and the judicious management, has brought this branch of American industry so near to perfection. They employ five cotton mills in the manufacture of thread, which gives employment to 200 hands, exclusive of those under their immediate control. They manufacture \$130,000 worth of thread per annum, of the finest and most beautiful texture, equal in every re-

spect to any made in this country. The manufacture of thread in Pawtucket, of which there are several excellent establishments, has almost entirely displaced the place of the threads formerly imported from England. [Providence Journal.]

LAW OF COPY-RIGHT. U. S. circuit court—*judge Betts presiding.* An application was made to the court last week to obtain an injunction to restrain Mr. Collier from selling a cheap edition of captain Mariatt's new novel, "The Phantom Ship," on the ground that the copy-right had been purchased from the author by Carey & Hart. It was contended in favor of the application that captain Mariatt was, at the time that the right of the copy-right, a resident of the state of Pennsylvania, and therefore had a right, under the law of 1831, to dispose of his works in the same manner as any other American citizen.

Against the application it was urged that captain Mariatt was not a resident of the country, and therefore not entitled to avail himself of the provisions of the law. Captain Mariatt, it was stated, came to this country in the spring of 1837, and travelled over a considerable part of the country. He visited Philadelphia during his stay in the country, and while there, filed a declaration of his intention to become a citizen of the United States. It appeared that during the whole of the time he was in this country, he not only considered himself a British subject, but was an officer in the British navy, and that during the trouble in Canada last year, he offered his services to be employed as an officer in the provincial army.

The judge said that the only question for the court to decide was whether captain Mariatt was a resident of the country. The term resident had been decided to mean a permanent inhabitant of the state. It was evident that a man, who was a mere transient visitant, whose family, business, intentions and relations were all abroad could not be considered a resident, and the filing a declaration of an intention to become a citizen, could not make him one. The court therefore decided against the application. [N. Y. Express.]

INTERNAL IMPROVEMENTS IN THE WEST. There are constructing in the five western states of Ohio, Kentucky, Indiana, Illinois and Michigan:

Of slackwater navigation,	1,750 miles.
Of rail roads,	1,540 "
Of McAdams roads,	1,400 "

Total, 4940

Making in the general aggregate of work to which the states are parties, about five thousand miles of artificial communications.

Of laborers directly employed on the works, there is supposed to be, at the lowest estimate, not less than twenty thousand, during the greatest portion of the year. If to these we add the numerous body of public officers, engineers, contractors, agents, storekeepers, and all other persons employed on the works, we find a population of not less than one hundred and fifty thousand, who are dependent upon the public works of the western states. The expenditures now annually amount to between four and five millions of dollars and the sum total of money solemnly pledged by legislative enactments to the completion of these works with what has already been expended on them, is at least the enormous sum of forty-eight millions of dollars. To this sum we may add at least five million pledged on the part of individuals, and large sums for the completion of the national road. Of this aggregate about ten million have already been expended and it is within bounds to say, that an amount fully equal to the sum total will be expended on these and other similar undertakings within the next eight years.

THE LICENSE LAW OF MASSACHUSETTS. On Friday the 14th inst., the case of GEORGE C. Jacobs, who had been convicted in the police court of Boston, for violation of the license law, fined \$10. On appeal to the superior court, the case came before the court, on some legal objections, raised by the defendant's counsel, to the legality of the process of imprisonment, which had been issued for the non-payment. The case created great excitement, and several thousand people were collected about the court house to learn the result. On a full hearing the court were unanimous in the opinion, that the defendant ought to be imprisoned in default of paying the fine, but deferred the expression of a final opinion on one point in the case, until the following Monday—when the defendant would have to pay the fine, or go to prison, or have the benefit of a writ of habeas corpus before one of the judges of the supreme court. Meantime, the defendant was discharged on his own recognizance, with a bond for \$50 for his appearance, on Monday at 10 o'clock. The defendant left court and was received into a barn with four horses, which was in readiness for him.

MUNICIPAL EXPENDITURES OF NEW YORK. From a report made to the common council of New York, by a committee appointed to enquire into the city expenditures, it appears that within the last eight years, the taxes levied to meet the expenses incurred by the city council have nearly trebled. In 1830, the taxes assessed amounted to \$569,178, and in 1835, they amounted to \$1,436,993—an increase, says the Evening Post, proportioned to the increase of population, nearly as 2 to 1.

Both real and personal property is taxed in New York, and pays the proportion of 60 cents on every hundred dollars. In Boston real and personal property pays a tax of only 49 cents on the hundred dollars, and in Philadelphia, if personal property were taxed as in the other two cities, the taxes would be but 30 cents on the hundred dollars. On real estate, which alone is taxed, it is 65 cents on the hundred dollars.

This vast increase in the expenditures of the city of New York, and the great disproportion between the taxes of that city and those of Philadelphia and Boston, are attributed to the wasteful extravagance of those to whose hands the affairs of the city have been trusted. The Post concludes an article on the subject by saying:—

"The only cause of all this is sheer extravagance, sheer waste, sheer tossing about the public money in wantonness, as monkeys toss about nuts when their appetite is satisfied. The larger a city is, the cheaper should its municipal affairs be administered, in proportion to its riches and population. Thus the municipal government of Philadelphia is less than that of Boston, and the municipal government of New York ought to be administered more cheaply than that of Philadelphia.

"The people look upon the present common council for an economical reform. The report of Mr. Talmadge shows that it is practicable, and points out the objects in regard to which it is most needed."

THE GEORGIA RAIL ROAD has been in use since the 1st of May, 1838. During the first six months commencing at that period, a portion of the road only was in operation, and the receipts were \$49,601 31. During the last six months of the year, the net revenue on the cost of that portion of the road in use, was at the rate of eleven per cent per annum. The following official statement shows the details: Statement of the business of the Georgia rail road for the six months ending on the 30th April, 1839.

Length of road in use—including Warrenton branch, 77 miles, cost of road, shops, locomotives, cars, &c. \$1,100,000.

Received for transportation of merchandise up, \$19,780 65
 " " cotton down, 26,590 82
 " " passengers up, 19,285 00
 " " " down, 19,549 12
 " " U. States mail, 560 00
 " " sundries, 7,404 47

Due for transportation of United States mail, 4,682 00

97,852 07
 Receipt for the 6 months ending 30th October, 1838, 49,601 81

Total revenue for the year, \$147,453 88
 Cost of working the road from the 1st May, 1839, to 20th April, 1839.

Conducting transportation, \$21,426 94
 Motive power, 15,497 64
 Maintenance of cars, 4,184 44
 Maintenance of way, 22,244 15

\$63,362 14
 Nett revenue, \$84,091 74
 J. E. THOMSON, chief engineer and agent.

Engineer's office, G. R. & B. Co. May 11, 1839.
 Number of miles run by all the engines, 39,701.
 The Georgia rail road is now completed and in use from Augusta to Greensboro', a distance of 84 miles. There are also about 46 additional miles of the road bed graded, and the materials for the superstructure of 27 miles (with the exception of a portion of the iron) delivered.

The first 75 miles of the road are laid with a wooden superstructure, and a heavy plate rail 2-10 inches wide by 8-10ths thick—the remainder is built with a T rail weighing 46 lbs. per yard.

railway communication connecting the northern and southern sections of the union.

The cost of the whole Georgia rail road and outfit, including a branch of 40 miles in length to Athens, will not exceed \$3,300,000. The cost of the road and outfit, &c. from Augusta to Greensboro' is about \$1,250,000.

BANKS IN PENNSYLVANIA. The subjoined bill, entitled an act to prescribe the mode of application for banks, passed both branches of the legislature.

Whereas, by the twenty-fifth section of the first article of the amended constitution, it is provided that the corporate body shall hereafter be created, renewed or extended, with banking or discounting privileges, without six months previous public notice of the application for the same, in such manner as shall be prescribed by law—therefore,

Section 1. Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same, that whenever any citizen or association of citizens of the commonwealth intend to make application to the legislature, for the creation, renewal or extension of any corporate body with banking or discounting privileges, it shall be their duty to cause a notice of such intended application to be advertised in one paper printed in Harrisburg, and two newspapers printed in the county in which such corporate body is, or is intended to be located, at least once a week in each paper, for six months before the meeting of the next legislative session; and the notice of such application shall specify the name and style, the location, or intended location, and the amount of capital of such corporate body, and in the case of the renewal or extension of any such corporate body, such notice shall also specify the amount of increase of capital, if any increase be intended. Provided, that it there be only one paper printed in the county in which such corporate body is, or is intended to be located, the publication of such notice in one paper shall be deemed sufficient.

COMMODORE PREBLE. In Cooper's Naval History of the United States, recently published, is the following anecdote of commodore Preble, illustrative of his merits in the character of that distinguished naval officer:

"Commodore Preble was a man of high temper and a rigid disciplinarian. At first he was disliked in his own ship—the younger officers in particular, feeling the effects of the discipline, without having yet learned to respect the high professional qualities for which he was afterwards distinguished. One night when the Constitution was in the Straits of Gibraltar, she suddenly found herself alongside of a large ship. Some hailing passed without either party's giving any answer. Commodore Preble, who had taken the trumpet himself, now told the name and country of his ship, and his own rank. He then demanded the name of the stranger, adding he would fire a shot unless answered. 'If you fire a shot I'll return a broadside,' was the reply. Preble sprang into his mizzen rigging, applied the trumpet and said, 'this is the United States ship Constitution, a 44, commodore Preble, I am about to haul you for the last time, if not answered, I shall fire into you. What ship is that?' 'This is his Britannic majesty's vessel, razee of 60 guns, the Prince of Wales.' He then demanded the name of the stranger he doubted his statement, and should be by him till morning in order to ascertain his real character. He was as good as his word, and in a short time a boat came from the other vessel to explain. It was an English frigate, and the Constitution had got suddenly and unexpectedly alongside of her, that the hesitation and unexpectedly alongside of her, that the suddenness of the answer and the fire which he proceeded from a desire to gain time in order to clear the decks and get to quarters.

"The spirit of commodore Preble on this occasion," says Cooper, "produced a very favorable impression in his own ship." The young men pithily remarked, that if he was wrong in his temper he was right in his heart."

The Army and Navy Chronicle notices the following action of Mr. Cooper as omitted in Naval History. An action, it says, occurred during the revolutionary war, on the eastern shore of Virginia, between a flotilla of barges, &c. fitted out by the state of Maryland, and a detachment of boats belonging to the British squadron in the Chesapeake. One of the barges was sunk in the action, and such as probably never occurred in any other on land or water, was that every person on both sides was either killed or wounded—not one escaped injury or death.

CRIME IN FRANCE. Out of every 100 persons accused, 61 are regularly condemned. Out of the whole number, in every 100, 45 are acquitted, 14 are acquitted on every 100 crimes, 25 are against the person, 75 against the property. Experience shows that the number of murders is annually nearly the same; and what is still more singular, that the instruments, or means employed, are also in the same proportion. The inclination to crime is at its maximum in man about the age of 25; in women, 5 years earlier. The proportion of men and women accused is 3 to 1. The seasons have an influence on crime; in summer, more crimes are committed

against the person—fewer against the property; the reverse is the case in winter. The development to the inclination to crime agrees very perfectly with that of the passions and physical strength; and, on the other hand, the development of reason tends to restrain the inclination. The greatest physical strength of man is developed between the age of 30 and 35; and the greatest mental powers between that of 45 and 50. At this age the greatest number of chefs d'œuvre of the French theatre has been produced. It is a singular contrast that about this age we find mental abatement most frequent and difficult.

[Revue Encyclo. et Annales d'Hygiene.

Moscow. It appears from the official statement of the chief of the police of Moscow for 1838, that the ancient capital of Russia contains 343,502 inhabitants; that there were 1,250 marriages, 8,486 deaths, and 7,600 births the suicides amounted to 19, but the causes are not given; there were 11 murders, the perpetrators of which were all delivered up to justice. The city contains 12,653 public and private buildings, besides 400 churches, 21 convents, and 637 chapels. The value of property stolen during the year is estimated at 166,000 roubles of which about a quarter was recovered and restored to the owners.

FINANCES OF RUSSIA. During the wars of Russia with the Persians, Turks and Poles, her revenues were not equal to her expenditures.—Loans and paper money were resorted to. Catherine II, and the emperors Paul and Alexander, extended their resources by this method. The paper rouble declined in value twenty-five per cent.

The receipts of the empire for a late year are stated thus:

1. Revenue of the state.	Prussian dollars *
Capitation tax	23,125,000
Tax upon capital	5,310,000
Duties	26,136,000
2. Revenues of the crown.	
Crown lands	6,927,500
Monopoly of spirits	35,733,333
Post office	1,511,667
Crown woods and fisheries	1,002,683
Crown factories	1,079,167
Mines	4,625,000
Other receipts	1,079,000
3. Receipts in the kingdom of Poland, whose financial concerns are separate	13,063,179

Total revenue 119,631,929
 The emperor has, besides, for his private chest a revenue of \$1,600,000.

The expenses of the state are stated as:

1. The emperor's household	\$5,000,000
2. Department of foreign affairs	2,000,000
3. Home department	33,000,000
4. Department of public instruction and religion	5,000,000
5. Army	20,000,000
6. Navy	12,000,000
7. Treasury department and interest of public debt	20,000,000
8. Other expenses	3,000,000
9. Government of Poland	12,000,000

Total of expenditures \$122,000,000
 The public debt of Russia in 1834 amounted to 496,472,655 Prussian dollars.

The public debt of Prussia is about the one-third of this sum; that of Austria is \$160,000,000 greater; that of France three times as large; and that of England ten times greater. [Globe.

STEEPS GRADES. In referring to the opening of the new track over Parr's Ridge, the city papers have unconsciously done injustice to the enterprise of the Baltimore and Susquehanna rail road company and the skill of Isaac Treadwell, esq. in referring to the inclination of the plane as steeper than has heretofore been passed by locomotive power. We avail ourselves of the following explanatory statement which we find in the York, Pa. Gazette.

Without wishing to detract from the merits of the Baltimore and Ohio rail road company, we must say that they are certainly not entitled to the credit of being the first to prove the practicability of passing high grades with locomotive power. We have made enquires, and learn that the road in passing over "Parr's Ridge," ascends at the rate of 80 feet per mile. Now on a portion of the rail road between this and Baltimore, there are two miles, where the grade rises, coming from Baltimore at the rate of 84 feet to the mile, over which the passenger and baggage cars of the Baltimore and Susquehanna rail road have been passing by locomotive power, regularly since September last. Indeed so far back as January 1833, a large party comprising many members of the legislature of Maryland,

* The Prussian dollar is worth about eighty-four cents.

of and the city council of Baltimore, paid a visit to this country, and passing over the high grades at the summit, came to within 16 or 17 miles of the borough of York. An account of the trip was published at the time in some of the Baltimore papers. It would appear therefore that to the Baltimore and Susquehanna rail road company, and to Isaac Tremble, esq. their able and scientific chief engineer, who planned the location and construction of this road, is due the credit of having long since proved the practicability of using locomotive power over high grades; and we are confident that the talented chief engineer of the Baltimore and Ohio rail road company, would be the first to acknowledge that this practicability had ceased to be a matter of theory, having been tested by actual experience, before the route of the rail road over Parr's Ridge was altered.

INTERESTING FACTS.—The first decked vessel ever built within the limits of the old United States, was constructed on the banks of the Hudson, by Adrian Block, in the summer of 1614. She was called a yacht, and her first voyage was made through Hell Gate, into the sound, and as far east as Cape Cod, by the Vineyard passage. It was in this voyage that Block Island was discovered. Within the first 46 years after the settlement of Massachusetts, there were built in Boston and its vicinity, 730 vessels, varying from 6 to 250 tons in burthen. One of these the *Blessing of the Bay*, a bark of 30 tons, was built in 1631. The celebrated English patriot and divine, Hugh Peters, caused a vessel of 300 tons to be constructed at Salem, in 1641. The first schooner launched is said to have been built at Cape Ann in 1714. Her name is not known. In 1733, Connecticut had but 2 briggs, 20 sloops and a few smaller crafts, employing but 120 seamen, while Massachusetts, about the same time, had 492 vessels, the tonnage of which was 25,406, and employed 4,493 seamen. The first ensign ever shown by a regular American man-of-war was hoisted on board the frigate *Alfred*, in the Delaware, by the hands of Paul Jones, in the latter part of December, 1775.—What this ensign was is not precisely known, as the present national colors were not formally adopted until 1777. The first regular American cruiser that went to sea, was the *Lexington*, a little brig of 14 guns, commanded by captain John Barry, of Philadelphia. She sailed sometime in the winter of 1776. The first American man-of-war that got to sea after the adoption of our present form of government, was the *Ganges*.—She was originally an Indian man, but was purchased by the government and converted into a cruiser, having an armament of 24 guns. She sailed in May 1798, under the command of captain Richard Dale, who was first lieutenant of the *Bon Homme Richard*, when that ship captured the *Serpis*. The *Constellation* was the first of the new built vessels—(built in Baltimore)—that went to sea, under captain Truxton. She sailed in June, 1798, and was followed by the *United States*, and a little later by the *Constitution*, both these latter sailing in July, the same year. The first prize made under our present naval organization, was the French privateer *Le Croyable*. She was a schooner of 14 guns, and captured by the sloop-of-war *Delaware*, captain Decatur. The above historical facts we have gleaned from Mr. Cooper's excellent *Naval History of the United States*. [Boston Post.

A CURIOSITY.—A few days since a gentleman left at the office of the Philadelphia Ledger, three pieces of silver of a very antique appearance, the one the latest stamped being 200 years old. Ten of them, all of the same country coin, though of different dates, were turned up by a plough four or five weeks since, in a meadow which had never been ploughed, on the farm of Mr. B. C. Timmins, Chester, Burlington county, New Jersey. Three of the pieces shown us were dated 1555, 1647, 1677, and some others were still older. They are the size of a dollar, and the workmanship upon them shows that the art of stamping coin had not reached any degree of perfection when they were executed. Through the politeness of a gentleman whose antiquarian knowledge made it an easy task to explain them, we are indebted for the following description of two of them:

No. 1. Dated 1647, coined under Frederick Henry, Prince of Orange, in the Belgian city of Campen, in the province of Over-Yssel. Motto, "*Confidens in Domino non confundet*."

No. 2. Dated 1677, coined under William III, Prince of Orange, in the city of Zowl, province of Over-Yssel. Motto the same.

These coin probably came with some of the earliest settlers of this region of country, sent out by the Dutch West India company, under a patent granted to them by the government of Holland, and are the last evidences of the authority once claim-

ed over the territory known as the New Netherlands, which extends over the whole of the country between the Connecticut and Delaware rivers.

[Ledger.

WISCONSIN. The Enquirer, of June 1st, published at Madison, Wisconsin territory, (and a handsome, well printed sheet it is), gives us a glowing description of the Fox lake, and lake Emily country of Wisconsin. The rich, black soil, of an average depth of about eighteen inches; the fair proportion of woodland and prairie, the former consisting of maple, bass wood, butternut and poplar, the latter gently undulating, and forming fine extents of meadow land; the numerous and abundant springs of the purest water; the great variety of game; and then lakes Fox and Emily, each covering a surface of several hundred acres, and such beautiful sheets of water, clear and pure, and originating in springs gushing up from gravelly bottoms, and abounding in fish of the finest quality, such as perch, black and rock bass, pickerel, trout, &c. &c. and, then, the proverbially healthy aspect of this portion of Wisconsin; all these sayings of the Enquirer hold out flattering inducements to the emigrant, and immeasurably greater than a dozen such as Texas.

The Enquirer says: "About twelve thousand acres have been entered in the vicinity of Fox lake—nearly all for immediate cultivation. A company from the interior of New York purchased last fall 2,500 acres for actual settlement and improvement; and within the last three months another company from Pennsylvania has purchased nearly 5,000 acres for the same purpose. Immigrants are expected during the course of the present summer and approaching fall, from New York and Pennsylvania. Fears of difficulties with the Winnebagoes have hitherto prevented the settlement of this country; but as the Indians have generally left, and as there are now no grounds for fear, it is anticipated that the settlement will progress rapidly."

A MOB IN BOSTON. The Boston Mercantile Journal has the following notice of a mob almost, which collected in the city of Boston on Friday evening:

"The scenes which occurred on Friday evening in this city, although no actual violence was committed, were by no means calculated to conduce to the honor or credit of Bostonians. A mob had gathered in one of our principal streets, whose avowed object was to rescue an offender from the hands of justice. Disappointed in this, they refused to disperse, but avowed their intention to commit outrages on the persons and property of certain of our citizens. This mob was noisy, disorderly, turbulent—and was restrained from committing acts of violence only by the presence of the mayor and marshal, and the constant and active interposition of our police officers. The collection of a mob is disgraceful in any community—it is a reproach upon the morals of a people, and is doubly disgraceful in this land of the pilgrims, where it is the proud boast of the inhabitants that good order always prevails—that persons and property are held inviolate, and the laws are conceived in wisdom, and obeyed by a virtuous population."

A prospect in the Boston Times of Saturday says: Nine o'clock.—One of the leaders has just been arrested, and put in the lockup. The crowd increases, but for the most part appear to be mere speculators.

At half past nine there were not less than 5,000 people in and about Dock square, all quiet, but refusing to retire at the solicitation of the officers.

CANADA AFFAIRS.

The Montreal papers of the 13th announce the arrival, as a prisoner, of a Canadian named Beausoleil, of the firm of Beausoleil, Vallee & Co. merchants, in the New Market street. He was captured at Missisquoi bay, on the 11th, being well armed. He is alleged to have been an active leader in both the rebellions, and was arrested on the charge of acting a prominent part in the more recent burnings on the frontier.

A Mr. Neysmith, who had been absent from Montreal for some time, and returned one day last week, was arrested and lodged in jail on the 12th, charged with carrying on treasonable correspondence.

Painful suspicions are again respecting the destruction of the steamer John Bull. It was at first supposed that the second engineer and two sailors, who had the watch when the fire broke out, had perished in the flames; but it was reported that they had subsequently been seen at Sorel, and warrants have been sent down for their apprehension. The papers intimate that strong grounds exist for believing that the fire was not accidental.

Baracks are to be erected at Laprairie, it is said, capable of accommodating three thousand men. They are to be built of brick, which are to be procured from the states, the brick yards in the vicinity of Montreal not being able to supply the requisite quantity in season.

P. S. Since the above was in type we have received the Montreal papers of Friday the 14th, which contradict the report that the engineer and two of the crew of the John Bull had been seen at Sorel. The Montreal Courier adds the following:

"It is but fair to mention that the account copied into the Courier, from the Gazette, of the alleged bad conduct on the part of the inhabitants, where the John Bull was wrecked, proves to be very much exaggerated. No such incident occurred, as has been stated, of ten dollars having been demanded from a passenger who was clinging to the bow of the boat while she was on fire, by some Canadians in a canoe, as the price of their relieving him from his perilous situation.

From the Montreal Courier, June 10.

Sir George Arthur in his recent visit to Brockville, visited also Cornwall, where a congratulatory address was presented to him. In his reply, alluding to his having granted an unconditional pardon to many of the brigands, he says—

"I frankly avow to you that it has been with me an object of great anxiety to call forth a generous feeling from those who have acted towards this country with cruel treachery and wanton violence. If the endeavor be successful, (and I still shall leave no honorable effort unattempted to accomplish it), it will be to me a source of unbounded satisfaction. If it prove unsuccessful, we must cast all further thoughts of diplomacy into the St. Lawrence, and trust in the hearts and hands of her majesty's loyal subjects to bring about conciliation by a different process—and in that operation, I am very confident, there are no men more entirely to be relied upon, than the inhabitants of the eastern district."

On his excellency's return to Brockville, he received a somewhat warm address, from about 266 inhabitants of that place, which went to justify the seizure of the gun on board the schooner "Weeks," and conveyed to his excellency their hearty disapproval of the manner in which the vessel and gun were delivered up, without the sanction of your excellency, through the improper interference and advice of some of our prominent and courageous officials in civil authority." To this address, the following reply, which we think puts the matter at issue in a very proper light, and deals out praise and censure with impartiality where due, was made:—

Gentlemen:—I thank you for the expressions of confidence which your address contains.

To investigate the late occurrence to which you allude more particularly was the object of my visit to Brockville.

As the seizure of the American schooner and gun, it appears, could not legally be sustained, it is much to be deprecated, that greater caution was not exercised before the seizure was made.

Having taken that step, however, it was no less blameworthy that the seizure was abandoned without due authority, and more especially under such circumstances—and I entertain this opinion strongly, although I am aware that some magistrates interfered with the most honest zeal, and from a sense of public duty to recommend the measure.

That any of her majesty's subjects should have taken the gun from under the immediate control of her majesty's revenue officer, at this port, and fired off in the street, was a lawless proceeding which could not have been expected.

Neither can I do less than express my astonishment, that any British subjects should have so far forgotten what was due to the character of their nation, as to have acted rudely towards foreign officers entering their country on public duty.

By these proceedings the inhabitants of this town have placed me in a humiliating position, for I have been obliged to admit their indiscretion, while I have appealed to the general government of the United States, against the ill-judged and exciting line of conduct pursued by colonel Worth.

No person can more deeply feel than I do the provocation you have suffered, nor be more sensible of the extreme distress and anxiety which your families must suffer under the present posture of affairs on the St. Lawrence. Nor can any one feel more disposed than I am to remove those sufferings and to obtain for you redress for the past and security for the future.

I appeal to you, therefore, with confidence, that by your forbearance and prudence, as well as by your undoubted gallantry and firmness, you will strengthen the hands of the executive government at this eventful period. GEORGE ARTHUR.

From the Kingston, U. C. Chronicle.

Our readers will perceive that an Ogdensburg paper expresses the opinion that the "broad delusion" which prevailed respecting the interference of Americans in the affairs of this province has ceased. Our authorities have been anxious to think so, and, by the pardon of many prisoners, have been acted upon the hope that so desirable a change had been effected. To show our American neighbors how much their own conduct has influenced the fate of their countrymen in confinement, we will state a piece of information we have from good authority.

A few weeks since the government of Upper Canada had prepared warrants for the release of 25 more of the youngest prisoners now in Fort Warr, when information arrived of the speech of judge Tucker, at Hogansburg, on the release of some prisoners by the sheriff of the eastern district. This indication of public feeling on the American frontier induced the executive to detain the warrants, and finally to countermand them. So that judge Tucker and other declaimers on the "holy cause of liberty," *alias* plunder and murder, have themselves to thank for the transportation to a penal colony of twenty-five of their fellow citizens.

We are informed that the Commercial bank of this town, some time since, made a formal application to the Upper Canada and Gore banks, to join it in resuming specie payments, on or before the 1st of August next. We are mortified to learn that these banks have declined to comply with the fair and reasonable proposition of the Commercial bank, and that the country is still to suffer from the gross-est inattention to its interests.

THE FLORIDA WAR.

The St. Augustine News, of June 8th, states that Picolata is to be abandoned, and the sick are to be removed to Fort Heileman.

On the 26th ult. 18 rifles from Fort Fanning, two privates of capt. Bradley's volunteer company were killed by Indians. One of the party was scalped three times.

Fort King, May 20.

A few Indians have been in since I last wrote. A large number, with Tiger Tail, and several other chiefs, will be here in a day or two. The chiefs never asked gen. Macomb whether they would be permitted to remain permanently south of Pease creek, and he never told them that they would not. If the Indians should be permitted to remain in Florida, it will be a fatal blow to the prosperity of the territory; and every Floridian ought to raise his voice against so suicidal a measure.

"Since writing the above, our negro interpreter, (Murray) who is the best and most useful man we have in that capacity, was shot in the side by a scoundrel named Edgar, who is orderly sergeant of the company that garrisons this post. The ball passed immediately over the stomach, but under the peritoneum, and I think is lodged in the liver. He is still alive, but his chance of recovery is very slim. He had not been shot more than an hour, when a couple of chiefs arrived here but having no interpreter, I cannot tell you what news they bring from the interior. To-morrow they will bring in with them from a camp nine miles from here, another Indian negro who will interpret for us."

"The murder of the negro Murray was accompanied with circumstances of great wantonness. Sergeant Edgar complained to col. Whistler that Murray was insolent to him, and was informed that the matter should be examined into, and, if guilty, punished. The sergeant insolently demanded it then, and was ordered to his quarters; from whence he took a rifle, and went to Murray's tent, and whilst sleeping, discharged the contents into his stomach."

Murray was captured in 1836, and belonged to Micopotaka, now west, and was considered the best guide in the nation. It is rather surprising that under these circumstances of outrage, Edgar should have been bailed at Newnansville. [News.]

From the Apalachicola Gazette.

The late massacres on the Apalachicola.—Further information has enabled us to give a more detailed account of the Indian murders in the neighborhood of Rice's Bluff and Estefenulgee, than we were able to present on Saturday last.

It appears that on the evening of Tuesday, 10th inst. about twilight, a party of Indians, supposed to number fifteen or twenty, attacked the house of Mr. Roberts, at Rice's, by firing upon the inmates through the doors and windows. The family fled, Mr. Roberts, together with his wife and several children, effected their escape by taking to the woods. One child was killed before they got away, and another, who was asleep in an outer room, was

forgotten in the hurry of flight. Mr. Lamb, who had sometimes acted as an interpreter between the Indians and the whites, was mortally wounded, and though he escaped from the Indians, died soon after reaching Apalachicola, of his wounds. Mr. Lamb recognized several of the Indians, knew them to be of the Creek band, and was also equally certain that there was a white man among them.

About the same time that this party made their attack upon Roberts, another party, apparently about the same number, attacked the house of Smith, of Estefenulgee. At this house were Mr. N. and J. Mrs. N. Smith, and their three children, and another individual, name not recollectd. The Indians commenced their attack by firing in upon the family, who were at supper. Mrs. Richards was known to have been shot at the first fire. She fell forward with her face upon the table. "The balance of the family fled to the woods. All the grown people escaped; and all the children were left behind. Their screams were heard by their flying parents, but no protection could be afforded them. Those who escaped from both settlements remained in the woods during the night. On the morning of Saturday, the party from Smith's found a batteau on the river bank, and made for Iola, which place they reached in safety."

The fugitives from Roberts' settlement remained in the woods till they heard the steamer Commerce approach. They were able to make themselves heard by capt. Smith, who stopped his boat, took them aboard, and treated them with every kindness and attention, and brought them down to Apalachicola.

The steamer Irwington started on her trip to Columbus, a few hours after the Commerce had arrived with the news of the massacre. Several gentlemen who had taken passage in her provided themselves with arms, and were joined by others from Iola, among whom was Mr. S. N. Smith, who had collected a party for the purpose of rescuing the children. It was found that the houses of both Smith and Roberts had been burned, and the bodies of the killed had been shockingly mutilated and thrown into the fire. Two little girls, from eight to ten years old, were found alive unhurt. They had fled with the others on the alarm, and secreted themselves in the woods, and had remained there from Friday to Sunday afternoon without food. They were found near each other, though unconscious of each other's presence.—They both unite in saying that the Indians remained in the neighborhood till Saturday night. One of the little girls relates that she came to her surprise by them on Saturday. She had crawled to the crib to get some corn to appease her hunger. She fell asleep on the shucks, and when awakened she beheld the Indians with their torches approaching the crib. She again crept softly away, and concealed herself in the grass, until she could effect a retreat to her hiding place in the woods.

It subsequently appeared that two of the boys who were left behind—one a son of Mr. Richards, and the other of Mr. Smith, nine and eleven years of age, effected their escape, and reached Aspalaga in safety, a distance of 40 miles. The remains of the other children were found. One appeared to have been shot while running; the others, it would seem from the situation of their remains, as well as from the current account of the little girls who heard their screams, had been caught and thrust into the burning house.

On Monday another party left this place on board the Commerce in quest of the savages. They proceeded to the U. S. arsenal at Chattahoochee for arms, and were fortunate enough to meet at that place our public spirited mayor, on whose guarantee the arms were delivered. If it had not been for this fortunate occurrence, it is presumed the expedition would have failed for want of arms. Thus provided, the company proceeded to the neighborhood where the Indians were supposed to have remained. They have not yet returned.

From the Tallahassee Star, 11th inst.

Public meeting.—At a meeting of the citizens of Tallahassee and its vicinity, held agreeably to public notice at the court house on Saturday last, on motion of J. B. Webb, gen. Thomas Brown was called to preside, and S. S. Sibbey appointed secretary. The object of the meeting having been stated by the chairman, the meeting was addressed by William P. Du Val, esq. in an animated and eloquent speech on the subject of the disastrous Seminole war, and in relation to the treaty, recently concluded by gen. Macomb with a few of the chiefs, communicated in a morning paper. Gov. Du Val concluded by offering the following preamble and resolutions which were adopted without a dissenting voice. On motion of col. Wyatt, the word unanimous was ordered to be inserted.

PREAMBLE AND RESOLUTIONS.

We, citizens of Leon county, (Florida), have seen in the public prints with regret and dismay, that a treaty is partially made by the commanding general of the United States army, (Macomb), with the Seminole Indians, under the authority of the war department, by which the country is to be assigned temporarily, as it is said to the Indians, but permanently, as we shall no doubt experience—will include all that part of the peninsula of Florida, from the head waters of Peas creek which discharges into Charlotte harbor, to the mouth of Shark river, according to certain boundaries. As a portion of this unfortunate, slandered and desolated country, we do most earnestly and solemnly protest against this measure, and with full confidence in the wisdom, and justice, and humanity of our national legislature, appeal to them to protect us against a sacrifice so cruel and wanton, and to preserve the people of Florida from such danger, and the country from such disgrace.

At this time, while this national disgrace will be insured by the ratification of the treaty, ruinous to the prosperity, and dangerous to the safety of our Florida, the commander of the United States army, in person, as we are informed, has issued his order declaring a suspension of hostilities, while the Indians under this hollow truce, are murdering our citizens in the east, under the nose of this officer, and in Middle Florida have destroyed several families and fired their dwellings—the regular troops at the several military posts must and do, remain neutral and inactive under his order.

We view it as an act of supererogation on the part of this general, and an insupportable injury to the Seminole nation, to issue such an order, inasmuch as we have no reason to suppose that during the last year and a half the regular troops *altogether* have destroyed, or injured, half a dozen Indians by force of arms. We have good authority for saying that several of the Seminole Indians sent off from this country to the far west, have returned to Florida, and we believe that many of them are now returning to this territory. These Indians have communicated from Micanope and Jumper, to the Indians in Florida, that they have not land in the west assigned to them, sufficient to bury them. Under these circumstances, if the contemplated treaty is made, the Seminole emigrants and many of the discontented Creek Indians will return and locate themselves in Florida, and in less than three years, the Indian force will be much greater than we found it at the commencement of the present disastrous war. If the senate should ratify such a treaty, we shall be found with a desolated state. No prudent man will remove to Florida; nor if we ever have a war with a foreign power, after ruin will fall on our country; with a respectable foreign force with the Seminole Indians—and not Florida alone, but the states adjoining will greatly suffer. With such guides—backed by a formidable force, collected from the West India emancipated inhabitants—the danger will become greater than we can now undertake to anticipate.

If these Indians are located temporarily they will never hereafter be removed but by extermination—nor will our country be willing to hazard again defeat, and disgrace, by another conflict with these Indians.

1st. *Be it therefore resolved,* That the governor of Florida be requested to issue his proclamation to assemble the legislative council on the first Monday in November next, at Tallahassee, and the legislative council be requested, when so assembled, to send on a committee, with their remonstrance and protest, against the ratification of any treaty that may be made, to locate the Indians in Florida, and that such committee unite with the delegate in congress in opposing such treaty.

2d. *Resolved,* That we highly approve of the sentiments contained in the letter of the secretary of war, in answer to one addressed to him by general Jesup, then commanding in Florida, rebuking him for suggesting, the Indians might be rendered friendly, by locating them in Florida.

3d. *Resolved,* That it is insulting to the feeling of the people of the United States, and degrading to our character, to send the commander-in-chief of the army of the United States, to sue for peace, to a few Indians after a war of four years, and in fact yielding up to the Indians all they have ever required.

4th. *Resolved,* That the Seminole Indians, and the inhabitants of Florida cannot maintain peace, and live in the same country; and if any treaty shall be ratified, locating these Indians in Florida, it will be a paper treaty only.

5th. *Resolved,* That the peninsula of Florida is the last place in the limits of the United States, wherein the Indians should be permitted to remain, for obvious reasons:

1st. They have access to the Atlantic and the Gulf Stream, and are always accessible to the enemies of the United States.

2d. In a war with any foreign power, they will be induced to take part against us, and will guide our enemies through every part of our country.

3d. If located in Florida, all the runaway slaves will find refuge and protection with them.

4th. The contiguity of emancipated colored population of the West Indies, would, in a war with some foreign power, place Florida, and in fact the whole of our southern states, in jeopardy. There is no position in which these Indians could be located, so dangerous to the peace and happiness of the southern, and interests of the United States, as the peninsula of Florida.

6th. Resolved, It is the duty of our citizens in every county in Florida, to assemble and protest against the location of the Indians in the peninsula, and we call on them to unite with us in opposing the ratification of any such treaty.

The editors of the several public prints in this territory are requested to publish these proceedings—and the president of this meeting is requested to send a copy of the same to the president of the United States, secretary of war, the governor of this territory, and to our delegate in congress.

THOMAS BROWN, chairman.

S. S. SIDLEY, secretary.

FROM MEXICO.

By the way of Galveston, late dates have been received at New Orleans from Vera Cruz, by the Empresario, capt. Longcope, from that port, having sailed the 2d instant. The advices from Mexico are of the 25th ultimo. The federal prisoners taken under Mexia are many of them employed in working the streets of Vera Cruz, and are treated with the greatest cruelty. The government papers state that the number of federalists killed and wounded at the overthrow of Mexia is 600.

General Lemas, with 1,700 federalists, is still in the vicinity of Monclova, and now seems to be regarded by the government party as their most formidable enemy. He is said to be a brave and skillful officer, and very much esteemed by his party. There is not a single vessel of the Mexican navy left. The gazettes represent the government much straitened in its pecuniary resources by the late difficulties, and it is proposed to dismiss all the supernumerary officers, curtail the pay of the remainder, stop all pensions, increase the taxes, and again resort to forced loans. It is thought the church will be called upon to disgorge some of its enormous treasure. Col. Bee left Vera Cruz for Havana on the 29th ultimo. Santa Ana, it is said, is watched with too much jealousy for him to be of any service to Texas, were he so disposed.

In Tampico the federalists still resisted the efforts of the centralists to put them down. It was thought that the contest between the two parties was not yet by any means ended. The government papers boast much of the victory over Mexia, and say that it is now only necessary to send 12 or 15,000 men to overrun Texas, in order to eradicate every trace of insubordination. On the subject of the threatened invasion, the Galveston Gazette well remarks that the notion is preposterous. When the Mexican government allows a body of insurgents, numbering scarcely more than a thousand of its own embeccite citizens, to place its own existence in the utmost jeopardy, requiring all its energies to put down the tumult, it is scarcely to be apprehended without unanimity among its public men—without funds, and with no disposition among the people to sustain the measure—any thing like a formidable army could be sent into Texas. But the fact is, that if the utmost unanimity pervaded the whole nation, the first attempt at an invasion would be met on the frontier with a force that would effectually settle the question of the ability of Texas to maintain the stand she now occupies.

[New Orleans paper.]

A commercial house in this city has kindly favored us with the following extract of a letter, received the other day from their correspondent at Vera Cruz:

"A private letter from Mexico, under date of May 25th, informs us that the rev. Dr. Moldour, apostolic vicar of Texas, reaching the city on the 13th of May, and next morning called to pay his respects to the president, as of interim, who would not see him, under pretext of business. That night at 12 o'clock, he was conducted to prison, where he remains, without any hope of acquiring his liberty at present.

"The Mexican government is organizing an army of 60,000 men, with which to recover the sovereignty of their lost province of Texas, and appear determined to make a desperate effort to succeed."

LATER NEWS.

A gentleman who left Mexico the 20th May and Vera Cruz the 1st June, has informed us that Tampico was closely invested by Bustamante's forces, who were in possession of the pass into the harbor, and nothing would go in or out without their consent.

The city of Mexico was perfectly tranquil and the government was raising troops. A campaign against Texas was spoken of. But many persons doubted if it would be undertaken.

A French frigate and another vessel of the same nation were anchored at Sacrificos. A steamboat had departed for Havana a short time before our informant left Vera Cruz.

The first instalment of the sum stipulated by treaty has been paid by the Mexicans to the French. From Tampico. Information has been received in this city, by the schooner Creole, from Tampico, that general Arista, at the head of 600 infantry, (central troops), arrived at the bar of Tampico from Altamira on the night of the 27th ultimo, surprised and captured in a few minutes the small party of federalists who were stationed there to defend the place, without losing, or having even a single man wounded, belonging to his party.

The man-of-war schooner, formerly the old Independence of Texas, stationed at the bar, was captured in fifteen minutes, the major part of the crew basely deserting the sides of the few resolute men on board—jumped overboard, and made their escape, leaving her two principle officers, (one of whom was a Frenchman, who behaved nobly), and seven men, all of whom were wounded, to fall into the hands of the enemy.

General Arista had despatched a brig to Vera Cruz, to obtain eight large pieces of ordnance and two bomb canisters, with which he intended to attack the city of Tampico, and, according to his expressed determination, carry it without sacrificing a single man.

Bustamante was at Altamira, and was daily expected at Tampico.

Metamoras, May 27.

GENTLEMEN: There are in this place near 2,000 troops under the command of gen. Valentin Canalizo.

The trade of this city is entirely paralyzed, and yet there is no want of goods, but the little security of the highways prevents any thing being sent into the interior.

The troops are in want of every thing. Up to this time the French residents of Matamoras have nothing to complain of towards the civil and military authorities.

The communications between this place and the capital have been for more than six months intercepted by the federalists, who are continually hovering in the neighborhood, and we know not what is passing at Mexico, nor have we any accurate knowledge of the famous treaty between France and this country.

The schooner Albert of New Orleans, has been lost at the entrance of the bar of Brazos de Santiago. The cargo has been sold for \$3,130. The schooner Southerner has been seized by the custom house. A great number of packages omitted in the manifest, is the cause of the confiscation of this vessel.

Generals Bustamante and Arista are now at Victoria. I presume the president's intention is to attack Tampico.

Gen. Val Canalizo left this place on the 19th at the head of 700 men and six pieces of artillery, with the design, as he said, of going to San Fernando, but he has more probably gone to join the forces of general Bustamante for the purpose of attacking Tampico.

The Louisiana copies from a Mexican paper the following proclamation of Bustamante. It is dated from Ciudad Victoria, May 10th.

SOLDIERS: On the 3d inst. on the plain of San Miguel, near the village of Acujete, the national arms obtained a complete triumph by the rout of the forces commanded by the ungrateful ex-general Mexia. That rash man, who had caused so many evils to the republic, and who, on another occasion, at the head of a band of foreigners, landed on our soil to dismember the territory of the republic, has finished his career: he has expiated his crimes, and paid with his life for the blood of those whom he had seduced to join him.

Let us mourn the lot of his victims and that of our brethren, who, laboring under a fatal delusion, still disturb the public repose and lay waste the country which gave them birth. May heaven dispose them to renounce their errors and throw down their arms, that the country may be restored to peace, so necessary to its credit, its happiness and its power.

But should they obstinately persist in pursuing their present course; if they refuse our clemency, it is your sacred duty, soldiers, to punish them, as it is to protect order and support the laws.

ANASTASIO BUSTAMANTE.

From the N. O. Louisianian.

We owe to the politeness of the collector, Mr. Breedlove, the following documents, communicating important commercial intelligence from Matamoras:—

Consulate of the U. S. A. Matamoras, 17th May, 1839.

SIR: I herewith transmit a copy of a regulation published by general Canalizo, on the 14th instant, in pursuance of a law now in force, and invested in him by the Mexican government, authorising the introduction into this port of all articles, with certain exceptions, prohibited by the existing arancel, on paying the duties in cash, at the time of importation, which regulation will only remain in force so long as it may be absolutely necessary for the subsistence of the troops on this station. I have the honor to be, with great respect, sir, your most obedient servant,

D. W. SMITH.

James W. Breedlove, esq. collector of the customs, New Orleans.

"REGULATION—According to the supreme order of the first instant, communicated to me by his excellency the president, commander of the army of operations, Anastasio Bustamante, it has pleased his excellency the president ad interim of the republic, to renew the authority granted to me on the 17th of January last, to permit the introduction into this port of all sorts of merchandise, even as such as come under the head of illegal, treated in the express condition that the duties be paid immediately in cash, and that this permission shall exist for no longer time than will be absolutely necessary for me to render all proper and complete assistance to the meritorious army under my command.

"In consequence of this privilege, and acting in conjunction with the head of the department of finance, it is decreed:

"1. All sorts of merchandise, prohibited by the general tariff of maritime duties, shall be admitted, but only into this port.

"2. The following shall be excluded: 1. metal buttons, engraved on either side with the Spanish or other national arms; 2. obscene stamps, miniatures, paintings and pictures of all kinds; 3. books, pamphlets and manuscripts prohibited by competent authority, [priests], and 4. all warlike articles. Published for the information and government of trade.

"Head quarters at Matamoras, 14th May, 1839.

"VALENTIN CANALIZO.

"PEDRO JOSE DE LA GAZA."

IMPORTANT DECISION.

The South Carolina court of errors have decided that the state courts have no jurisdiction over offences created by acts of congress. The case was this: a man by the name of McBride, was indicted at Union, S. C. for an offence created by an act of congress, which consisted in opening the mail bag, and purloining money from a letter, which he abstracted. The grand jury having found a true bill, the defendant pleaded not guilty. Mr. Justice Earle, before whom the case came on, looking into the indictment, was of opinion that he had no jurisdiction, and refused to try the case. It was then carried up to the court of errors, who affirmed the decision of the court below. Judge Earle says:

"To allow congress to confer jurisdiction, and to constitute state courts, inferior tribunals, under the provisions of the constitution, would at once transform state judges into federal officers, and make them a portion of the federal judiciary. Some of the consequences of such a proceeding I formerly pointed out; but independently of the objection growing out of that view, there is another which lies deeper and involves a more important principle, which is at the bottom of all judicial administration: it is that which I have before glanced at, that the judicial power, in its extent, depends upon the legislative. It is a settled principle of jurisprudence, recognised by all sound commentators, and is well expressed by Mr. Rawle in his treatise on the constitution: "The judicial power must be general or limited, according to the scope and objects of the government; in a word, it must be fully and exactly commensurate with that of the legislature. It cannot, by any terms of language, be made to extend beyond the legislative power, for such excess would be inconsistent with its nature." The clear, well defined separation between the legislative function of the general government and that of the states, at once presents the principle in strong relief. The classes of subjects to which the legislation of congress may extend are enumerated in the constitution. The jurisdiction of the federal courts extends to all cases arising

under laws passed there, and to some others expressly mentioned. The residue of the legislative power, embracing a vast variety of subjects and interests, belongs to the states; which cannot be specified, and have not attempted to be specified; and the judicial power of the states extends to all these, but cannot extend further. It has not been attempted to define, by an enumeration of subjects, the extent, either of the legislative or judicial power of the states; they are commensurate with each other, and extend to all subjects, not confided by the constitution to congress and the federal judiciary. Can the state legislature undertake, by law, to regulate the post office, provide for the security of the mail, or pass a penal statute, such as that which gave rise to this prosecution? No one will pretend this; and it follows indisputably, that the judicial power of the states can take no cognizance of such offences. To congress alone belongs the power to legislate on the subject, and to the United States belongs the jurisdiction of the offences created.

STEAM.

The changes accomplished throughout the civilized world, by the discovery and application of steam to arts, sciences and manufactures—are so truly wonderful, as to be almost beyond belief. In travel, alone, this great agent has effected the most astonishing results. This is fully apparent, even in connection with our own city, and its various avenues of communication north and south. For example, we a day or two since mentioned the arrival of a gentleman from Boston, a distance of 230 miles, in twenty-two hours; he travelled the whole way either by steamboat or rail road, and in both instances was propelled by the agency of steam. So with regard to the south; any one may step into the Baltimore boat at 7 o'clock in the morning, and be in Norfolk, Virginia, before 7 the next morning. Indeed the trip has frequently been accomplished in 22 hours, while passengers have been able to tarry an hour, or so at Baltimore.

Could our forefathers, of the olden time, start up from the dust, and contemplate these wonderful changes in travel and its facilities, their surprise would be extraordinary indeed. Less than a century ago, the trip between either Philadelphia and Boston, or Philadelphia and Norfolk, could not have been accomplished by the ordinary conveyances, in much less than a fortnight. But, if we turn our eyes to the west, and especially to the Mississippi river, the power of steam as an agent will be realized in a still more wonderful manner. Now, hundreds of boats with thousands of passengers are constantly passing and resting upon the turbid waters of the father of rivers, and touching at points in the course of a few days, that in the olden time occupied weeks, may months, to reach in an upward voyage.—And so indeed, throughout the greater portion of the world.

It is now said that Jerusalem may be reached by an American traveller, via Bristol in the Great Western, Paris, Marseilles and Joppa, in thirty three days! These are but of the feats that may be accomplished, so far as travel is concerned, and with comparative ease and safety. And yet the history of the past is calculated to make the impression that the progress of steam and its utility are only in their infancy, and that a century hence will unfold still more extraordinary wonders. A late number of the London Quarterly Review, contains an article upon the subject, in which many interesting facts are grouped together. Arrangements are in progress for continuing the British trade across the isthmus of Suez, with steamers, which are to ply on the great Pacific ocean, between Valparaiso and Panama, a distance of 2,500 miles. By this means, the voyage round Cape Horn to Lima, which has hitherto occupied about four months, will be reduced to about thirty days! In the Mediterranean, steam vessels are used by Christians, Jews and Turks, while as early as 1824, a steamer made four successful voyages between Bombay and Suez. The Irish sea, German ocean and the British channel, are traversed by steamers, while in the American rivers and lakes, there cannot be less than one thousand steamers in operation.

In reference to the last important enterprise, as connected with steam, we mean the establishment of packets between the old and new worlds—the greatest trip on record was recently made by the Great Western. The distance between Bristol and New York is about 3,150 geographical miles, the voyage of which was accomplished in 13 days and 7 hours. In little more than a fortnight, several British officers dined in the old world, at their barracks, in Woolwich, beyond London, and in a public hotel in Baltimore—having in that brief period, passed across the ocean and through New York and Philadelphia! The Great Western is 240 feet in

length. She has but two engines of 225 horse power each. Her cylinders are 73½ inches in diameter, and yet she is quite a small vessel when compared with several others constructed, or in progress of construction. The British Queen, for example, is believed to be the largest steamer in the world. Her length of keel is 223 feet. Extreme length 275 feet. Breadth of beam 40 feet. Including guards 65 feet. Depth of hold 27 feet. Tonnage 1,362 tons. Diameter of cylinders 77½ inches; length of stroke 7 feet. Diameter of wheels 30 feet. Estimated weight of engines, boilers and water 500 tons; dn. of coals for 20 days' consumption 600 tons. Draught of water with the above weight 16 feet.

The Gorgon is the largest steamship in the British navy. She is 1,150 tons, and carries 20 days coal, and stores for six months. Her service has been of the experimental kind, and the greater part of the past winter she has been cruising in the Bay of Biscay; and so well satisfied are the British government of her capacity to contend with boisterous weather that they are now constructing some five or six others; one of which the Cyclops, will measure over two thousand tons. The engines of the Gorgon, it should be recollected, are only of the same calibre and power as those of the Sirius of 700 tons, which preceded the Great Western on her first trip to New York. If the Gorgon, which is 450 tons more burden than the Sirius, performed so well with the same power in the stormy Bay of Biscay, during the winter, what may be expected from larger vessels with corresponding engines?

These are facts full of interest, and the results already ascertained, have utterly annihilated the theory of the celebrated Dr. Lardner. That accidents will occasionally happen, must be expected, at least for many years to come; but as improvement progresses, and as new discoveries are made, less apprehension need the system which is now in its infancy, will eventually become as perfect as any human system may be. So much for steam, as applied to navigation.

Its use and influence on rail roads and manufactures are equally important; but we shall advert to this branch of the subject at an early opportunity. [Phila. Inq.]

CUSTOM HOUSE FRAUDS IN NEW YORK.

Samuel R. Wood, one of the foreign gang of swindlers in New York, was a few days ago muled in damages to the amount of \$12,276, and has since been arrested, at the instance of the United States district attorney, on a charge of perjury, in making false entries at the custom house.

The suit upon which the above verdict was rendered was brought up by the United States against the defendant for the recovery of an amount of duties upon imported woollen goods invoiced and sworn through the custom house at 33 per cent. below their value.

The following are the extracts from the letters written by the defendant to his father, who was his partner in England, will convey some idea of the motive of this swindling transaction:

The letters were generally accompanied by accounts of sales, and bore various dates, from 29th November, 1834, to 1st December, 1837.

July 31st, I would not make altogether one piece. I told you in my previous letters, that you must have two-thirds of their real value—that will be one-third less. If you cannot understand this writing, I cannot tell you.

Sept. 23d, 1835. "I am astonished that you did not allow one yard per piece, and you will have to sell them a little higher, and give me the cost on a slip of paper."

Nov. 3d. "Yours by ship Virginia is duly to hand, with invoice of G. 537. I think you must have made a mistake in invoice. I don't see what kind of cassimeres they can be at. Is. 10d. per yard. You will have to invoice over two-thirds if you make cheap goods."

Dec. 24, 1836. "I am surprised, after your receiving such letters of information as you have—to think that you would dare to charge these two colored ribs 3s. 1d."

"I have told you time after time, still you will swerve from it. Yours by ship South America is to hand, and these cable ribs, they will not pass them, less than about 4s. 6d. or 4s. 7d. per yard; 5 per cent. off. If this is not the way you wish to sell them, you may stop them at once. You ought to alter the mark and number on the packages, also number of goods. I told you if goods were cheap to invoice them more Nos. 361 and 360, instead of 7d. more is 7d. less, that makes over 20 per cent. I believe will not libel them. I cannot see what you are about. Please to look at my previous letters for 2 months."

"P. O. You will please send new invoices of all goods up to this shipment, and those 9 bales I must have new invoices—sooner the better. M. Brodents are up to 4s. 10d. and 4s. 9d. per yard—his best cable ribs. You may judge if they would pass yours for 3s. 8d. if they are as good, and your black cloths at such prices as these. You must have come to the correct cost, and have your paper renewed until can make a return. Headstrong must not do, you may tell by seeing M. B. You work will see one another, or you would not in-

voice so much alike. Mind what I have written now and in previous letters?"

June 25th. "I have entered G. 576, &c. which I have passed, but they found a great deal of fault; the others I dare not enter, till I receive new invoices."

Aug. 16. "Yours by ship Virginia is duly to hand, which I have entered in the custom house, and it is very desirable for myself to pass such invoices as I have had latterly. G. 554 was ordered to be examined; finding one piece 3 to 4 shillings better than another and charged the same, will forfeit the whole package."

"I had such a scolding from the appraiser, that I do not like to go near the store, and it is all distress on your part of the thing, so I will not do any more such as for one price you are not fit to purchase goods. Also in bale G. 559, you say in the invoice plodded cassinets, 2 ps. at 3s. 4d.; 8 pieces plodded buckskins at 3s. 2d.; No. 1,614, 2 pieces at 3s. 5d. printed—now, they are all printed."

"If the devil you should make such a distinction in the invoice, the worst description of goods you could have sent, by G-d. You have bought without either judgment or skill, and as for invoicing, I have written enough; I can do nothing except I come to make them out."

March 16. "I am astonished that you have no more management of business than in buying such trash as these satin faces and melburn stripes. John Schofield has sold many a score here at \$1 25 to \$1 27 1-2. Now yours cost over what he fetched before he left home. The last satin faces sold to a loss; they were 25 per cent. cheaper than these."

"Enclosed is four patterns. If you do not feel ashamed of yourself I do for you. I shall not be said I made your state away. I will not put any more such as these bales, for instance; 8s. 2d. no better than this pattern. By G-d, I never pay for them. G-d-d-m all such shipments; and as for such trash as the cassimeres they would never send out at any price. The satin faces are not fit for the blacks to wear. Look at them! look at them! G-d-d-m it, look at them!" "This is such as I never saw in the country. I came to the country. I have not examined all yet."

MR. BUCHANAN.

From the Harrisburg (Pa.) Keystone, June 19.

On Saturday last Mr. Buchanan arrived in town, and was invited by the democratic members of the legislature to partake of a dinner with them. He declined the honor for the reasons stated in the following letter, to which we call the attention of every democrat in the state. Like every production of Mr. Buchanan, it is able, clear, and statesmanlike, in a most eminent degree.

On Monday evening an entertainment was given at Mr. Nagle's at which all the democratic members of the legislature, together with the governor, heads of department, and many citizens of various parts of the state attended. The assemblage was characterised by great hilarity, good feeling, and zeal. Several interesting and eloquent addresses were delivered during the evening, among which were addresses by Mr. Buchanan, Mr. Jagersoll, col. Porter, col. Parsons, and others. The toasts were pointed and appropriate.

Hall of the house of representatives,

Harrisburg, June 15, 1839.

DEAR SIR: Hearing of your temporary sojourn in this place, the undersigned democratic members of the senate and house of representatives, in testimony of their high sense of your services in the cause of liberal principles; and especially in the course you have pursued in sustaining the president of the United States in his firm stand in favor of a well regulated and a guarded deposit of the public treasure, under the strict control of officers of the general government who are immediately responsible to the laws and the people, as contradistinguished from a depository in irresponsible private associations of individuals or corporations, tender to you a public dinner at such time as may suit your convenience.

Saml. Carpenter, John Miller, Henry Myers, Thos. C. Miller, on behalf of the democratic members of the senate of Pennsylvania.

T. B. McElwee, Stokes L. Roberts, J. R. Snowden, Wm. McKinstry, Charles Pray, M. N. Carpenter, E. W. Handin, Wm. Field, on behalf of the democratic members of the house of representatives.

To hon. JAMES BUCHANAN.

Harrisburg, June 17, 1839.

GENTLEMEN: I have been honored by your kind invitation to a public dinner, to be given when I might best suit my convenience, during my visit to this place. The approbation of my public conduct by the democratic members of any legislature of my native state would inspire me with the most grateful feelings; but emanating as it now does from that faithful, able and devoted band by whose patriotism, fruness, and discretion, our beloved commonwealth has been saved from a revolution in its government, I feel it to be a reward far beyond

my deserts. All I can promise in return is, that I shall endeavor, by pursuing the same course which has won your favor, to merit its continuance. I regret that I cannot accept your invitation, as my engagements require me to leave Harrisburg to-morrow morning.

When Mr. Van Buren first recommended to congress the adoption of the independent treasury, as the leading financial measure of his administration, I took my stand in its favor, from the firmest conviction that it was a just and necessary measure. Its true character was at first misunderstood by many of the best and wisest democrats of the country; and it was misrepresented in such a manner by the satellites of the banking power as to cover it with a cloud of prejudice. This cloud has already been dissipated by public opinion, the sovereign arbiter of all political measures under our form of government; and viewed in the light of truth, it now stands as a monument of the wisdom, firmness, and patriotism, of its distinguished author. Its final success, and that at no distant day, seems inevitable. Another bank of the United States is repudiated, at least for the present, by the leading members of that party who were formerly its avowed friends. What, then, are the remaining alternatives for the safe-keeping of the public money? Does any man now seriously believe that, for this purpose, the people will again resort to a league of affiliated safe banks, and pour the public treasure into their vaults, and thus again convert it into an engine of ruinous expansions and contractions of the currency, and of new political panics and pressures? Shall we place our money under the custody of corporations which in the day of trial, when we shall most require its use to sustain the honor and interest of the country, may again convert into irredeemable bank paper? Above all, shall we, who profess to be the friends of state rights and the liberties of the people, bind together by bonds of mutual interest the eight hundred banks of the country and the chief executive magistrate; and thus place under his control instruments of corrupting influence throughout every state of the union more extensive power than was ever wielded by the bank of the United States? If the democracy of the country be not willing thus to put themselves in subjection to the banking power, the only remaining alternative is the independent treasury. This measure is so simple in itself, and so conformable in the spirit and letter of the constitution, that it could not fail, when freed from the mists of prejudice, to command the approbation of the people. By its adoption, we merely propose to return to the practice which prevailed for some time after the origin of the federal government, and entrust the safe-keeping of the public money to agents responsible to the government of the people, instead of banking corporations responsible only to their own stockholders. The public money is now collected by responsible officers, and it is disbursed by responsible officers; why, then, between the time of its collection and disbursement, should it be confided to irresponsible banks? This is the sole question.

By depriving the banks of the custody of the public money, you will not injure any one of them which is conducted on sound and safe principles. It is true that the independence of the independent treasury, besides diminishing their profits in a small degree, by taking from them the use of the people's money, which they have no just claim, may require them to keep in their vaults a somewhat larger amount of gold and silver than heretofore; but this will be one of the greatest incidental advantages of the system. This required increase of the precious metals will, however, I fear, prove wholly inadequate to restrict the banks within those safe limits which will secure to the public a paper circulation at all times convertible into gold and silver. I merely throw out these hasty thoughts on the great subject to which you have thought proper to advert, and which is making such rapid advances in the public favor. With sentiments of grateful respect, I remain sincerely yours, JAMES BUCHANAN.

Samuel Carpenter, John Miller, Henry Myers, and Thomas C. Miller, on behalf of the democratic members of the senate.

Thomas D. McEwee, Stokes L. Roberts, J. R. Snowdon, William McKnight, Charles Park, Miles Carpenter, E. W. Hamlin, and Wm. Field, on behalf of the democratic members of the house of representatives.

AMERICAN VESSELS ENGAGED IN THE WHALE FISHERY.

Circular to collectors, naval officers and surveyors.

Treasury department,

First comptroller's office, June 5, 1839.

SIR: From the results of recent trials in the courts of the United States, it appears that American vessels, sailing under registers, and without be-

ing enrolled and licensed, have, in violation of law, been for many years engaged in the whale fisheries.

On full examination of the records of this department, it is evident that this course has been adopted without its sanction, and it becomes matter of regret that a practice so erroneous should have been introduced and suffered so generally to be pursued contrary to the instructions of this office contained in the circular of 28th December, 1793, and its decisions in special cases submitted to it, and also in disregard of existing laws, as construed by the United States courts, subjecting such vessels on their arrival to foreign tonnage and duties, and in some cases to forfeiture of vessel and cargo; and, while at sea, alienating the American character of the vessel, and thus losing the wholesome protection of the laws against the revolt of their crews.

Owners and masters of such vessels now in port or which may hereafter arrive, under these circumstances, will perceive the necessity of surrendering, or causing to be surrendered, the registers of their vessels, and having them enrolled and licensed according to law, before proceeding to sea, and of pursuing such other measures for their own security as the important interests involved would seem to indicate.

By the 6th section of the act of the 18th of February, 1793, if, at the expiration of the year for which the license is given, the vessel be at sea, and the master shall, within forty-eight hours after his arrival, deliver to the collector of the district in which he shall first have arrived, the license which shall have expired, and make oath that it expired whilst at sea, taking the certificate of the collector therefor, as provided in the 9th section of the same act, with which to proceed to his proper district, the forfeiture of the vessel and cargo, or payment of foreign tonnage and duties, as the case may be, is avoided.

The limited duration of the license, as is contended for by some, would not therefore appear to have been a sufficient reason for this clear deviation from existing laws.

Consequently with a view to secure to such enrolled and licensed vessels all the benefits, privileges, and protection of those laws, collectors of the customs are authorised and directed on application, besides the papers before mentioned, to grant to such vessels general clearance, passport, bill of health, sea letter, and permit to touch and trade at any foreign port or place during the voyage, together with a certified copy of the crew list. On the clearance of such vessels, they will, in pursuance of the 21st section of the act cited, require from the master that his manifest of outward cargo be verified on oath, that on their arrival in port, the manifest and entry of inward cargo must, in like manner, be verified.

With respect to the cases of vessels sailing under registers, which have recently returned from whaling voyages, as well as those of vessels which hereafter may arrive, until further legislation, the existing laws must be enforced as it regards the duty on the tonnage of the vessel and on the cargo if it be of dutiable character, as well as other legal liabilities, the remedy for relief for any penalty, forfeiture, or disability incurred by such vessels being in remission by the secretary of the treasury where his legal power may be exercised and the case shall justify his interference or with congress in regard to the duties.

The papers herein directed to be issued, being such as are made necessary for vessels employed in the foreign trade, with the exception of the permit to touch and trade as prescribed in the circular of the 28th December, 1793, it is presumed that collectors of the customs will encounter no difficulty in the premises.

Proper notice, however, being given to the owners and masters of whaling vessels of the nature and object of these instructions, that they may incur no injury by neglecting to conform to them.

It has been made a question whether vessels, sailing under enrolments and licenses, with the papers before enumerated, might not take on board goods to be landed at foreign ports, with the right of drawback.

In view of such privilege, none but registered vessels, under existing laws, being permitted to engage in the foreign trade, it is the opinion of this department that it cannot be extended to vessels enrolled and licensed.

Another matter, as respects vessels enrolled and licensed for the coasting trade, is of sufficient importance to claim your attention.

Frequently, applications are made by purchasers of coasting vessels, or transferred by process of law to have them enrolled and licensed, in consequence of former owners withholding the old papers.

The proviso in the act of the 2d March, 1797, obviates any distinction that may have been taken in

practice between the papers of these and other vessels be not surrendered on the change of property, the former owner or owners incur the penalty prescribed in the 14th section of the act of December 31, 1792, to be recovered, with costs of suit.

It is proper to add that these instructions have the approbation of the secretary of the treasury.

I am, very respectfully, SIR, your obedient servant.

J. N. BARKER, *comptroller*.

ESPY'S THEORY OF STORMS.

Professor Espy is now engaged in delivering a course of lectures on the theory of storms, which has excited considerable attention among the scientific men of our country. The following general notice of his lectures from the New York "Express" (with the addition of two paragraphs appended from the "Whig") will give our readers a good outline of his theory.

The law of storms. It is pretty satisfactorily demonstrated by professor Espy that there are certain laws regulating storms, tornadoes, hurricanes, &c. almost as regular as those which control the motion of the earth or the celestial bodies. The travels of these storms, he thinks, can be portrayed upon a chart, as are the motions of the planets—and thus results can be deduced of vast service to the farmer, the mariner, the world. It is a fair estimate that if the laws of storming could be calculated—a distance—its locus in question, if we may so express ourselves, the world's navigation, its agriculture, its pleasures—can be revolutionized. But professor Espy professes to go farther—and to prove that in certain states of the atmosphere he can make a storm, or operate upon this atmosphere, so as to create an artificial rain. We are ready to credit such studies to the scientific genius of professor Espy; for there are no doubt fixed laws to regulate storms; and his proposition is not more startling than that of Dr. Franklin was when first promulgated. Certainly no study is more interesting or important. Mr. Redfield's observations are attracting the attention of the world, and this country seems to be peculiarly disposed for observation, and the language is spoken over the whole field, next on account of the rapidity of inter-communication, and lastly, for the violence of its storms.

The revolution in society professor Espy will work out, if he establishes his science, is worthy of consideration. Indeed he will be deserving of the Homeric epithet of the cloud-compelling Jupiter. If we have a journey to make, we shall have but to look at our barometer, and we are enlightened as to the weather. That great topic of conversation, on which men's tongues are so fruitful, and that now serves as an introduction of all others, will be but an affair of science, exciting but little more curiosity than the barometer or thermometer. When we get up in the morning, in our variable climate, instead of being compelled to doubt and ask, and then to be told, which is the best—woolen or silk—we have but to calculate scientifically the motion of the air, and we can safely forego independent of overcoats or an umbrella. The farmer will know when to mow down, or to gather up his hay. Science will take hold of the sickle, and when the harvest comes, the farmer need not fear for the soundness of his corn, or the safety of his cow and his calf, nor reap with the knowledge of omniscience almost. But what Neptune will say—poor old Neptune, the venerable deity of Roman adoration—now Vulcan with his fire ship seizes his very beard, and drives his cart triumphantly over his waves, and in the very teeth of his winds—what Neptune will say—no man can give us the most accurate and correct knowledge of all nature's laws—exploring the cause, as it were, of Æolus, and bridling Boreas too—we shall see—as the sailor is admonished of the storm, a thousand miles off—as he puts its route upon the chart, and tells the whole story upon his log book, ere the time has come. But if professor Espy can do what he thinks can be done, and make a storm, at once, man is almost master of the world.

The design of last evening's lecture was to show the method of ascertaining the height of the base of forming clouds by the thermometer; to lay down rules, and explain how any careful observer may know it at any time in what direction a great storm is raging, while it is yet four or five hundred, or even a great number of miles distant, and the deduction from admitted facts, that rain may be produced by artificial means in time of drought. In the effect the lecturer was eminently successful; and if all who heard him were not thoroughly convinced of the truth of his doctrines, they were certainly impressed with the belief that he possessed a rare and unusual talent, and that he was a believer in the truth of his discoveries.

The absence of rain in Egypt and in Peru, and many other interesting phenomena, which scholars have spent lives in fruitless endeavors to explain, are, by the theory of Mr. Espy, satisfactorily accounted for, and every mystery, in any way connected with the theory of storms, finally cleared up, and the only none of the quackeries which obtains universally now-a-days; being a man of profound learning; and, amidst all the opinions to the contrary, as sane as was ever any teacher of a new science.

Upon this subject of storm-making, Mr. Espy discussed last night, and his lecture was one of high interest. His beautiful theory, that a storm is the focus of converging winds, is a very simple one. If there is a storm in New York, the winds from all points of the compass begin to blow to New York, from Albany,

Boston, Philadelphia, &c. the winds, as it were, diverging from this city, he pursues with the facts, admitted we believe, that volcanoes at times create rains, also praeries on fire, even heavy discharges of cannon. In time of drought, he argues that the air is most charged with vapor, and nature best fitted for artificial operations, and then he proposes by means of fire so to vary the air, as to evolve in aqueous columns, which, when they become clouds, subject to all the laws which he demonstrates to be the regulators of storms. He does not assume to say he can create a rain at will—but he believes that in a drought, when the upper stratum of air is favorable for artificial experiments, he can, by means of intense heat, create an ascending column of vapour, which will evolve in aqueous columns, which will take the easterly motion of all storms, and finally cover a country. Thus at New York he thinks he can make a storm for Boston, or on the Ohio create a rain for all the middle states and New England too.

These extraordinary ideas would amaze us, if we had not been powerfully influenced by the dreams apparently demonstrated, from which these inferences of his can be drawn, but by corollaries. Professor Espy, beyond all question, is a man of science. He is enthusiastic but no quack—no pretender—and we have not a doubt would create a profound impression by his theory in any scientific circle of the world.

TRANS-ATLANTIC POSTAGE.

The annexed correspondence has been placed in our hands by a mercantile friend, for the purpose of correcting, by its publication, the errors or omissions which appear to have been the cause of losses that have been sustained by commercial houses in this country, in the payment of postage on letters to their correspondents in Europe. It will be recollected, that soon after the steam ship commenced running between England and America, the postmasters in Philadelphia, Baltimore and Boston, through a desire to promote the convenience of merchants and others, announced that they would act within their official capacity, but to advance public convenience,—receive at their respective offices the ship money on letters that might be sent to Europe, together with the postage that would be payable in England, thereby securing the prompt transmission of letters addressed to the continent, without further trouble.

In consequence of this announcement, accompanied by a tariff of the rates of charge, persons have been in the habit of mailing their letters for the steamers, paying at the same time the postage from their respective cities to New York, the steam ship carriage, 25 cents, and the postage from England to the continent, according to the tariff above mentioned. The postmasters, we have no doubt, have performed their part of the agreement, and forwarded the cash thus received to the parties in New York, to whom the performance of the balance of the arrangement should be committed; but somehow or other, although the letters have been duly forwarded to England, the post offices in that country have required the payment of postage which had, in fact, already been paid in the United States.

It appears to us, that as, according to the letter of the postmaster in London, in answer to the letter from the postmaster at Bremen, "neither the ship nor packet postage can be paid in the United States on passing through England," the arrangement announced, with the tariff of prices annexed, must have been dependent on an act to be performed by an agent of the steam packet company in England, to wit: the payment of the postage through that country, when the letters should be put into the office there, and that the additional charge has been made on account of a failure to do so. If such be the case, the omission complained of is to be traced to the party charged with mailing the letters to England, and should be corrected therewith.

It is also more than probable that the difficulty may have arisen from putting the letter bags into the office, without discriminating between letters on which European postage was paid, and those on which it was chargeable.

The letters intended for the continent have thus been forwarded at once to their destination under existing regulations between the British and continental governments, and at the places to which they have been respectively addressed, the entire European postage has been exacted. If a separate bag for letters on which the trans-Atlantic postage is paid, were made up at New York, numbered and sealed, to be put into the office on their landing in England, together with the postage so paid, the difficulty would be surmounted. (Balt. Am. Breeze, 19th April, 1839.)

To the general post office, London. I have the receipt of your esteemed favor of the 27th ult. informing me of the reduction in the rate of postage for the correspondence with the United States of America, with the regular packets, which will serve me as my guide in future.

Several complaints having been lately made to me of letters being charged here with the full rate of postage from America, notwithstanding it was marked on them, "that ship postage, and postage through England" had been paid already in America, I take the liberty to hand you herewith two such letters, with the request that you will be pleased to return them to me again, with such an explanation as you may be able to give me on the subject.

I am sorry to occasion you this trouble, but as the charge of 3s. 3d. on your side, in addition to the 92 cents paid in America, induces our merchants to suppose that a double charge has been made, my wish is to give them that information they require. I have the honor to be, sir, your most obedient and humble servant,

(Signed) W. BARTSCH.

General post office, London, 16th April, 1839. Sir: I have the honor to acknowledge the receipt of your communication of the 9th instant, and in reply to inform you, that neither ship nor packet postage can be paid in the United States on letters passing through England. The enclosed two letters are correctly charged—the ship letter rate from Liverpool to London 1s. 7d., and the packet rate from London to Hamburg 1s. 8d., together 3s. In future such letters will be liable to a rate of 2s. 8d. only. I have the honor to be, sir, your obedient humble servant,

(Signed) TH. LAWRENCE.

ORIGIN OF MERCER POTATOES.

The following article from the "Educator," a neat little paper published at Easton, Pa. will give the reader an idea of the origin of that justly celebrated potato, called the "Mercer." The article was written by a gentleman from Mercer county, and is probably correct in every particular. On enquiry we learn that in 1809, Bevan Pearson, esq. then a member of the house of representatives, from Mercer county, brought three of these potatoes to the village of Darby, from whence, as the Educator states, "they have spread over the United States." Several fresh supplies have been received in this village since that time, and we believe the only genuine "Mercers" (or "Gilkies") in this neighborhood, are in possession of the Pearson family.

[Delaware Cy. Republican.]

Gilkies. This ought to be the name of the favorite potatoes. They are commonly called, in the Philadelphia market, *Mercers*—frequently also *Neshannocks*, and sometimes by corruption, *Shenangoes*; I perceive also the name *Shenangoes*, (*Shenanges*) applied in some of the eastern papers.

All men regret that Columbus was robbed of the honor of giving name to the world he bestowed upon civilized man; and a correspondent regret acquiesces the writer in reference to one of his chief productions.

It is now too late to do honor to the illustrious Genoese navigator; perhaps the agricultural press might yet do an act of posthumous justice to the memory of John Gilky. This seems the more desirable, because his blood has ceased and must forever cease to flow in the direct line—not a drop of it "flows in the human veins."

John Gilky was educated for the Roman Catholic ministry, but missed his way and became one of the early settlers of Mercer county, Pa. He lived a hermit I think nearly forty years, in a cabin on the bank of Neshannock creek, about five miles above its junction with the Shenango, at New Castle. The writer remembers him in 1806, then an old man. A few years after that he produced from seed the justly celebrated Mercer potato. It spread in the neighborhood, and a few were carried by the father of Bevan Pearson, esq. of Mercer, and grandfather of the hon. John Pearson, at present senator from that county, to his residence at Darby, near Philadelphia. Thence it spread over the United States. It has proved a blessing to millions, and has added millions to the wealth of the nation. "This poor solitary exile from the Emerald Isle, has done more to benefit mankind, than many a hero of a hundred battles. Shall his name perish? Or will the friends of agricultural improvements and the lovers of justice, of honest men and good potatoes, agree to immortalize it by calling them henceforth Gilkies?"

RICHMOND ENGAGED IN SHIP BUILDING.

We will tell what is unknown to we suppose nine-tenths of our citizens, when we say there is now at Rocketts a schooner of a large size. Mr. Hosea English, one of the great Egg Harbor shipwrights is the contractor, and will no doubt from appearance thus far, construct her in a manner keeping with the skill in ship building which so celebrates the place from which he hails. The schooner has 76 feet keel, 45 feet beam, and 93 feet hold—burthen 190 tons. She is building for

Messrs. Curry H. Clarke, B. Green, H. Tyler and captain Rogers, and will engage in the Richmond trade.

The timber is now in the course of preparation for another schooner of about the same size, which is also to be constructed by one of the great Egg Harbor shipwrights, a Mr. Biting. She is to be built by Messrs. Haskel & Libby, John Barr, Dupriest and captain Robinson, formerly of the Henry Chase, who is to command her.

These movements are no doubt gratifying to our citizens, they show the commercial spirit of the city to be active and buoyant. It has been many years since an effort at ship building was made here. Before the late war a brig was built at Rocketts, which was the first and last vessel of note built among us. The schooner Chesterfield, an excellent vessel, which is engaged in trade between Richmond and New York, was built perhaps in Chesterfield—at all events not far below Richmond, on the south side of the river.

The brig of which we have just spoken, was built at Rocketts about 30 years ago by Reuben Coultts, a son of Patrick Coultts—with traits of whose somewhat eccentric character, many of our citizens must be familiar. She was a handsome vessel, and called after the wife of her owner, "Jane Coultts." She sailed for Liverpool with a cargo of tobacco, commanded by captain Dixon Brown, (brother of our worthy second auditor) and capsized on her passage, she was fallen in with at sea, bottom upwards, and recognized by the marks on the hog-heads, seen through a hole cut in her bottom by captain and crew all perished. She was said to have been built too sharp and rigged too heavily, to which causes, her fate was attributed. Let us in our new efforts to build vessels to enter the competition for the carrying trade, encourage ourselves with the old adage, that "a bad beginning makes a good ending," and anticipate good fortune, the reverse of the hopeless fate of the "Jane Coultts."

This reminiscence of the "Jane Coultts," brings to mind an anecdote old, though amusing of Patrick Coultts, quite illustrative of his singular character. During the illness preceding his death, old col. Byrd, his particular friend and companion, called daily to see and comfort him, until the colonel himself was taken ill. His solicitude still continued undiminished, and he sent his servant regularly to enquire after Mr. Coultts's health—who continued to get worse, until his physician stated that he could not survive more than two or three days. On the morning before he died, the physician of col. B. told him that he too was on the verge of eternity and could not live two days. On being told this, the colonel sent his servant off in great haste, with his compliments to Mr. Coultts, and to request him, if he could, to hold out a day or two longer, and he (col. B.) would accompany him on his final journey. On receiving the message, Mr. Coultts's turned towards the servant, and with his peculiarly stern look and decided tone, bade him inform his master that he was then brotred and spurred for the journey; and that when "Patrick Coultts was ready he waited for no man." He immediately sank exhausted, and soon afterwards expired, leaving his friend col. B. to follow him, which he did in a short time. [Richmond Compiler.]

OUR COUNTRY.

The following paragraph, from a recent number of the New York Literary Gazette, has been traveling the circuit of the press these three weeks:

"A cockney sportsman, who had read with delight Mr. Hoffman's new work on the wild sports of America, took passage in a London packet, and arrived here during the present week, in search of wild game. He brought letters to a highly respectable merchant with whom we are well acquainted, and desired, after delivering them, to be directed to the best hunting grounds without delay as he could only remain here a few days, purposing to return in the Great Western. He said that he came to New York principally to shoot bears. Our mercantile friend, satisfying himself that his new acquaintance was perfectly serious, informed him that the sport had been greatly cut up here, and recommended him to proceed to Philadelphia. He departs for that city this day; and we call upon our friends there to extend to the distinguished stranger their usual hospitality."

There is doubtless somewhat of exaggeration in the statement, and yet it is very true that the ignorance of our country, in England, is much more extensive and profound than would be supposed. For example, some time ago, we received a letter from an English correspondent, making inquiries respecting some unofficial person living in the neighborhood of Natchez—the writer evidently supposing that he must be a neighbor of ours! Even this, however, is not quite up to another instance within

our knowledge. A friend being on a visit to England a few years since, was asked if he knew Mr. Dobbs, from Newcastle-upon-Tyne. "No sir, I do not," was the reply. "Why, you must know him, I am sure," rejoined the other, "for he has lived in America three years!"

But these are not the illustrations which we quoted in the above paragraph for the purpose of making. Our design was to relate the following incident:—One clear, bracing morning last autumn, as we were stepping into the Schenectady cars at Albany, who should we meet but a New York friend, in his shooting jacket, accoutred with pouch and gun, in the act of placing his dogs in an adjoining compartment.

"So ho, friend! Whither are you bound?" we inquired.

"I am only going for a few days' shooting in the country."

"Where?"

"Upon a fine prairie in Michigan—only about three hundred miles from Detroit. I am told there is fine shooting there."

This single incident, which is literally true, speaks volumes upon the extent of our country, the spirit and habits of the people, and the facilities which were enjoyed for intercommunication. Detroit is eight hundred miles from New York, and our friend was bound for the prairie a long way beyond. And yet he was starting forth for a shooting excursion, with as little care of the distance as an English fox-hunter would experience in going upon a chase in a neighboring county.

Our friend had fine sport during his excursion, as we happen to know, as one of our firm, who was himself wandering the prairies at the same time, fell in with him in the hey day of his frolic. The sportsman informed us the other day that, having procured the best "fly" he ever saw, he was going down to the Kemebec for a day or two on a fishing excursion!

Nor is this spirit of dashing enterprise an exclusive characteristic of Americans. Foreigners coming thither soon have their ideas expanded by the broad expanse of our country, elevated by the height of our mountains, and inspired by the chase of bears and buffaloes. For instance, in the case of sir William Stuart, whose pictures of bear and buffalo hunts amid the stupendous peaks and glens of the rocky mountains have been exhibited for a few days at the Apollo gallery—the baronet, we are told, having spent five years among the scenes described, started on his return to England, and reached New York on his way. Lingered here a few days, his mind reverted to the wild sports of the west. It was asking too much to leave them so soon; so back he started, twenty-five hundred miles into the wilderness, for the pleasure of one more buffalo chase before he should finally embark for the shores of Albion. He went, and plunged again into the wild pleasures of the Snake Indians, and hunted buffaloes and grizzly bears for another two years, and is now once more on his way to his own land.

[N. Y. Com. Ado.]

AMERICAN ANTIQUITIES.

Among the remarkable monuments of antiquity on the American continent are the ruins of Palenque, in the republic of Guatemala, the existence of which is but little known. About the middle of the last century, the ruins of an ancient city, which were spread over an area of great extent, were discovered in the vicinity of the town of Palenque, in the province of Ciudad Real de Chiapa. They were evidently of high antiquity, many centuries antecedent to the conquest of Mexico by the Spaniards. These extensive and remarkable ruins were subjects of much discussion and learned speculation at the time of their discovery, and at length attracted the attention of the Spanish government. In the year 1759, a royal order was issued to Antonio del Rio, to proceed to the spot, and make a full and accurate examination of these interesting monuments of the art and labor of other times. In May, 1726, del Rio, repaired to Palenque taking with him a number of laborers provided with implements to make the necessary excavations and examinations. By dint of perseverance says he, I effected all that was necessary to be done, so that ultimately there remained neither a window or door way blocked up, a partition that was not thrown down, nor a room, corridor, court, tower or subterranean passage, in which excavations were not effected from two to three yards in depth.

These ruins are called by the Spaniards *Casas de Piedras*, (stone houses), and are situated on a plain at the base of a high mountain, and extend from east to west between seven and eight leagues, but their breadth is by no means equal to their length, being little more than half a league, in width, where they terminate towards the river Mi-

col, which winds around the base of the mountain. The situation appears to have been well chosen, as the climate is described as being beautiful, the soil fertile, and capable of producing in great abundance every thing to satisfy the wants of man. The city probably commanded other resources to enable it to maintain as great a population as seems to be indicated by its extent. D-d Roi gives the following description of the largest of this mass of buildings, which stands on a mound twenty yards high, and is surrounded by other edifices namely, five to the northward, four to the southward, one to the southwest and three to the eastward, while in all directions the fragments of other fallen buildings are to be seen extending along the mountains.—The interior of the large building is in a style of architecture strongly resembling the Gothic, and from its rude and massive construction, promises great durability. The entrance is on the eastern side, by a portico or corridor, thirty-six yards in length, and three in breadth, supported by plain rectangular pillars, without either bases or pedestals, upon which there are smooth square stones of more than a foot in thickness, forming an architrave, while on the exterior surfaces are species of stucco shields; over these stones there is another plain rectangular block five feet long and six broad, extending over two of the pillars. Medallions or compartments in stucco, containing different devices of the same material, appear as decorations to the chambers; and it is presumable, from the vestiges of the heads which can still be traced, that they were the busts of a series of kings or lords to whom the natives were subject. Between the medallions there is a range of windows like niches, passing from one end of the wall to the other, some of them in the form of a Greek cross.

Beyond this corridor there is a square court, entered by a flight of seven steps, the north side entirely so, but sufficient traces of them remain to shew that it once had a corridor and chamber similar to those on the eastern side, and which continued entirely along the several angles. The south side has four small chambers with no other ornament than one or two little windows, like those already described. The western side is correspondent to its opposite in all respects but in the variety of expression of the figures in stucco; these are much more rude and ridiculous than the others, and can only be attributed to most uncultivated Indian capacity.—The device is a sort of grotesque mask with a crown and long beard like that of a goat, under which are two Greek crosses. It is by no means improbable that these fantastic forms, and others equal whimsical were the delineations of some of their deities to whom they paid an idolatrous worship, consistent with their false belief and barbarous customs.

MR. RIVES—THE CONSERVATIVES.

To our inquiry, "what more positive terms were expected of the conservatives," the Baltimore Chronicle puts in an answer, of which the following is the substance:

"We should like to see the feelings and language of Mr. Tallmadge adopted—uncompromising hostility to the re-election of Martin Van Buren.—That is all, and you have it now."

So far as we are concerned, the answer is amusing. In putting down Van Burenism, we doubt if our friend of the Chronicle, spirited as he is in the race, will be in at the death sooner than we.

As to Mr. Rives, the Chronicle puts us a query, as follows:

"In very recent circumstances, in connection with the assertion of the anti-Van Burenism of Mr. Rives by the Madisonian, convince us that he is opposed to Van Buren's re-election. That will do very well, as far as it goes; but in the event of an opposition ticket being presented to him, would he not as we are informed he did, at the last election, stand aloof and rest neither?"

You may touch assured, that he will "stand aloof and touch not" Martin Van Buren nor his satellites, except it be to give them a dressing, and help to send them into the retirement they deserve. We doubt if he would vote for Van Buren for the meanest office in the state. This point being settled, what is the inference as to his relation to the other branch of the alternative? His principles and his views of national policy are clearly defined. They are opposed to a national bank—opposed to high tariffs—opposed to internal improvements by the general government—opposed to a sub-treasury—opposed to the enlargement of executive power—opposed to the interference of federal officers in popular elections—opposed to monopolies—opposed to extravagant and wasteful expenditure of the public money—opposed to proscription for conscience sake—opposed to a crusade of the federal government upon state rights—opposed to the prostitution

of federal power to the selfish ends of persons and parties; and he is in favor, in short, of an economical, efficient, patriotic, pure, impartial and republican administration of public affairs. It is because this administration is not conducted upon these principles that he opposes it. It would be, however, the height of absurdity and inconsistency for Mr. Rives or any other republican, while he abandoned one set of men for these causes, to commit himself to another set, without any guarantee that they would administer affairs any better than the former. He left the administration when it was glorying in the strength of a fresh victory, with its blushing honors thick upon it. Is it supposed that it was for so light and trivial a cause, that other men and parties fancy they may be induced to swear a new allegiance without inquiry or consideration?

The question as to the choice of a ticket by the opposition against Van Buren, has been referred to a national convention. Pray let us await the decision of that convention, and the doctrines it may proclaim, before you compel us to choose our banners.

The conservatives, generally, look upon Martin Van Buren as immovably committed to the doctrines of the destructives. They cannot, therefore, be reconciled to him. If opposition candidates are presented who will carry out their principles, the conservatives will support them. If not, then they should make a choice of evils—holding it to be their duty to take some part, and that part not a fruitless one.

[Madisonian.]

ARMY.—OFFICIAL.

From the Army and Navy Chronicle.

GENERAL ORDERS, No. 30.

Adjutant general's office, Washington, June 2, 1839.

I. The major general commanding-in-chief, having observed that the dragoons, when serving as light infantry, practise the obsolete system of 1834, instead of the prescribed system of 1835, "for light infantry and rifle skirmishes," directs that the former be now discontinued. The "carbine manual," prescribed in general orders, Jan. 4th, 1837, will not be changed.

II. Whenever the dragoons are dismounted and serve on foot, the established "rules for the exercise and manœuvres of the U. States infantry," published by authority of the war department, the 10th of April, 1835, will be strictly conforming to.

III. The buglers, drummers and fifers, belonging to companies not serving with their colors, must not be separated from their respective companies.

IV. When four or more companies are serving at the head quarters of the regiment, the private, allowed to act as musician in the regimental band, will be dropped from the rolls of absent companies, and be all mustered in the companies stationed with the colors. By order of major general Macomb.

R. JONES, adjutant general.

GENERAL ORDERS, No. 5.

Head quarters of the army, Fort King, May 19, 1839.

I. With a view to recruit the 2d regiment of dragoons, the following arrangement will be carried into effect as soon as possible:

Captain Bryant's company, (A), capt. Fowler's, (H), capt. E. L. Beall's, (I), and capt. Winder's, (K), will repair without delay to Garey's Ferry, where with captains Bullock's and Howe's (F and G), all will be dismounted except company K, commanded by Hest. Darling, and their horses will be turned over to inspection by a board of dragoon officers. Such as are found fit for cavalry service will be given in charge of an officer, who will conduct them to Jefferson barracks by easy marches—company K, and its officers, being employed for that purpose. The remainder will be turned over to the quartermaster's department. The five dismounted companies, with their officers, will then embark for Fort Hamilton, N. Y. harbor, where they will await further orders. All the company property will be taken with them, except the horse furniture, which will be packed and marked, designating the companies to which it belongs, and forwarded by water to the quarter master at Jefferson barracks, for the 2d dragoons.

II. The principal quarter masters at Garey's Ferry and Tampa Bay, will, with the approbation of the respective commanding officers, dispose of all horses, mules, and other cattle, that may not be required for the public service, and reduce their respective establishments to correspond with the requirements of the public service, in order that there may be no unnecessary expeditures. By order of major general Macomb.

ED. SCHIRIVER, A. A. gen.

Appointment.—First Lieut. J. H. Prentiss, 1st arty. to be assistant adjutant general, with the bre-

vet rank of captain, May 24, 1839, and ordered to report to major gen. Scott.

Special orders.—No. 39, June 8—Leave to 2d lieut. R. H. Graham, 4th infy. extended three months.

Capt. S. Mackenzie, 2d arty. to be relieved by a 1st lieut. of the 4th arty. from recruiting service, at Syracuse, N. Y., and to join his company.

Surgeon Randall, relieved from duty at Carlisle barracks, and to report to the president of the medical board, after his examination, to repair to Gary's army for duty.

A detachment of 86 recruits and 7 musicians, left New York on the 4th inst. under charge of capt. E. K. Smith, 5th infy. destined to forts Howard and Brady, via Buffalo and the lakes.

Forty-eight recruits left New Orleans on the 11th May, to reinforce the 3d infy. at Fort Jesup, under charge lieut. W. H. Gordon.

Ordinance department. June 7.—Capt. G. D. Ramsey, ordered to camp Washington, as principal ordnance officer to the camp.

March 9.—Lieut. A. H. Dearborn, ordered to command, temporarily, at the Baton Rouge arsenal.

Medical staff.—Ass't. surgeon Thos. Henderson, at Fort Monroe, Va. and ass't. surgeon J. B. Wells, at Washington, D. C. to proceed to New York and report to surgeon, T. G. Mower, president medical board of examiners.

NAVY—U. S. VESSELS OF WAR REPORTED.

Brazil squadron.—Razee Independence, com. Nicolson, and ship Fairfield, lieut. com'd't. Tilton, at Montevideo, April 15, the latter just returned from Buenos Ayres. Com'm'r. Boorman, has arrived at Rio Janeiro to take command of the Fairfield.

West India squadron.—Frigate Macedonian, sloops of war Ontario, Vandalia, Levant and Erie, lying off the city of Pensacola on the 1st inst. The sloop of war Natchez was at the navy yard, and would shortly sail for the north.

Ship Erie, com'm'r. Smoot, arrived at Pensacola on the evening of the 25th ult. from Tampico Sth. and Matamoros 10th ult. She left the Warren at the former port.

Ship Warren, com'm'r. Spencer, off Tampico, the latter part of May.

Packet schr. Woodbury, lieut. com'd't. Nicholas, arrived at New Orleans, May 30, from Tampico.

Frigate Constitution, spoken May 29, lat. 28, 51—lon. 70, 53.

LETTER FROM GENERAL GAINES.

We give below a letter from this distinguished officer addressed to the editors of the New Orleans Bee. So far as it relates to the strictures of the editors of the Bee, which elicited it, we have nothing to say. We give it as a defence of that officer's conduct in Florida. We have never believed that the officers of the army were in any way to blame for the protracted length of that war. Braver spirits were never harnessed for the fight than have sacrificed themselves in the swamps and hammocks of Florida, and we firmly believe that every thing that could be done was done on their part to stay the ravages of the savage, and bring peace to the territory. No man doubts that the war might have been brought to a close years ago by the same course recently adopted by the government, and it was pusillanimous in the extreme thus to close it after having spent millions of treasure, and sacrificed so many valuable lives. The government is alone responsible for the waste of treasure and of life, and it is impossible for it to rid itself of the weight. We regret one thing in the general's communication, and that is the gratuitous fling at general Scott. Any remark general Gaines may make cannot shake the fame and popularity of the hero of Bridgewater. It displays a vindictiveness which is not a characteristic of the truly brave.

To the Editor of the New Orleans Bee:

Gentlemen:—In your leading editorial article of the 3d instant, in reference to the "Florida war," you have indulged in some invidious remarks, which, though not expressly applied to me, are, nevertheless, as well known by my friends to have been designed for me, as if I had been named in every line. Silence, therefore, on my part, would betray an indifference, which might be construed into a tacit admission of the imputation put forth against me, and the gallant officers and men of the Louisiana volunteers and regulars, which I had the honor to command in the first Florida campaign.

You are pleased to say that "opinions have often been expressed by men professing some knowledge of the course of military events, that had such and such measures been adopted or avoided, or such and such officers been placed or continued in com-

mand, the war would ere this have been at an end."

You then remark that,—"nothing could have been more vain or illusive than such predictions."

When my friends and others with whom I had no acquaintance, in the southern and western states, as well as in Florida, expressed the opinion, which they have often expressed, that if I had been permitted to remain in Florida, with the Louisiana volunteers, and regulars, added to the Georgia and Florida volunteers under the noble-hearted Clinch, the war would have been terminated honorably in the month of March or April 1836; I was convinced of the correctness of this opinion—not merely because the officers and men of my command were better acquainted with the Indians and with the country embracing the theatre of the war, than any other troops in the service, but because we had actually in the short space of thirty-six days raised most of the volunteers, and marched by land and water near 800 miles, had marched through the Florida wilderness and swamps 140 miles of that distance; and, moreover had met the enemy and beaten him, and forced him to sue for peace; I had promised him peace; and, from the moment of that promise the enemy remained at peace, without firing a single shot at our troops, who were permitted to amuse themselves in fishing for some miles up and down the Withlacoochee river, in the presence of many of the Indians, three days immediately after the treaty—and it was afterwards proven that they remained perfectly peaceable from the 6th to the latter end of March, confidently expecting the fulfilment of my promise that they should have peace, as soon as the president could be heard from.

These facts were properly reported to the war department; and although great efforts have been made to prove that the Indians were not sincere in suing for peace, or in their promise to remain at peace; there exists the most irrefragable evidence of their sincerity, without a shadow of evidence from any respectable officer or soldier then with me, to the contrary.

Under the foregoing circumstances, I turned my command over to that excellent officer General Clinch, and left Florida for the Sabine frontier, with the exception of the fact that there would be no more war in Florida, unless it should be renewed by some reckless Indian or white chief, unwilling to brook the disgrace of my having raised an army and marched near 800 miles, and put an end to the war, before a party scribbling secretary, and his favorite general, with their French books, could write a few dozen long letters—preparing visionary plans of operation, according to the Napoleonic tactics! (excellent for operations against troops of civilized nations—but fruitless for wilderness swamps, against savages)—whilst the Florida frontier was bleeding!

I had the satisfaction to find, from the testimony of general Smith, and all other respectable officers with me, whose statements I have had an opportunity of obtaining, (and which are at your service, should you think proper to correct the article here referred to) that after I had left Florida, the Indians remained faithful to their promise to abstain from hostilities, for near three weeks—after they had obtained my promise that they should have peace—a promise which, according to the laws of war, I had as much right to make as if the president had been at my elbow and had expressly dictated to me the promise which I made them—inasmuch as I had beaten them, and forced them to sue for peace.

But I soon learned that it was not the will and pleasure of my friends at Washington that I should have the poor satisfaction of bringing the war to a close. On the contrary, it was sworn that "Gaines had acted with gross impropriety in daring to go from New Orleans to Florida without my orders"—"that Gaines shall be brought before a court, and his measures disapproved"—and that "as to his whipping the Indians, they were not to be whipped"—"but that Scott shall go and give them a good whipping."

That good whipping has cost this nation some twenty millions of dollars, with the lives of hundreds meritorious officers and men, volunteers, regulars and militia—to say nothing of the disgrace of statesmen and visionary chieftains, employed in planning splendid campaigns, magnificent for closet purposes, and to enable bureau heroes to indulge in the work of anonymous essays—but leaving the Indians unwilling to stay whipt.

And now Messrs. Editors, you are pleased to tell "a benighted world," that nothing could be more vain or illusive than the opinion, that had such and such measures been adopted or avoided, or had such and such officers been placed or continued in command, the war would ere this have been at an end.

And you also would tell us that "if the government had persisted in its exactions, and the Seminoles in their resistance, the war would never have ceased until means had been brought to bear more ample and efficacious than any which have heretofore been exhibited.

Means ample and efficacious—indeed! and are we to be told that the employment of five thousand men in the scientific campaign of April 1836, and nearly an equal number in the following fall and winter, and subsequently for two years past,—together with two millions of dollars—did not constitute means ample and efficacious—and shall it be said, now that the war is only rumored to be over, that a miserable number of Indians, consisting of little more than a hundredth part of the red men near us, would for ever maintain the attitude of defiance against the United States, without more men and more money? If so the age of chivalry is indeed passed and gone from our country.

Be assured Messrs. Editors, that one thousand such men as Daniel Boone and his associates of Kentucky, or John Sevier, or Isaac Shelby, and their brother soldiers of Tennessee, with a fortieth part of the money expended in Florida, would have been sufficiently "ample and efficacious" to have brought the war to a close in one-tenth part of the time elapsed since its commencement; provided always that the evil spirit of party could be excluded from statesmen and officers concerned, directly or indirectly in the management of the war.

It was the evil spirit of party that decided the course of measures which brought about the war. It was the evil spirit of party that combined against me three influential men, the worst of its votaries, and though of different parties all willing to combine against me, because they all feared me, and because I had spurned their efforts to make me a party man. It was the evil spirit of party which arrayed the ultra presses of all parties against me, endeavoring to place me without the pale of common justice. It is the same evil spirit of party which now prompts ultra party men to turn a deaf ear to all measures for the national defence which do not emanate from ultra party men. It is the evil spirit of party which leaves our country without rail roads from the central states to the seaboard—with floating batteries, to be acted on by steam power, in the national defence, for the protection of our swamps and inland frontier, against armies and fleets propelled by steam power. Correct this evil spirit of party, and our country will soon become invulnerable in war and prosperous in peace. Correct this evil spirit of party and my rail road and floating battery system of national defence, which proudly soars above the pestilential atmosphere of the spirit of party will save us from the annoyance of our neighboring Indians—a system of defence, the accomplishment of which at an expense of but little more than thrice the amount expended in the Seminole war, will enable us to hold the attitude of proud defiance against the combined land naval forces of the whole civilized world.

In conclusion, Messrs. Editors I take leave to tender you my acknowledgments for your efforts to console your readers in the last paragraph of your article under consideration. You say—

"Happily for all parties, major general Macomb, commander-in-chief of the army of the United States, has at length effected a peace."

If this be true, I have great reason to mingle the expression of my gratification and thanksgiving with the joy of those who have long deplored the evils which attended and followed the renewal and long continuance of the afflictive war. But much as I must ever depreciate the lawless efforts of a few blind votaries of the spirit of party, to filch from the brave volunteers and regulars, who without most of the common necessities of life, willingly consented to fly with me to the dreary theatre of the war, and place themselves between the savage foe and the suffering frontier of Florida, holding his main army in check until it was beaten and compelled to sue for peace; I cannot write in the indelicate thanksgiving which the measure bestowed upon all the officers of the government and the army. With some three or four huge exceptions, often named by me, the officers and men, volunteers and regulars, has served with great fidelity and honor.

I freely give to my friends and enemies all the advantage they can derive from my signature,—which I uniformly attach to whatever I write,—holding myself always responsible, as a citizen and soldier, for all I say or write.

EDMUND P. GAINES.

P. S. Editors who have at any time during the war, indulged in animadverting upon my conduct in Florida, are respectfully requested, as an act of common justice, to give the foregoing views in place in their papers. E. P. G.

CHRONICLE.

A great milker. An imported cow of the Darham breed-norm bred belonging to col. Wollert, of Philadelphia, yielded one hundred and ninety-four quarts of milk during the week ending on the 24 inst. The name of the great milker is *Isabella*, and it is stated that col. W. has another cow named *Colobra* for which he refused two thousand five hundred dollars within the last few weeks.

The census of Hamilton county, Ohio, has just been taken. The city of Cincinnati is found in its limits, and the enumeration shows a male white population for city and county, over 21 years of age, of 14,650. In the year 1835 the number was 10,601—showing an increase of about forty per cent. within the last four years.

Elections take place, during the present year in the following order—

July	Louisiana	Oct.	Pennsylvania
August	Rhode Island,		Ohio
	North Carolina,		Maryland,
	Alabama,		Georgia,
	Tennessee,		Arkansas,
	Kentucky,		New Jersey,
	Indiana,		Delaware,
	Illinois,	Nov.	New York,
Sept.	Vermont,		Massachusetts,
	Maine,		Michigan,
	South Carolina,		Mississippi.

It is stated in the Baltimore American, that the Pittsburg and Baltimore portable car body line have two hundred and fifty portable cars now in use; and for their operations on the Susquehanna rail road they have paid to that company twenty-seven hundred and ninety-three dollars during the present month.

The St. Louis Republican relates as a singular circumstance that whilst a man was on his trial in that city for passing a counterfeit note, the note itself was stolen from court, and the accused party had consequently to be released.

United States steamers. The Army and Navy Chronicle says, that two are ordered to be built immediately. They are to be constructed upon the same model, and are intended to be as near alike as possible, with the exception of the engines. To test the comparative advantages of the two descriptions of engines adopted, one of the steamers is to be fitted with inclined engines, of ten feet stroke; the other vessel to have two vertical engines of the same power, of seven feet stroke.

The dimensions of the hull are reported as:—

	Feet.	Inches.
Length between perpendiculars,	220	0
Moulded beam,	39	0
Depth of hold,	23	6
Tonnage, by custom house measurement,	1,650	tons.

Rogue caught. Some three weeks ago, Charles Spencer, the cashier of the Phoenix bank at Litchfield, Ct., absconded, taking with him a portion of the funds of the bank. It appears that he made his way to the west, and was proceeding southwardly for New Orleans when he was arrested at St. Louis, at which point the news of his absconding had preceded him about twenty four hours. The St. Louis Bulletin thus mentions the manner of his discovery and arrest: "It appears that he was lurking about the wharf, and had taken passage on board the steamer St. Louis, which was to leave in the morning for New Orleans, on board of which an old acquaintance saw and conversed with him. His concealed manner attracted his attention; and, on mentioning it to a friend, he was shown the Bulletin containing the paragraph relative to his absconding. Constables were immediately sent on board the boat, where they found his trunk only; and as she was just starting for New Orleans, they went off in her, with the intention of searching her on the passage."

Since the above was in type, the constables have returned with their prisoner, he having made his appearance at Litchfield, Ct., during the night, and the wharf by which they were landed on the Illinois shore opposite Jefferson barracks, and conveyed their prisoner to town in an *oz cart*.

City. There were 34 fires and 42 false alarms in the city of New York during the last month.

Names. There is a firm in Boston which flourishes under the nomenclature of Neal and Pray.

There is also one in Maidstone, (Eng.) which hangs up a sign to inform the reader of the Biblical fact that David Shot and Goliath Fell.

Captured slaves. We give below an extract from the Rio Janeiro correspondence, of the Courier and Enquirer, from which it will be seen that some of the captives, who had been landed on the Illinois shore opposite Jefferson barracks, and conveyed their prisoner to town in an *oz cart*.

"With the last thirty days the British cruisers have sent into this port five slave vessels, with about 1,500 slaves on board. These are hired out to individuals for a period of eight weeks, at the rate of six pounds for each year, which individuals the British government for the five pounds bounty paid the captors. It is not believed, however, that one of these miserable Africans will ever receive emancipation, as promised, at the expiration of the eight years service. Within that time they will be broken down in the coffee business, as the negroes employed in this do not average a line of eight years. Be-

sides, as it is impossible to identify these negroes, certificates are obtained from physicians when negroes die, and whatever was their situation or character, they are made to represent such a number of the apprentices, and thus, at the end of eight years, they will all be killed, or represented such by the death of other negroes on the estate. You will at once see, that the capture of these slaves is attended with no good effect, but is really injurious to the poor Africans.

Vandalism—savage. Can it be true that the blue laws have made such progress in the enlightened city of Buffalo? We hear the little German minstrel girls, wandering west, and singing their ditties as they go, and thus, at the end of eight years, they will all be killed, or represented such by the death of other negroes on the estate. You will at once see, that the capture of these slaves is attended with no good effect, but is really injurious to the poor Africans.

Benefits of life insurance. The amount of losses paid during the last year, by the N. Y. Life and Trust, and the Farmers' Loan and Trust, the two principal life insurance companies in this city, was \$24,000; resulting from actual losses in almost every instance, the families of the insured. Yet notwithstanding this great benefit, derived at a very trifling annual cost, the number of policies issued by these two companies compared with the English offices, is very small.

The ordinance passed by the Baltimore city councils imposing a charge of half a cent per bushel on all grain other than the product of Maryland, landed on any of the public wharves has been repealed.

The proprietors of the Great Western steam ship have declared an annual dividend of 9 per cent.—with £2,000 on hand as a contingent fund.

Light houses on our coast have been multiplied from fifty-five to two hundred and fifty-four within the last thirteen years.

The Lancaster Union mentions a number of beautiful card handkerchiefs, made of silk, the product of that county, which were exhibited at the late Convention of the American Merchants of Lancaster city. The editors of the Union say they never saw a better article of the kind, and add:

"They were woven in Philadelphia, and are nearly twice as heavy as imported ones of the same size, retaining all the softness which characterizes the fabric. We have never known a finer article of silk, but not having much confidence in our knowledge of such matters, we submitted it to the inspection of one every way qualified to judge of its merits, some skeins presented to us by the manufacturers, and it was pronounced for evenness of thread, beauty of color and strength, not to be surpassed. The Messrs. Carson have an extensive country and feed a great number of worms—One leaf of the multicaulis grown by them this summer, measured 15 3/8 inches across. We hope they may succeed fully in an enterprise so beneficial to the community."

In 1705, the stage coaches went from London to York in four days and now they perform the distance in twenty-four hours. In 1712, it took thirteen days to travel by coach, from London to Edinburgh, and now it requires only forty hours. 1500 travellers were two whole days' journey from London to Brighton, now they are only about five hours.

A blow up saved by sinking. The steambot Tennessee, on her way from Louisville to Nashville, Tenn., when near Rome, Indiana, about 100 miles below Louisville caught fire; and there being a quantity of powder on board, to prevent an explosion, the captain thought proper to sink the boat. It is thought that she can be raised, although much damage must be sustained.

We take pleasure in republishing from the New Orleans Free American, the following complimentary notice of a valiant citizen, so long and so favorably known to the citizens of Baltimore.

Schooner Woodbury. This noble vessel commanded by as noble a fellow as ever lived, has been withdrawn from her station on the gulf as a government packet. We are sorry for this, for we had begun to look for the regular return of this vessel almost as a matter of course as a positive and comforting link between us and the barbarians of Mexico. Now we shall have to depend on chance for intelligence from Santa Ana's dominions. Captain Nicholas who had the Woodbury in charge, has gained the esteem of all by his urbanity and strict attention to the trying duties assigned him, and he is a man who will not regret that he had not been continued in the service of his country, which has been so valuable. Among all our friends, we know of none who has a firmer hold upon our esteem, and our fervent wish is that his bark may hurry on to the haven of his hopes, with a smooth sea and kindly breezes.

An improved species of cotton has been discovered in Alabama. The Southern Agriculturist says that it grows much taller than the common plant, and bears a number of short heavy branches only 4 or 5 inches in length, and bearing from 100 to 150 clusters of 7 or 8 pods on each branch. The cotton is finer than any other kind of short staple, commands 4 or 5 cents more, and the product is very much more abundant. The plant, with leaves like other cotton, resembles the okra in other respects, and in rich land will reach a height of 8 or 9 feet. The seed is not yet in general use, and the

small quantity to be had sells at very high prices. It ripens earlier than the other cotton, and stands a better chance, therefore, of escaping the worm, which is very destructive to late crops in the southwest.

Timber on the prairies. Judge Brown in an address at the late cattle show at Jacksonville, Illinois, said this was a false alarm—that the prairies could and did now produce more timber than was wanted. All that was wanting was a farmer to look to it. Cultivate it, and it will be well known that one of the surpassing beauties of picturesque prairie scenery, are the islands of forest timbers there an ocean of green. Such preserves are of great value. Nurseries that the landscape painter and admirers will not regret, necessity and taste combine to keep unmoleted by the savage axe of civilization.

[N. Y. Star.]
The French admiral Baudin arrived at Havana on the 22nd May, and was received with the highest marks of respect. He landed amid demonstrations of general rejoicing—a circumstance which is explained by the fact that the Spaniards read the Mexicans no love, and are delighted that they have been humbled by the French.

We have before noticed the opening and exploration of a mound at grave Creek, near Elizabethtown, Va. and the various curiosities, interesting to antiquarians, found therein. The last Sentinel states that a few days since the proprietor in unroofing a tree on the very top of the mound, discovered a large tree trunk within two feet of the surface of the earth, but immediately under the tree—the largest of principal roots of which having penetrated the skull and ground directly through it. The skeleton had been placed in a sitting posture, and others of the bones were also much broken or injured with the pressure. The tree is white oak of about two feet diameter.

[Bolt Walker.]
A fine marble quarry has been discovered in Walker county, Ky., and the owners of the rich deposit are making arrangements to work it. A writer in the Frankfort Commonwealth speaks of the marble as unequalled, by any heretofore discovered in our country, regarding both its polish, texture and variety. He mentions a hill 100 feet high and nearly half a mile long, composed of solid marble; and adds:

"These beds constitute a variety in color, figure and texture, the most extraordinary. Encountering any one of them, at any point, along its whole length, and it will be found to possess precisely the same beautiful appearing as at the beginning—and yet totally different and distinct from its elbow neighbors on either hand. There is no general term for so much variety, but that which approaches most nearly to comprehensive propriety, is porphyry. The predominant ground of each variety, is something of an oil color, which the blending are generally a modest red. After this, it were vain to attempt to define the interminable commingling of shades and hues. One isolated species, however, which appears to disclaim all colorable fraternity with the balance, is that of the blue blending on an azure ground."

Foot of a revolutionary patriot. Captain Benjamin Webber, of Gloucester, a soldier of the revolution, who was engaged in the battle of Bunker Hill, and is now eighty years of age—walked a few rods far from his residence at Gloucester (rising at 4 o'clock in the morning) to Salem, where he took the 10 o'clock cars for Boston, and, after walking, some hours, in the accomplishment of some business he had on hand, he walked to Charlestown, and after taking a stroll over the scene of his first fight, returned to the city, walked to the city hall, and took a seat in the cars to Salem, whence he again resumed his walk home, and had arrived within a few miles of Gloucester, when the stage overtook him and carried him the rest of the way. He had walked thirty miles, at least, and rode as many more, and all this was accomplished between sunrise and sunset of the same day!

[Boston Transcript.]

The case of the steambot New Haven, tried in the circuit court of New York for an infringement of the patent of the Congress by its owners, by the use of a rudder for steering, has terminated in a verdict against the defendants of \$300, being the penalty expressed in the law. A similar verdict was given immediately after against the steambot Providence for a like infringement. These cases, it said, will be carried to the supreme court.

Long lived newspaper. The Newport (R. I.) Mercury, on Saturday last, completed the eighty-first year of its age. Its first issue was published on the 23d of June, 1758, by JAMES FRANKLIN, the elder brother of Dr. Benjamin Franklin.

Ohio canal. By a return from the collector's office at Chillicothe, it appears that the following produce and property were shipped from that port during the month of May.

Barrels of pork,	5,361
Barrels of flour,	3,692
Bacon,	593,095 lbs.
Lard,	2,989
Fishels wheat,	18,900

The tolls taken at Chillicothe during the month, amounted to \$8,834 11.

This is said to be the heaviest business ever done at that office in one month, and to be more than double that of the corresponding month of last year.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 18.—VOL. VI.]

BALTIMORE, JUNE 29, 1839.

[VOL. LVI.—WHOLE No. 1,448

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WM. OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

BANKS, CURRENCY, MONEY MARKET, &c. Accounts received this morning from Detroit represent that the commissioners, appointed by the state of Michigan to effect an arrangement with the state bank of Michigan to secure the large amount of public funds on deposit with that institution at the time of its failure, have entirely failed in their efforts to secure a satisfactory settlement. The governor of Michigan has consequently instructed the attorney general of the state to take the necessary steps to procure an injunction. It is said that the consequences of this necessary proceeding will be to render the institution insolvent for a very large amount, and that the bill holders will be the principal sufferers. The amount due the state is between 4 and 500,000 dollars. We here have another practical illustration of the working of the union of bank and state, in which it is proved that the connection is alike prejudicial to the institution, the state which created it and took it into partnership, and the community at large.

[*New York Evening Post.*

The correspondent of the National Intelligencer, in New York, gives the following account of the condition of business in that city on the 22d inst. "The flour dealers continue to suffer for want of money, but, generally speaking, will ride out the pressure with safety. Flour has now got down to nearly six dollars, and sales are dull, so that they who are under large acceptances here are on the rack. There have been two failures out of the flour business in Pearl street, one in hardware, and one in dry goods, respectable, but not great houses—one probably caused by southern embarrassments, and the other by a fall of dry goods—to which I allude to prevent a panic from going abroad, when there is no panic here. Money, however, is not plenty. The banks discount with extreme caution. Trade is conducted on limited principles, and by the strictest commercial rules. The jobbers have nearly got through their payments. The grocers are quite easy. The pressure is not general, but confined to the particular class of dealers whom the late turns in the market were most likely to affect."

EXCHANGE.

Philadelphia, $\frac{3}{4}$ dis.	New Orleans, 2 to 2 $\frac{1}{2}$
Baltimore, $\frac{3}{4}$	Louisville, 3 to 3 $\frac{1}{2}$
Richmond, $\frac{1}{2}$ to 1 $\frac{1}{2}$	Nashville, 7 to 8
Savannah, 2 $\frac{1}{2}$ to 3	Natchez, 10 to 30
Augusta, Geo 3 to 4	St. Louis, 3 to 3 $\frac{1}{2}$
Charleston, 2 $\frac{1}{2}$	Cincinnati, 2 $\frac{1}{2}$ to 3
Appalachicola, 15 to 20	Detroit, 4 to 5
Mobile, 12 to 13	

BANK NOTES.

New England, $\frac{3}{4}$ dis.	Louisiana, 2 to 2 $\frac{1}{2}$
New York, (country) $\frac{3}{4}$	Kentucky, 5 to 6
Pennsylvania, par to 2	Tennessee, 7 to 8
Maryland, $\frac{1}{2}$ to $\frac{3}{4}$	Mississippi, 15 to 17
Virginia, $\frac{1}{2}$	Missouri, 5 to 6
North Carolina, 3 to 3 $\frac{1}{2}$	Ohio, 5 to 6
Georgia, 4 to 5	Michigan, (no sale)
South Carolina, 2 to 2 $\frac{1}{2}$	Indiana, 5 to 6
Florida, 15 to 20	Illinois, 4 to 5
Alabama, 10 to 12	

The Philadelphia North American of Wednesday says—

The operations in the stock market show an upward tendency to day. Vicksburg going up to 48. The money market is in an unpleasant and unsettled condition—rates remaining as for the past week, at 12 and 15 per cent. The banks are curtailing all in their power, determined to carry themselves through under any contingency which might possibly occur. Pursuing this course, and at the same time avoiding any distress upon the community further than is absolutely necessary for their security, is their only policy. But there is a want of harmony existing among them much to be deprecated. We do not see how this is to be avoided so long as each will pursue its own peculiar interest, with no other check upon them than the prudence and discretion of their respective governments.

The New York Express of Tuesday, 2, P. M. says—

The appearance of things in Wall street, is brighter. Stocks have improved, and a better feeling is manifested.

The business affairs in Philadelphia are as bad and worse than they are in New York. Bicknell's

Reporter says that the week ending on Saturday last, was the severest that has been experienced since the great pressure. The out door rates were in few instances less than 1 $\frac{1}{2}$ per cent. per month, while in many, still more extravagant prices were exacted. Fortunately, however, the demand among the regular traders was light—the high prices being confined chiefly to speculators, note brokers, and dabblers in stocks. The pressure is attributed in the first place, to the news from Europe by the Great Western; in the second, to the large sums that are payable at this season of the year; and in the third, to the bankruptcy of the Philadelphia loan company, and the apprehension and panic that such an event is invariably calculated to produce. The Reporter adds that, unless we have very cheering news from Great Britain, little ease may be expected for a few weeks to come. It is scarcely possible, however, for the scarcity to continue longer than a few weeks, for business will get duller and duller as the summer deepens, while the rich crops and the general healthfulness and fine condition of the country, cannot but have a salutary influence.

For the information of the community, I subjoin the names of the registers employed in this department under the general banking law, with the denomination of notes signed by them respectively. All notes issued by this department from and after the 28th of May, will be signed agreeably to the following list:

The 1 dollar notes signed by P. B. Prindle.	
The 2 " " " " " H. Leonard.	
The 5 " " " " " F. W. Huxford.	
The 3's and 10's " " " J. V. Ford.	
The 20's, 50's, 100's, signed by Thomas Turner.	
The names of the registers are given, with the letters used in their respective signatures.	
Respectfully, yours,	THOS. TURNER,
	Principal register.
The number of notes signed and registered, and the amount issued for the month of May, were as follows:	
P. B. Prindle, \$1 notes, 44,402, amt'g to \$44,402	
H. Leonard, \$2 notes, 49,200 " " 98,400	
F. W. Huxford, 5's and 10's 48,420 " " 209,500	
* J. V. Ford, 20's notes, 5,120 " " 54,200	
Thomas Turner, 20's, 50's and 100's	5,152 " " 278,940
	152,594 \$784,542

The bank commissioners of the state of Connecticut having made their annual report to the legislature, from which it appears that the whole amount of bank capital in the state in August last, was \$9,937,857 71, and that their liabilities amounted to \$3,929,372 19—while the "immediately available" resources of the banks were \$2,183,201 71.—The amount of specie in all the banks at that time, except Connecticut River bank, from which no returns were received, was \$518,506 82, and the amount of bills in circulation was \$2,611,139 00, which shows an increase in the circulation from March 1838 to August 1839, of about \$700,000. [N. Y. Courier and Enquirer.

Intercepted. Upon the opening of the vaults of the Berrien county bank by the honorable Vincent L. Bradford, the lately appointed receiver, \$290 in specie, all in gold, were found, supposed to have been left by accident. [Chicago Democrat.

It is stated in the Philadelphia Ledger that four different suits have been instituted against G. F. Beukert, the president of the Southwark Savings' bank, for the recovery of the amount of notes of that institution, held by the plaintiffs. The defendant appeared with his counsel, H. R. Kueas, esq. and pleaded an abatement that the suit was instituted improperly, as it was brought against G. F. Beukert, and not against G. F. Beukert, president of said institution. The magistrate overruled the objection, and the plaintiffs brought several witnesses who testified to Mr. Beukert's signature.—On hearing, the magistrate entered judgment for the amount of five dollars and costs in each case.

Loss of bank notes. It is well known that one source of gain to banks is the destruction of their notes from accidents of various kinds, on land and

* Mr. Ford commenced May 23d, 3 days.

water. We have not sufficient data to form a correct opinion of the proportion thus lost, either in this country or Europe; but the amounts would vary according to the political condition, pursuits, character and habits of the community, in the respective spheres of circulation, as well as the magnitude of the issues. The losses sustained, for instance, upon an equal amount of circulation, would be far less in a country in the enjoyment of peace and security, than in a state of war or civil commotion. Much also, depends upon the degree of credit enjoyed by the institution; as this circumstance not only determines in ordinary cases, the extent over which the notes are spread, but also, in a great degree the length of time they are withheld from presentation.

According to an estimate in the year 1832, the Bank of England appears to have gained the sum of three hundred and fifty thousand pounds sterling, or one million five hundred and fifty five thousand dollars, by the loss of its notes, and this is generally thought much less than the real amount. If we consider the age of the bank, its great credit and circulation, the immense extent of the British empire, and the numerous fleets and armies, which for nearly one hundred and forty years, had been in a greater or less degree paid in those bills, the amount is not surprising.

In our country we have accurate information on this subject so far as it regards a single institution—the old Bank of the United States. This bank was chartered in 1791, and in active operation for twenty years. Its circulation, we believe, never exceeded five millions of dollars. In 1823, by decree of court, the trustees of the bank were released from any obligations to redeem outstanding bills, as twelve years had elapsed from the expiration of the charter, and notice by public advertisements had been widely spread for seven years.

The notes then unredeemed amounted to two hundred and five thousand dollars. A fund of five thousand dollars was reserved for instances of peculiar hardship; but the whole amount presented does not much exceed eleven hundred dollars to the present time, of which the greater part was in the hands of an invalid revolutionary soldier and liquidated in 1825. A note of ten dollars was redeemed, however, a few days since.

The result of the note account of the second Bank of the United States cannot be known for some years. An estimate was made by the government in fixing the price of the seven millions of stock sold to the bank, but the amount was of course a matter of mere speculation. [Phila. North. Amer.

We notice by the stock exchange books, that the stock of the New York banking company, an institution recently organized under the general banking law, and of which John Delafield, esq. is president, was introduced at the board, the early part of the week. This company already has one million of dollars cash capital paid in. And with a person of the high financial talents of Mr. Delafield to manage its affairs, the stock must prove, not only a safe but a very profitable investment. One and a half per cent. premium was offered for the stocks yesterday and refused. [N. Y. Times.

MEXICO AND TEXAS. The Charleston Mercury contains the following letter from col. Bee, the Texian envoy to Mexico. This may be deemed an official account of the colonel's reception. It was before stated that he had 1 ft Vera Cruz for Havana. Havana, June 9, 1839.

To the editors of the Mercury. Sir: I arrived here on the 6th in the French steam frigate Phœton, M. Goubin, commander. We were eight days from Vera Cruz—having had head winds the whole voyage. An arrival that city on Wednesday brought papers from New Orleans yesterday brought papers from the 1st June. They contain remarks founded on the first ebullition of feeling evinced at Vera Cruz on hearing that an agent from Texas was on board a United States vessel of war, in their waters. But it is due the citizens of Vera Cruz, and more especially his excellency general Victoria, commandant of that department, I should correct any improper impressions upon this point—as after being a few days on board the beautiful fifty-two gun ship La Gloire, Monsieur Le Comte Laine, commander, to whose hospitality and kindness I am everlastingly indebted.

ed—I landed under the sanction of gen. Victoria, and remained in his city ten days, in the perfect enjoyment of my liberty; and receiving at his hands the most distinguished courtesy. It is true, that after several communications with the authorities at Mexico, it was decided that I could not be received as the representative of Texas. But there was no indignity offered “the rebel,” and unlike King David’s ambassadors to Nahum, I returned on board the French fleet, without my head being shaved.

It was perhaps expecting too much of Mexico to suppose she would receive me—Inheriting as they do, all the pride of the Spaniards—Mexico herself having but recently been acknowledged by Spain, after years of separation—but Texas is a lowland “bantling,” and I thought the sooner the mother’s eye was met the better—if she was to be rejected with frowns, she would deplore it—it received with smiles be gratified. The result is, (or has been) that I have not been received as the bearer of the Olive branch from Texas. But the ice is broken—we have done our part, and I flatter myself the day is not distant when a definite treaty boundary will be established between Mexico and Texas, consecrated as it must be by a lasting peace. I am, sirs, your most obt servt BARNARD L. BEE.

FROM TEXAS—TOTAL WRECK OF THE STEAM SHIP CUBA. The steam packet Colombia arrived at New Orleans on the 18th inst. bringing accounts from Texas to the 16th. There were still accounts of disturbances with predatory bands of Indians and Mexicans. The steamer Cuba, which was a treaty to the new country, whose trade she was engaged in. Her estimated value was 90,000 dollars, and she was insured for \$60,000. We subjoin the items of interest.

Predatory bands of Mexicans and Indians have committed many murders in the neighborhood of San Antonio. The excitement was great in that section. Four or five companies of Texian troops were concentrating on the Colorado, in the neighborhood of Bastrop and Austin, there to wait for marching orders.

They experienced a severe gale at Houston on the 3d. A large frame building recently erected on Main street was blown down. The workmen were sleeping in it at the time, who were buried in the ruins.” Two were slightly injured—the other was dangerously hurt, but is fast recovering.

A rencontre took place on the 25th ultimo, between Wm. H. Butler and E. S. Kirby, in which the latter was killed with a Bowie knife. Butler surrendered himself to the civil authorities.

The Redlander says:—“An express has arrived in this place, from major B. C. Waters, containing the unpleasant intelligence, that the Cherokee Indians have embodied near the Sabine, in Nacogdoches county, and are determined to make war upon any troops who may attempt, in accordance with the orders of the secretary of war, to build a fort at that place. A pressing call is made upon our citizens, by major Waters, for immediate aid to carry into effect this order, in which attempt, a fight with these Indians is inevitable. We trust that the patriotic Redlanders will respond to this call with that characteristic promptness which has ever marked their course when their country required.”

FROM MEXICO. The United States sloop of war Warren touched at the Balize, on the night of the 14th inst. for the purpose of landing freight and passengers from Tampico, for New Orleans. By this conveyance the New Orleans papers have received accounts of the capitulation of Tampico, to the government army under gen. Arista. The federalists had a strong force in the town at the time, which was well fortified, and strong hopes were entertained that the garrison would stand a siege. A private letter states that the soldiers were very much dissatisfied with the articles of capitulation. After the treaty had been signed by the officers, they remained under arms twenty-four hours, refusing to accede to the convention—threatening death to the centralists if they dared to enter the city, and menacing vengeance upon the officers and citizens, for having betrayed them into the hands of the enemy. For awhile fears were felt lest the city would be given up to pillage by the exasperated soldiery. But by some means or other, they were at length pacified, and the capitulation of the place was quietly conducted. No violence was offered by general Arista or the central troops to the inhabitants—private property was respected, and the utmost good order and tranquillity prevailed. The terms of the treaty were certainly very advantageous to the federalists. All political offences were to be pardoned, and the officers and soldiers who chose, were permitted to retain their station and rank in the army. Even the arch-rebel, general

Urrea, was included in the amnesty, provided he determined to accept of the terms. At the time of the occurrence, he was absent from Tampico.

In consequence of the amicable arrangements between the belligerent parties, foreigners resident at Tampico experienced no molestation. Every thing remained quiet, and business and commerce will now be resumed, and flow on in their accustomed channel. Many surmises and rumors were afloat with respect to the means by which the government obtained this bloodless victory. Some of the zealous federalists intimate that the federalist officers suffered themselves to be tampered with in the absence of Urrea. However this may be, it is quite certain that the capitulation of Tampico has put an end for the present to the cause of federalism.

The accounts from the interior were contradictory. It seems to be, though, the general impression, that the government had triumphed at every point. A rumor of the capture of Tuspan was current at the time the Warren sailed. The capitulation of the Tampico took place on the 6th of June. On the 9th instant, Bustamante was to make his public entry into the city. It is gratifying to learn that the lives and property of foreign residents were so well respected. High compliments are paid to capt. W. A. Spencer of the Warren, for his exertions and strong interposition in behalf of American citizens, by which they were secured from all harm either to their persons or effects.

On the 7th inst. the British packet Star arrived off Tampico bar, in a short passage from Vera Cruz, having on board a minister from Mexico for England. It was quiet in Vera Cruz when she sailed from that place.

H. B. M. ship Comus, P. P. Carey, esq. commander, and the French brig of war Eclipse, capt. James, were at anchor off Tampico; the former to sail for Vera Cruz the same day, and the latter for Havana on the 9th.

As the Warren was standing off, a British man-of-war, supposed to be the Satellite, from Vera Cruz, was going in to the anchorage.

The following are the articles of capitulation:

On the fourth of June, 1839, cols. D. Manuel Maria Iturría, and D. Mariano Fernandez, capt. Jose Maria Castanares and Licent. D. Miguel Lazo, of the active battalion of Tlaxcala, having met to consult about terminating the civil dissensions, the two former authorised by general D. Mariano Arista, and the latter by the commandant of the forces of Tampico, col. D. Ignacio Escalado; both parties being found duly competent, they discussed in the following order:

That general D. Jos Urrea, having left the garrison of Tampico, and considering any resistance on the part of said garrison to be useless, and also sincerely desirous to avoid the shedding of Mexican blood, and to put an end to the civil war, we have resolved to accord the following articles to the said fort.

1st. The garrison of Tampico shall lay down their arms within the precincts of said fort, which will be occupied, in all to-morrow, by the division of gen. D. Mariano Arista.

2d. All the individual residents of Tampico, who will comply with this capitulation, shall be guaranteed their lives—their property, employment and pursuits allowed by the supreme government, excepting those accused of other than political crimes.

3d. The prisoners who may be with the forces which operate against Tampico, under the command of general D. Mariana Arista, are not included in the clauses of this capitulation.

4th. The chiefs, officers and troops, active and permanent, which are in Tampico, may continue in the service or leave it, as they may see fit. The civilians and militia shall retire to their homes with the aforesaid assurance.

5th. The chief officers and national or civic troops which may be found in the hospitals, shall be assisted by the means of the supreme government till their re-establishment—such aid being considered necessary to enable them to return to their homes.

6th. If general Urrea will embrace this capitulation, it will be on the condition that he will not remain at any point occupied by the federal forces, and to inform as to his locality.

Ad. art. The chief officers and troops which may be without Tampico after the ratification of this document, can still embrace its favors, provided that they report themselves to the authorities of the supreme government at the place nearest them.

Jose Bernado Huerta, Manuel Maria Iturría, Jose Maria Fernandez, Jose Maria Castanares, Lic. Miguel Lazo.

I approve of this convention. IGNACIO ESCALADO.

I ratify the present convention, remarking that the additional article relates solely to the forces of the garrison of Tampico. MARIANO ARISTO.

Consulate of the U. S. of America, Tampico, June 6, 1839.

James W. Breedlove, esq. collector of the customs of New Orleans.

Sir: I have the honor to inform you that the federal party capitulated to the government troops, under command of general Arista, on the 4th inst. and that the forces of Arista entered the town under the articles of capitulation on the 5th inst. at two o’clock, P. M.

All goods that are sent to the port will of course be accompanied by the necessary documents in the strictest form, and in complete conformity with the provisions of the tariff, in which case no difficulty will be experienced in their introduction.—The Mexican consul in your port, will of course give his clearances for this port in the present state of affairs.

We have had no disturbance at the time of entry of the troops, and things have gone on more quietly than we could have expected. Your obedient servant, JNO. G. McCALL.

Advices from Vera Cruz to the 3d, were received at New Orleans on the 11th instant. The accounts were received via Galveston, having been brought to that place by the brig Empresario.

Col. Bee, the Texian envoy, left Vera Cruz on the 29th ultimo. It is stated in the New Orleans Bee that notwithstanding he was not allowed to proceed to the city of Mexico, he still thinks that a reconciliation between Texas and Mexico will be speedily effected. Col. Bee was treated with distinguished courtesy by general Victoria, commandant of Vera Cruz.

Padre Mouldoon, who had accompanied col. Bee to Vera Cruz, was seized immediately upon landing and thrust into a dungeon. This act of atrocious violence was doubtless an ebullition of Mexican rage, because the Padre had been appointed bishop of Texas, as a grateful testimonial of his humane interposition in behalf of that republic during the hostilities with Mexico. “Santa Ana,” says the Galveston Gazette, “is wratched with too much jealousy to allow him to be of service to Texas, were he so disposed.”

The federal prisoners taken under Mexia, are many of them, employed in working the streets of Vera Cruz, and are said to be treated with great cruelty.

There is not, it is stated, a single vessel of the Mexican navy left.

The rumor of another invasion of Texas is not supported by any of the circumstances now existing in Mexico.

The New Orleans slips of the 13th, contain intelligence from Mexico by the schooner *Emblein* from Matamoras, on the 6th instant. The captain states that a party of 500 Comanche Indians had made an attack on the Mexicans residing north of the Rio Grande, killed 20 to 30, plundering them and carrying off what they chose. Also that gen. Lamas had taken the city of Durango and town of Zatlillo, and was marching on Zatacas about 200 miles distant from Zatlillo. Matamoras was in possession of the centralists with a force of 1,000 men; but there was a probability of its falling into the hands of the federalists. In some of the slips this news is said to be no news at all, inasmuch as dates several days later had already been received from the city of Mexico, and these disturbances and the success of gen. Lamas were not mentioned. It seems to be almost utterly impossible to obtain any correct information from Mexico, accounts always being tinged with the feelings of the party which brings them. The Bulletin publishes a letter from an officer in high standing in the government army, dated at Matamoras, on the 1st inst. from which the following is an extract:

“The Tampico affair will soon be closed, notwithstanding the *steamboat*. General Bustamante came near us, and an interview took place at San Fernando. It is said that both generals marched on Sunday last, Bustamante for Tampico, and Cavalino for Monterey. Mr. ——— arrived from the latter place in four days, and states that on his leaving Saltillo, gen. Lamas made an attack, and, according to report, had been repulsed, and his brother and son taken prisoners. We have no official account, and cannot vouch for any thing. I will forward you some papers as soon as I can make a collection.”

A melancholy occurrence took place at Matamoras on the 27th ult. Mr. Eugene D’Anfosy, the French vice consul, together with fourteen other individuals, were drowned by the upsetting of a boat in which they were crossing the Brasos river.

The consul was engaged in attending to the rescue property on board the schooner Albert which had been wrecked. He was very much respected by the merchants of Matamoras; they generally closed their places of business on the receipt of the melancholy intelligence of his death.

The following facts are given in letters relative to the recent surrender of the federalists at Tampico, an act which has crushed the hopes of the liberal party in that country. The surrender took place the 4th inst.

After the terms had been ratified by the officers, it made known to the soldiers of the city, they expressed the utmost indignation, and accused their officers of co-variance, and having sold the blood of their families to their enemies, and remained firm and resolute in their posts. The officers then left them, and in this situation they remained for twenty-four hours, in possession of their arms and munitions threatening death to the centralists and the plun- der of the city.

Much credit is given in some of the letters for the service rendered by commander Spencer, of the United States ship Warren. He was indefatigable in his exertions to prevent the useless spilling of blood, and bringing every thing to a peaceable close. It is stated in one account that many of the federal officers seeing themselves deserted, and as it were, betrayed by their officers, immediately destroyed themselves rather than witness what they deemed a total and entire prostration of their country at the feet of a tyrant.

The news of the capitulation of Tampico, without a blow, will fall like a clap of thunder upon the friends of rational liberty in other parts of the country. A stand has been taken in many sections, and with how much success, it is exceedingly difficult to ascertain. For instance, it is stated that an attack had been made by the government troops on Tuzapan, in which they were eminently successful. Another account states that they were repulsed and driven off with much loss. The capture and prompt execution of Mexico, seems to be the terror of the officers in command of the federal troops. When Tampico surrendered, there were between 800 and 1,000 troops in the garrison, while the besieging army did not exceed five hundred men.

THREATENED BLOCKADE OF MEXICO. The New Orleans Bulletin states, on the authority of a gentleman recently from Houston, that in a few weeks the Texian government will take measures to establish a blockade along the whole Mexican coast. The editor adds:

Mexico is now without a single vessel of war—therefore can oppose no resistance to the Texian blockade, which will consist of three sloops of war, and an armed steamer. With this force an effectual blockade can be maintained before three ports—San Antonio, Vera Cruz, Matamoras and Tampico, which are the great points of commerce to that country. The general impression is, that a coercion of this kind will in all probability bring the Mexicans to their senses, and to see the expediency, if not the absolute necessity, of acknowledging the independence of the young republic. The argument used by France was followed by conviction. The Mexicans would do well to try the experiment—their agents is sufficiently powerful, and the present opportunity for humbling their brazen-headed enemies could not be let slip. It would be the best return that could be made to their empty boast, of attempting another invasion of Texas.

MARYLAND POLITICS. The honorable James A. Freese was unanimously nominated by the whig convention, which assembled at Centerville on the 11th inst. as a candidate for re-election for the 22d Congress. In addition to him, John Leeds Kerr, was unanimously nominated as a representative from the same district to the national whig convention, to be held at Harrisburg in December next, to nominate candidates for the presidency and vice-presidency of the United States.

The convention of the friends of the administration, which assembled at Harford, on Saturday last, nominated the hon. John T. H. Worthington for re-election, the vote being 61 for Mr. Worthington and 3 for James W. Williams.

MR. FORSYTH. The Portland (Maine) Argus on June 15th has the following article in reference to the hon. John Forsyth, now on a visit of official duty to that section of the country:

We learn that this gentleman has declined an invitation extended to him yesterday by a number of his friends of the administration in this city, who wished to manifest their respect for his high talents, glowing patriotism, and distinguished services, by calling him during his stay among us, at a public

dinner. While he assured the committee, that he did not feel highly to appreciate the honor conferred upon him by the request, he should be prevented, he said, from complying with it, as well by the short term to which he was obliged to confine his visit in Portland, as by the general course which, in common with other members of the cabinet, he had marked out for himself in relation to invitations of a similar character.

THE PRESIDENT AT HARRISBURG. The president arrived at Harrisburg, Pa. on Saturday afternoon. The committee of arrangements for the celebration of the 4th of July, at that place, received from him the following letter:

Washington, June 17th, 1839.

Gentlemen: I have had the honor to receive your invitation to unite with the democratic citizens of Dauphin and the neighboring counties, in the celebration of the approaching anniversary of American independence.

I hope to pass through Harrisburg on my way to New York, and will be happy to see my friends, and thank them in person for this renewed evidence of their respect, but regret that arrangements previously made, will put it out of my power to be with them on the 4th of July.

Be pleased to accept my acknowledgments for the kind terms in which your invitation was communicated, and believe me, respectfully, your friend and obedient servant, M. VAN BUREN.

RECEPTION OF THE PRESIDENT AT NEW YORK.—The following resolutions were introduced in the board of aldermen, last night, by alderman Talmage.

Whereas, the president of the United States intends shortly to visit his native state for the first time since his elevation to the exalted station he now occupies.

Therefore, resolved, That the common council of the city of New York hereby tender to him the hospitality of the city, and that a committee of five members from each ward be appointed to make suitable arrangements for his reception.

That the sum of \$2,000 be, and the same is hereby appropriated to carry the foregoing resolutions into effect.

Alderman Purdy believed that half of that sum was sufficient properly to receive the president, and as a democratic president should be received, and he moved an amendment to that effect, which was however, voted down.

The two resolutions were then passed by party votes, and the ayes and noes being ordered on the appropriation, they stood—Ayes 9; Noes 6.

The president of the board then appointed the following committee to carry these resolutions into effect.

Messrs. Talmage, Chatoberlain, Phoenix, Purdy, Woodhull. [W. York Express.]

From the Evening Post.

It having been understood that the president of the United States intended to visit his native state this summer, our general committee have been making arrangements for his reception. In answer to a communication in behalf of that committee, the following letter has been received from him:

(COPY)

Washington, June 14, 1839.

Dear sir: I have received your letter, in which, on behalf of the democratic general committee, you ask to be informed of the probable period of my arrival at New York, with a view to a public expression of regard for myself and approbation of my official conduct.

In order to travel by private conveyance, I cannot with certainty name the day on which I shall reach there, but I hope to do so by the first of July. The interchange of personal civilities with my fellow citizens in the course of my journey, will afford me the most lively gratification, and the only sentiment in regard to it that I desire to express is the hope that it may be attended with the least formality that is consistent with entire respect to the wishes of my friends.

As your letter leads me to believe that the committee design to invite me to a public dinner, and as I have been apprized that similar kindness is contemplated in other places, I trust I shall be pardoned if I express in advance of more formal offers, the obligation I shall feel myself under, to decline such courtesies.

I am not insensible of the apparent indelicacy of thus anticipating the intentions of my friends; but I feel that in so doing, I may safely throw myself upon their indulgence. I need not assure them that I can never be unmindful of any manifestation of their regard or confidence.

Do me the favor to make these sentiments known to the committee, and to accept for yourself my thanks for the obliging manner in which you have conveyed their request.

I am, sir, very respectfully, your friend and obedient servant, M. VAN BUREN.

THE VICE-PRESIDENT. The following letter has been written by colonel Richard M. Johnson, the vice-president, to a friend in Kentucky. Although the colonel professes deference to the will of his party, a close reading of the letter must assure every one that he will not quietly submit to be thrust aside. Why should he? Has he not discharged his duties as vice-president, quite as well, to say the least, as Mr. Van Buren has acquitted himself of his official obligations?

White Sulphur, Scott county, Kentucky June 8, 1839.

Dear sir: I have received your favor in which you have requested to know whether I had expressed a wish to decline being a candidate for the office I now fill, and if not, whether I was willing to serve a second term if elected; at the same time giving it as your opinion that it was due to myself, and particularly to my friends, that I should no longer remain silent, as some diversity of opinion existed as to my wishes and feelings in relation to the second canvass for the vice-presidency.

I have avoided the subject of your letter as much as I well could, and was in hopes that it would not have been considered necessary that I should take a different course. But letters which I have received from other friends, on the same subject as yours, have induced me to answer your favor.

I have never authorized the declaration that I was unwilling to be the democratic candidate for a second term, if my fellow citizens desired it. I have no reasons which did not exist at my first nomination, why I should refuse the same station if re-elected. I wish it, however, distinctly understood that I have always declared to all with whom I have conversed on this head, that I was not only willing, but would most cheerfully retire, if it should be ascertained that it was the wish of those who elected me, that another person should be selected to fill the place.

In my opinion, the office of vice-president is one that should not be sought, and I do not think I have any right to be consulted, or should have any cause of complaint, if another should be chosen. I had served my fellow citizens of my native state (Kentucky) for thirty years as a member of congress in one branch or the other, and I had retired from the arduous duties of public life. In this retirement I was called by the voice of the people to my present station. It was conferred as a testimony of approbation of my public services, and as a mark of their highest confidence in my fidelity and political principles—so I considered when I accepted the office.

Many distinguished individuals have been named as my successors, if it should appear that it is the wish of the political friends with whom I have always acted that any one of them should be elected as the candidate, I shall manifest as much cheerfulness in retiring from the service of the people as I have to serve them when they have requested it.

With these sentiments I shall leave this subject in the hands of the people, from whom all my honors have come. Most respectfully,

R. M. JOHNSON.

GOVERNOR TYLER, OF VIRGINIA, AND THE PRESIDENCY. The "Richmond Whig" in reply to some statements of the Richmond Enquirer, relative to Mr. Tyler's devotion to the cause of the whigs, says: We have seen a letter of his to a friend, in reply to one written to him upon the subject, from which we take the privilege of making the following extract. It is flat-footed and up-to-the-hub, and will satisfy the public of the degree of confidence to be reposed in the insinuations and statements of the Enquirer:

"You have done me no more than naked justice in contradicting the report to which you allude, and which you state to have originated with Mr. ————"

I never have declared a preference for Mr. Van Buren over Mr. Clay, but decidedly the reverse. I regard Mr. Clay with decided favor, and believe that he would, if elected to the presidency, give to the country a wise, temperate and patriotic administration. He had been, from time to time, the subject of the grossest and most defamatory assaults; but no man has gone more openly to work to vindicate his character than myself.—What may be the course of the Harrisburg convention, which is to assemble the next December, for the purpose of nominating a president and vice-president, I cannot tell; and all that a whig should do now, should be to express his preference for men, without committing himself so far as to be arrayed

against others who may obtain the nomination.—And while I have a decided preference for Mr. Clay over others who have been named, I reserve to myself, as every freeman should do, the right of deciding, in full view of all the facts, after the nomination shall have been made."

MASSACHUSETTS STRENGTH OF PARTIES. We have placed on our first page an official statement of the votes given at the last election for members of congress in this state. It exhibits the real strength of parties, and is useful as a table of reference hereafter. Subjoined is a recapitulation of the votes in each district.

	<i>Whig.</i>	<i>Adm.</i>
District No. 1, (Boston)	5,206	2,952
No. 2, (Salem)	4,370	3,210
No. 3, (Cushing's)	4,762	2,952
No. 4, (Parmenter's)	4,659	5,228
No. 5, (Lincoln's)	5,048	2,657
No. 6, (Alford's)	4,995	2,017
No. 7, (Briggs')	4,328	3,617
No. 8, (Calhoun's)	4,263	2,982
No. 9, (Hastings')	4,049	3,090
No. 10, (Williams')	3,064	3,206
No. 11, (Reed's)	3,519	2,703
No. 12, (Adams')	4,100	2,822
	52,493	37,536

Whig majority, 14,957. The majority for Mr. Adams is considerably larger than the actual whig majority in that district. Deducting a thousand for the excess, it will leave the real whig majority in the state at about *fourteen thousand*.

It is worthy of remark, that gov. Everett's vote has been increased at every election for the last three years. In 1836, he received 42,297—in 1837, 50,965—and in 1838, 51,558.

We subjoin the following statement of the vote for governor in 1838 and 1836. We select these two years because they exhibit more nearly the state of parties, unprecedented efforts having been made by the administration to carry the commonwealth at those periods, while in 1837 they were so disheartened that they made little or no exertion. Their vote in 1837 was about 3,000 less than in 1836.

	1838.	1836.		
<i>Everett. Morton.</i>	<i>Everett. Morton.</i>			
Suffolk,	5,286	3,095	4,730	2,931
Middlesex,	7,014	6,715	5,240	6,027
Essex,	6,824	5,092	6,068	5,493
Worcester,	5,727	6,020	7,717	4,419
Franklin,	2,972	3,821	2,140	1,401
Hampshire,	3,082	1,483	2,598	1,190
Norfolk,	3,519	3,293	2,405	2,693
Bristol,	3,097	3,418	1,810	2,796
Plymouth,	3,694	3,302	2,277	2,800
Barnstable,	1,655	1,322	1,224	1,461
Nantucket & Dukes,	498	400	482	233
Hampden,	2,530	2,621	2,322	2,448
Berkshire,	3,089	3,071	2,764	2,838
	51,558	41,633	42,297	36,030
Increase of Everett's vote since '36	26,926	9,261		
Increase of Morton's,		5,603		
Net whig gain,			3,653	
Everett's majority in 1836,		6,267		
Everett's majority in 1838,		9,925		
			Gain,	3,658

All the comfort that the administration can derive from an examination of these figures, they are quite welcome to. They will learn from them that they did not come so near to revolutionising the state last year as they did two years and a half ago, by more than *thirty-six hundred votes*. They make headway like the Irishman, who took one step forward and two back. [Misc.]

TRANSFER OF THE POST OFFICE FROM THE OLD TO THE NEW INCUMBENT. This morning, Mr. Skinner sent his assistant, Mr. Maddox, to notify Mr. Vansant, his successor, that he was waiting ready to transfer the office to his hands.

On his entrance, Mr. Skinner pronounced to the clerks and letter carriers, some of whom have been his associates in service for many years, the following *uletictory*; and taking leave of each individual retired from the office, carrying with him the benedictions of all who remained in it.

"Gentlemen: You already know that it has pleased the president to supersede me in this office, and I enter this morning, only to introduce you to my successor, Mr. Vansant.

His finding you here is the best assurance I can give of my esteem for you all, of my implicit confidence in your qualifications, and, which is above all, in your integrity.

With all my heart I commend you to him as men of diligence and honor. I here bear solemn witness you have ever been courteous, obliging and faithful to the public and to the department, and that, according to my opinion is all that it would have been becoming or proper in me to have required. As long as it may be your destiny to remain in this service, I doubt not my friends, that you will so conduct yourselves as to retain the good will you enjoy with the Baltimore community, and to deserve the confidence and regard of my successor as you have ever done mine. There are few employments in life where the duties are more arduous or more responsible than yours. Sincerely do I wish that your reward were more ample and less precarious, to the end that you may not at last leave the public service, poorer than when you came into it—as too many do,—some in one way, some in another, some by expulsion.

To you Mr. Vansant, I transfer with the office my best wishes for its successful administration—any other sentiment would be unbecoming in itself, and especially ungrateful in me—re-remembering as I am bound ever to do, the indulgence and partiality of those who have the deepest interest in its correct management. Gentlemen, I bid you fare and all an affectionate farewell." [Ball. Chron.]

CHARLESTON. We regret to see, by an official communication from the mayor of Charleston, under date of 18th instant, that several cases of yellow fever have occurred among the crews of eastern vessels lying in that harbor. The following extracts from the document mentioned embrace a statement of the particulars:

By the invitation of Dr. Strobel, physician of the hospital, I attended at that institution this morning, for the purpose of ascertaining the circumstances connected with the said cases, and had the pleasure of finding Drs. Howard and Mackey also in attendance for the same object. Dr. Strobel stated that the cases alluded to had occurred on board the ships *Leonore* and *Clatham*, from Boston, and *Elizabeth Bruce*, from New York, all of which vessels are now lying in the stream. The *Leonore* arrived on the 6th instant, after a passage of ten days from Boston, and has consequently been in this port eleven days. Three men were brought from her to the hospital, viz: George Thorn, George R. Rider and L. Schmitz, all of whom were taken ill on Sunday morning last, the 16th instant. Rider and Thorn were admitted into the hospital at 11 o'clock on that day. Rider was taken with black vomit in an hour after his admission, and died in about twenty-four hours afterwards. L. Schmitz was received into the hospital this morning. E. Agary was brought in from the ship *Clatham*, on the 17th instant, but this patient having been constantly delirious, and incapable of answering interrogatories, the physician was unable to ascertain the facts relating to his case, or to give any definite information concerning him. F. Dorff, from the ship *Elizabeth Bruce*, was received into the hospital this morning. That vessel left New York on the 20th May last, and has been in our harbor about eleven days. Having received the foregoing information from Dr. Strobel, I requested the medical gentlemen present to examine all the cases, and to furnish me with their opinions concerning them.

They proceeded, accordingly, to an examination of them, and, after having investigated the condition of each and every of the patients, came to the following conclusions concerning them. The case of Rider was regarded as exhibiting the most decisive indications of yellow fever. They were also of opinion that the case of Agary is strongly and unequivocally marked by all the symptoms of the same disease. With respect to the other cases, they considered them as less violent in their character, but still partaking the nature and exhibiting the livery of the same malady.

It appears that the vessels referred to were subsequently examined by the health officer, and found to be in so clearly a condition that they were not quarantined. It also appears that when they first arrived at Charleston, the several crews were all in good health.

NEW ORLEANS. One of the New Orleans papers announces that the yellow fever has made its appearance in that city—five cases having occurred—but the correctness of the statement is questioned by some of the other journals. The weather had been very warm during the week ending on the 17th, and the transient population was leaving in crowds, all the departing steamboats being filled with passengers.

The Advertiser of the 18th says: There are at present in the harbor fifty-six ships, ten barques, eighteen brigs and thirty-seven schooners, making a total of one hundred and twenty-one; at this time last year the number amounted to one

hundred and fifty-four—making a difference of thirty-one vessels. Freight-tugs, are said to be remarkably dull; both European and coastwise. So that should many of them leave in ballast, it would cause no little surprise.

GREAT FIRE IN NEW ORLEANS. The express mail of yesterday morning brings slips from New Orleans of the 12th instant. A great fire occurred in that city on the evening of the 11th instant. Th. Bee says that about four o'clock the fire broke out in a "cotton pickery," near the corner of St. Peter and Perdido streets, which communicated rapidly to the adjacent buildings, reduced the whole square embraced between St. Peter, Perdido, Gravier and St. Paul streets to ashes. The engine companies arrived upon the ground in good season, and notwithstanding the excessive heat, the members distinguished themselves by their noble efforts to suppress the flames. Some of them labored until they were so exhausted by the rays of the sun and the blazing buildings, that they had to be taken from the ground. Owing to the fact, that there are no fire plugs in that part of the city, the utmost effort of the firemen could not arrest its progress until the whole square was completely wrapt in flames.—The water had to be let into the gutters from plugs at a distance from the scene of devastation, and thence conveyed to some of the engines. About twenty-five buildings were consumed, mostly one-story frame houses, and many families thrown upon the kind offices of friends and neighbors, and the charity of the citizens. Two children are said to be burnt to death.

MAINE. There has been quite a serious mob in Camden, Maine,—so serious that the Saco (Me. Democrat, printed in the town where governor Fairfield resides), informs us that the governor had a request from citizens of Thomaston and Camden to call out the militia to quell an insurrection at Camden, and to aid in crying into effect the militia law. It seems that for several years past companies there have been organized in some way or other, to avoid military duty altogether. Under the law of 1837, an officer from another company was detailed to call them out and drill them. Not appearing according to order, suits were commenced on the 14th of the forty days, an officer by the name of Hewitt, sent to serve them. A large number of persons, however, assembled at Camden—got out a swivel, a six pounder, and armed, with small arms, not only resisted the officer in the execution of his duties, but took his wrists from him tore them up, and bestowed much personal abuse and injury upon him pelting him with stones, eggs &c. They threaten to resist every attempt by whomsoever made, to sustain the execution of the militia law—and say that they have a large number combined in Camden and the adjoining towns to this purpose.

The editor of the Democrat further says: "We understand that the adjutant general has been sent to Camden to communicate with the leaders of the mob, and by proper representations of their fall and the utter impossibility of success in their attempt to set the laws at defiance, to induce them quietly to submit. If this succeeds, as we trust it will, all will be well. If they still determine to obstruct the officer in the execution of his duties the proper authorities will not hesitate to order on a sufficient force to maintain the supremacy of the law."

PENNSYLVANIA. The extra session of the Pennsylvania legislature was brought to a close on Tuesday evening, when it adjourned after a session of fifty days. The improvement bill or rather an engraving of that kind, upon the repair bill which had passed some days since, was passed on the last day of the session. It appropriates in all about four millions of dollars to the several lines of improvement already commenced, of which, about \$400,000 is for repairs. The election bill also passed—it being pushed through near the close of the session. The amendment of the senate providing for the election of canal commissioners by the people, instead of being appointed by the governor failed in the house. Though decidedly a democratic measure, it was altogether unacceptable to the administration majority of the "popular branch" of the legislature, and was lost. Just before the adjournment Mr. Pearson's resolution, censuring the governor, "for his course relative to the loan to pay the Gettysburg rail road contractors," came up in the senate, and was adopted by a vote of 15 to 6. When the vote was taken, Mr. Myers, (of Delaware) gave notice that he would have the resolution expunged at the next session. [Nas. Chron.]

[Ball. Chron.]

ONORS DECLINED. Mr. Stevens declined the honor of an escort to Harrisburg, which was published tendered him by the citizens of Adams county, concluding, we suppose, that there was no need of getting up poor Miller, when an escort for hot spur of loco locism, Mr. Parsons. In his letter, Mr. S. talks in the following eloquent and able strain:

But I beg leave respectfully to suggest that this is not a fit time to indulge in any parade, which is to be construed into a triumphal procession.— Although we have repelled the assaults of tyrants, yet we can have no assurance that the country is safe until the same thing shall be accomplished throughout the state. Let us therefore view impartial redemption with melancholy joy, rather than with lively exultation. Victories, even over evil in civil wars, should be treated with solemn sayings, rather than with songs of mirth."

RELAND. The following statement of the loans made by the state of Maryland, is from the Baltimore Post. For which paper it was prepared by a correspondent the 1st January, 1839, the stock debt of this state amounting to \$3,495,334 39, viz:

1834, ch. 241,	\$3,000,000 00	Redeemable at pleasure of state in 1877—int. quarterly.
1835, ch. 350,	30,000 00	Redeem. after Mar. 1837, int. semi-annually.
1836, ch. 300,	20,000 00	Redeem. after April 1837, do.
	\$3,050,000 00	
1821, ch. 88,	\$30,000 00	Redeemable after 1852, interest quarterly.
1821, ch. 153,	27,917 30	Redeem. after 1853, if not, to pay 6 pr. ct. int.
1826, ch. 229,	30,000 00	Redeem. after Dec. 31, 1842, int. quarterly.
1826, ch. 232,	43,000 00	Redeem. after 1837, do. from tobacco insp's.
1827, ch. 101,	256,159 00	Redeem. from 1841, to 1873, int. quarterly.
1827, ch. 105,	262,500 00	Redeem. from 1841, to 1847, interest do.
1829, ch. 165,	10,000 00	Redeem. on 3 months notice, interest do.
1830, ch. 46,	350,311 00	Redeem. from 1846, to 1849, interest do.
1832, ch. 33,	500,000 00	Redeem. in 1859, int. semi-annually.
1833, ch. 105,	125,000 00	Redeem. in 1841, interest quarterly.
1833, ch. 239,	125,000 00	Redeemable in 1849, interest semi-annually.
1834, ch. 303,	20,000 00	Redeem. in 1835, interest quarterly.
1835, ch. 134; 226; 1836, ch. 34,	60,337 00	Int. semi-annually, \$20,000 to be paid from auction duties.
	\$1,845,334 39	
1830, ch. 119,	100,000 00	In 1846 and 1847, int. quarterly, after 1850, do.
1837, ch. 302,	599,000 00	
	\$2,050,000 00	
	1,845,334 39	
	100,000 00	
	599,000 00	
	\$5,495,334 39	
		rest is payable in Baltimore, by the commissioners, John S. Gittings, president of the Bank, in specie or its equivalent, as directed by resolution, passed at December session, 1837. The legislature has, in the several acts authorizing the sinking funds for their redemption, appropriated the faith and resources of the state. The sinking fund was on 1st January, 1839—\$5,495,334 39; invested principal in the stock debt of
In 6 per cents,	\$132,000 00	
5 "	378,172 33	
3 "	100,000 00	
Special deposit,	32,407 81	
Bank stock,	20,800 00	
	\$963,380 11	

Its increase during 1833, from accumulation of interest, was \$53,073 32.
There are productive funds belonging to the treasury, to the amount of \$3,142,813 30.
And unproductive funds, 5,731,410 04
\$8,874,223 36

The unproductive funds are chiefly stocks in the internal improvement companies in the state, which as yet pay no dividends.

The several rail road and canal companies are required to pay the interest on the loans made for their use, into the treasury, ten days before the quarterly payments to fund holders.

The loans authorised by the legislature, and to be negotiated are—

Act 1838, ch. 336—	\$7,756,667 00	5 per cent sterling bonds, int. semi-annually, redeem. after fifty years. Principal and int. payable in London.
Act 1833, ch. 326—	\$1,375,000 00	do.
Act 1833, ch. 416—	\$1,000,000 00	5 per cent state bonds; int. semi-annually, redeem. in 25 yrs. Principal & int. pay. in London.
Act 1833, ch. 395—	\$750,000 00	5 per cents; interest quarterly, redeemable after 1850.
	\$10,911,667 00	

These loans are all for the purposes of internal improvements, and the interest is to be paid by the several companies, for whose benefit the loans are made. The present sinking fund alone is sufficient to pay the whole debt in the time limited for its payment.

MARYLAND COPPER. The *Frederick Herald* of the 22d instant, states that a rich and very valuable copper mine has recently been opened on the land of col. J. M. Coale, near Liberty Town in that county. The mining operations which are carried on by himself and brother, were commenced in April last, and already several tons of ore of the finest and purest quality are said to have been obtained. At the depth of twenty-two feet from the surface they have struck three several veins of copper, one of which is said to be three feet broad, and is inexhaustible. On the estate of col. Coale, about a quarter of a mile from the present operations, the indications of copper are also manifest and unequivocal, and there is every reason to believe that the vein now opened extends the whole distance.

ILLINOIS. The corner stone of a large Catholic chapel has recently been laid in Juliet, Will county. The ceremonies prescribed by the Catholic ritual on such occasions, were conducted by the rev. Mr. Plunket, in the presence of a large number of spectators, both Protestant and Catholic. The building is to be of stone.

Another Catholic church is in progress, at Prairie du Rocher, a small village in Randolph county, about fourteen miles northwest of Kaskaskia. The inhabitants of this hamlet are principally of French origin, few in number, and generally poor—yet they have sufficient enterprise to contribute the sum of five thousand dollars to build a new church in place of the log building which they now occupy.

The hon. R. M. Young, of Illinois, and family arrived in Washington on Wednesday last, and took lodgings at Gadby's. We understand that he was detained until Saturday evening by business, and by Philadelphia and New York, for the purpose of co-operating with gov. Reynolds in negotiating the residue of the four million loan, authorised by the general assembly of the state for the completion of the Illinois and Michigan canal. [*Globe*.]

MICHIGAN. The New York Evening Post says: "Accompanying received this morning from Detroit represent that the commissioners, appointed by the state of Michigan to effect an arrangement with the State Bank of Michigan to secure the large amount of public funds on deposit with that institution at the time of its failure, have entirely failed in their efforts to secure a satisfactory settlement. The governor of Michigan has, consequently, instructed the attorney general of the state to take the necessary steps to procure an injunction. It is said that to be rendered the institution insolvent for a very large amount, and that the bill holders will be the principal sufferers. The amount due the state is between 4 and 500,000 dollars. We here have another practical illustration of the working of the union of bank and state, in which it is proved that the connection is alike prejudicial to the institution the state."

created it and took it into partnership, and the continuity at large."

IOWA.—One of our worthy old citizens, who has just returned from a tour to this territory, informs us that in all his travels, at different periods, he never saw such a promise of an abundant harvest. He spoke to us particularly of one field of wheat, which he saw on the prairies, consisting of six hundred and forty acres, which was a perfect level, so that it could be taken in one view, and was handsomely fenced; the stalks were then two feet and a half high, and the growth most luxuriant. We would go a day's ride to see such a field of wheat as that.

[*Cincinnati Post*.]

DOINGS IN MISSISSIPPI. On the 5th inst. the deputy sheriff of Warren county, Miss. according to the Vicksburg Whig, proceeded to Big Black, to execute an execution on the property of Wm. Folkes. Folkes had threatened to kill the sheriff, or any officer who entered his premises to drain his property, and some time previously drove off a constable. The deputy sheriff, Mr. Stafford, armed with a double barreled shotgun and two pistols, resolved to execute the law, repaired, with two unarmed assistants, to the gin house, where Folkes cotton was stored. Folkes heard of his arrival, and sent him word that he intended to kill him as soon as he loaded his gun and got his dinner; and in accordance with his threat, he was soon seen marching to the gin house with the gun on his shoulder. Stafford saw him coming, and to avoid exposure, his assistants to danger he marched out into the field, and ordered Folkes, at a distance of forty yards, not to advance further. Folkes immediately levelled his gun the same instant lodged several buck shot in the arm and side of the assailant. Folkes immediately commenced applying another cap, in order to take another, but when he saw Stafford take aim with the other barrel, he commenced a retreat. Stafford pursued and caught him, and disarmed him of his gun, as well as two pistols, and a knife, which he had in his bosom, and after conquering the outlaw, he returned to town with property to satisfy the execution.

After conquering Folkes, and convincing him that the law in Warren county "must have its course," Mr. Stafford sat down with his antagonist, and while his aids were loading the wagons and gathering up the goods and chattels, the two had a long and friendly chat on politics and matters and things in general.

It is believed by many that Mr. Folkes is endangered on some subjects. While he keeps his creditors out of their money, he has kept his cotton for two years, declaring that he will never sell it till he gets twenty cents a pound for it. He has some very strange and peculiar notions on the prices of cotton, and declares that the merchants and sheriffs are his great arch enemies.

THE WESTERN RESERVE. Joshua Stow, esq. of Connecticut, arrived in this city this morning, on one of our members of the Connecticut land company, Connecticut. This company purchased what now composes the counties of Ashtabula, Trumbull, Geauga, Portage, Cuyahoga, Medina, and Lorain, (estimated at 3,000,000 acres), of the state of Connecticut, in 1795. Early in May 1796, a surveying party set out from Connecticut, to survey the Reserve. Of this party judge Stow was one. They arrived at Connecticut on the 4th day of July 1796, and there made the first celebration of the day that was held in this part of Ohio.

In August 1796, they reached this place, which was then by them, named Cleveland, in compliment to Moses Cleveland, esq. one of the party. Judge Stow says that he shot at a panther, and he killed numbers of wild turkeys in the woods where our fine streets are now built. He returned to Connecticut in the fall, having been absent more than five months, and not having seen a bed the greater part of the time.

Few men live to note greater changes in the appearance of a country than those which judge Stow has witnessed within forty three years; not only in the part of Ohio which he explored when a wilderness, but in the entire region through which he journeyed on his way hither, from Albany westward. Though in his 75th year, judge Stow is hale, vigorous and cheerful as most men at five and fifty, and dwells with delight on the changes which he has seen in the country. He has made a rapid journey from Connecticut, and visits Cuyahoga Falls on business, where he purposes to remain.

WESTERN PRODUCE. From the *Buffalo Commercial Advertiser*. We have been favored by Mr. Faranham, canal collector, with the following comparative statement of the amount of flour and wheat cleared at his office, from the opening of canal navigation to the 14th of June 1838 and 1839.

It is gratifying to see that Michigan, which for so many years has been a consumer, is becoming a producer. The amount of her surplus products next year, we learn from the best authority, will be very great. There is unquestionably, in Michigan, more land adapted to the cultivation of wheat, than in any other state in the union. Indiana, too, is beginning to send her agricultural wealth this way. The surplus products of the northern portion of that rich state, will, in a short time, be immense: Amount of flour and wheat cleared from 12th April to 14th June, 1838.

No. bbls. flour.	No. bushels wheat.
Ohio, 88,695	224,499
Michigan, None	None
Indiana, None	None

Amount of flour and wheat cleared from 20th April to 14th June, 1839.

No. bbls. flour.	No. bushels wheat.
Ohio, 84,171	164,096
Michigan, 32,543	53,694
Indiana, 2,068	58,909

The following recapitulation presents at a glance the balance in favor of 1839.

1839.	Flour.	Wheat.
Ohio,	87,481	164,096
Michigan,	32,543	53,693
Indiana,	2,068	58,909

1838—Ohio,	121,781	276,699
	78,695	224,499

Bal. in favor of 1839—43,957 52,200

THE MORMONS have excited a good deal of interest in Cincinnati, where one of the sect has been giving a history of that people, and of the persecutions to which they have been recently exposed in Missouri. It is stated in the report given in the Cincinnati News that they were ruthlessly driven from their homes, their property destroyed, the women and children forced into the woods, without shelter from the inclemency of the weather of January, where they roained about till their feet became so sore that their enemies tracked them by their foot-prints of blood. The Mormons stated that there were instances where men were murdered in cold blood, and boys who had taken shelter from the fury of the mob, were dragged from their hiding places, and after being cruelly maltreated deliberately shot. In one case an old man, a soldier of the revolution, was pursued by a mob, but finding he could not escape, turned and supplicated their mercy. The reply he received was a shot from a rifle, which wounded him mortally; he still besought them to spare him, when one of the party picked up a scythe, or sickle, and literally hacked him to pieces as he lay on the ground.

Thomas Morris, formerly U. S. senator addressed the meeting.

"He said he had been in the vicinity of these transactions, and had taken some pains to acquaint himself with the facts; and from all he could learn, the Mormons were an industrious and harmless people, that no specific charges had been brought against them by the executive of Missouri, but that their persecution was for no other purpose than that their religion gave offence to a mob—nor causes which may at any time induce the same persecution of any religious sect in our land. He said he believed the statements made to be true, and that they were corroborated by those who resided in the vicinity of their occurrence."

The Evening Gazette contains the following: "It seems that there are in Illinois scattered bands of Mormons, some of which come in contact with their neighbors and occasion much difficulty. We have heard from the neighborhood of Shelby county, that about a week since a difference having arisen between the Mormons and old residents, the former applied to the governor for aid. The governor ordered out several companies who went to the scene of difficulty, but discovering that they were likely to be over-matched, returned without effecting their object."

[St. Louis Republician.

APPRENTICES IN THE NAVY. We happened to be near one of the wharves a day or two since, when a boat was seen in the stream and attracted much attention. The crew looked like sailors in miniature, as in truth they proved to be, for they were the young apprentices from the Java, and so neat and tidy did they seem, that they might readily have been taken for some youngsters who had

stolen from school, and equipped themselves in the apparel of the sailor.

It is plain to see that this system of apprenticeship is about to effect a great change in the material of the man-of-war—a change that will be hailed as one of the most important revolutions of modern times. If there was ever a class of men deemed incapable of amendment, they were those, who, without pride of profession, and as a last resort, shipped on board a man-of-war. Such men seemed unassailable by the ordinary means of moral attack; they were given over in despair. But there is a means now operating which will accomplish the work. The regular education of young men, from their earliest infancy to manhood, in all the details of seamanship, in the nurture of sound morals, and under the guidance of intelligent and accomplished officers, will bring about the change. These youths will be well skilled in their profession—a qualification that will claim for them the respect of the oldest or most worthless sailor.—They will have become acquainted with the officers, share their confidence, and like them will feel a professional pride as well as a sense of self-respect that will lift them above vicious associations. Known to the commanders, they will be selected as petty officers, and be deemed worthy of confidence and respect. Each will form a nucleus among those who have not enjoyed the same advantages, and while the tone of the morals of the ship will be improved, its discipline will be also promoted.

We understand that in order to attain a result so important to the discipline of the navy, and so auspicious to its moral and intellectual improvement, the secretary of the navy has determined to remodel the receiving ships, and convert them into schools of practice for young landmen and boys. The system which has heretofore prevailed in these ships had some considerations to recommend it, but it has been felt very sensibly that it crushed the spirit of the sailor and made the service unpopular. It sunk every sentiment of chivalry in the bosom of the young mariner, who, with all the pride of profession about him, was handed over to the dock yard for daily labor, at reduced remuneration. It was a commingling of land and sea service in the case of those who looked to the ocean as their proper element, and the ship as their native home.

Under the new system, which will regard the receiving ship in its proper light as a school of discipline for young landmen and boys, the best results will assuredly flow. Much of the practical knowledge of seamanship may be learned on board. To handle the guns, to manage the yards, to attain, if we may so speak, the geography and vocabulary of a man-of-war, may be done ashore. A service of six or eight months will enable an active lad to perform the duties of a sailor well and skilfully, especially if an occasional coaching trip, by way of experiment were added. Such a policy will insure a constant supply of good seamen to our ships of war, and if the present secretary of the navy succeed in establishing the system on a firm and lasting foundation, he will have done more for the real interests of the navy than he could have done by any other act whatever, and will have secured a reputation for himself as lasting as the benefits conferred upon this favorite arm of the public defence.

We lately visited the receiving ship Java, under the command of capt. Charles W. Skinner, and had an opportunity of observing the apprentices. There were about forty or fifty, well and neatly attired in the garb of a sailor, good looking, and ranging from twelve to eighteen years of age. We saw the school room appropriated to their use, and the card-rooms which they used in their exercises. They show great aptitude in acquiring knowledge, and are already catching that *esprit du corps* so essential to effective organization. If the boys on this station do not turn out worthy and skilful seamen, it will not be the fault of capt. Skinner and the intelligent officers of the Java. [Norfolk Beacon.

PRIVATE EXPLORING EXPEDITION. Silas E. Burrows, esq. one of our most active merchants, who lately went, with a small squadron, fitted out at his own expense, from Rio, to visit the Aurora group of islands, which had been arbitrarily expunged from the charts, and which he has rediscovered and restored to light, bids fair to rival the navigators sent out by government expeditions to the south pole. The ice accumulates lower down in these latitudes than in the north, and D'Urquville, the French commander, was disheartened by the quantities of it amalgamated into a continent of islands, almost continuous; hence the entire failure of his squadron, the fitting out of which caused so much interest and so many hopes among the learned of Paris. Mr. Burrows always had a passion for the seas, and when only sixteen, went out on a sort of

spreed, or sailing frolic, with two other "Stonington boys," in a vessel of sixty tons, to the remote and dangerous regions which he has now again visited chiefly for pleasure, and in part to extend the resources of our commerce in that quarter. Mr. B. is a good specimen of Yankee daring and enterprise; the indomitable energies of which nothing can depress. He must be *admiral Burrows* hereafter. [N. Y. Star.

STEAMBOAT COLLISION AND LOSS OF LIVES. A slip from the New Orleans Courier, under date of 21st instant, states that the steamboats Danub and Macfarland came into collision on the 17th about thirty miles above the tow of Helena. The shock was so great, as to cause the Macfarland to sink in four or five minutes. The cabin parted from the rest of the hull. All her passengers as said to have been saved, with the exception of sick man and a boy. The cargo is supposed to have sunk with the part of the hull below the cabin floor.

The Cincinnati Republican of the 25th instant gives some additional particulars of the disaster. The boats came in contact about one o'clock on the morning of the 16th instant, in a part of the river called Walnut Bend. The Macfarland was struck by the Danube on the larboard bow, aft of the boilers. The cabin was separated from the hull by the concussion. At the time of the accident there were one hundred and ten passengers on board the Macfarland, among whom were a number of ladies and children. They were all saved with the exception of six, according to the report of the clerk.

The following named individuals were missing. James Brombaugh, of Wellsburg, (Ohio), cabin boy.

John Thomas, of Pennsylvania, sick.

Richard Mills, (Ky.), his attendant.

John Keely, Ohio, (printer).

There was also an individual belonging to Helena, Ark. name unknown, and a German.

The freight, amounting to about 100 tons, was total loss, but by the separation of the cabin from the hull most of the passengers' baggage was saved. The preservation of so many lives may also principally attributed to this fact. Timely aid rendered by the boats of the Danube, and much credit is said to be due the captain and clerk of the Macfarland for their great exertions. Capt. G. Vot, of the steamboat Bonaparte, is entitled to commendation for timely assistance, and humane & generous treatment.

The Macfarland was an excellent boat, recently built at Cincinnati, and was wholly owned by Messrs. Strader and Gorman. The boat was valued at \$22,000, and insured for \$10,000.

The Cincinnati Gazette states the following feeling incident:—

Mills, shortly after the boats came into collision was secure from harm, and could have saved himself but sincere attachment to the sick man, Thomas induced him to risk his life for his preservation. Notwithstanding the protestations of his fellow passengers at his rashness and the assurance that a life of inevitable death would result to both, he went to the rescue of the invalid, clasped him in his arms, reached the upper deck safely, and was about springing to the boat, when the wreck gave a lurch and went down, throwing both into the river, engulfing them in the vortex. They perished together, exhibiting in humble life of a true and sincere friendship, a nobleness and generosity of nature that can be ever equalled.

A WELL DESERVED REBUKE. The following an excellent bit at the custom now so prevalent complementing every captain who has the capacity to conduct his ship across the Atlantic.

Important correspondence. Connecticut Water street. "We the undersigned, passengers of the sloop Polly, on her last passage from Sawport to present you with a lithographed portrait of capt. Cook, as a token of our regard for your skill and coolness, manifested during your stay on shore on Thursday evening, while passing thro' Hurl Gate. To your seamanship displayed on occasion, the preservation of a valuable cargo, and much together, with the lives of your passengers and myself, may justly be attributed. (Signed) "SOCRATES SEARS, & SEVEN OTHERS."

"To capt. Jonathan Brown."

(REPLY.)

"Sloop Polly, Port Shepley. I return you my thanks for the portrait of capt. Cook. Except Noah, capt. Cook was, undoubtedly, the boldest navigator the world ever saw. B.—The Polly sails on Saturday; if you have freight, send it down as soon as possible. (Signed), "JONATHAN BROWN."

"To Socrates Sears, and seven others."

MR. ADAMS ON PHRENOLOGY. The following characteristic letter from Mr. Adams, is published in the Alexandria Gazette:

Washington, April 5, 1835.

Dear sir: I have read with great satisfaction your two lectures upon the science of phrenology, which I have never been able to prevail upon myself to think of as a serious speculation. I have classed it with alchemy, with judicial astrology, with *angury*—and, as Cicero says he wonders how two Roman angers could have looked each other in the face without laughing, have felt something of the same surprise that two learned phrenologists can meet without the like temptation.

But, as it has been said by bishop Berkeley's antimaterial system, that he has demonstrated, beyond all possibility of refutation, what no man in his senses can believe, so without your assistance, I should never have been able to encounter the system of thirty-three or thirty-five faculties of the immortal soul, all clustered on the blind side of the head. I thank you for furnishing me with argument to meet the doctors who pack up the five senses in thirty-five parcels of the brain. I am glad that your lectures have been so successful, and hope that they will be yet more so, in recalling the sober sense of the material philosophers of our age to the dignity of an *imperishable mind*. I remain, dear sir, very respectfully, your friend,

J. Q. ADAMS.

To Dr. Thomas Sewall, Washington.

MILK AND BUTTER. It gives us pleasure to record the successful efforts of gentlemen to increase the means of comfort to us, who are cramped in cities; and certainly, the augmenting of milk and butter is one of those exertions which must minister to such comforts. We give the following as a specimen, as the good things of *Dairy Maid*, the property of our neighbor James Gowen, of Mount Airey, Germantown.

Dairy Maid's yield of milk for one week from 12th June to the 19th:

	Morning.	Noon.	Evening.	Total.
Wednesday,	12 quarts	6 quarts	7½ quarts	25½
Thursday,	12 "	7 "	7½ "	26½
Friday,	12½ "	7½ "	7½ "	27½
Saturday,	13 "	7½ "	8 "	29½
Sunday,	13 "	7½ "	8½ "	29
Monday,	13 "	8 "	8 "	28½
Tuesday,	14 "	8½ "	9 "	31½

Being an average of more than 28 quarts per day. Butter not yet ascertained. The coming week's milk, which is expected to be greater, from improved feed, will be reported. The feed of the past week was pasture, with a basket of grass morning and evening, cut from head land of a grain field, except on the evenings of the last three days, when a handful of chmpt oats and corn, with shorts from hay now, was added.

The above yield is perhaps unprecedented by any young cow in this country, under the circumstances, being in the fourth month from calving, and the calf having been with her till within a few days of trial. The milking at noon was adopted on account of the cow having been brought from the field to her stall, daily, at that time.

Dairy Maid is a beautiful roan, of "the improved short horn Durham stock," bred by Mr. Whitaker of Yorkshire—imported last fall, and in *print and reports* is said to have no superior. Her pedigree, which may be found in the third volume of the "Herd Book," is inferior to no cow on record. [Woodbury (W. J.) Constitution.

SHEEP SHEARING. The great feast of sheep hearing took place on the Island of Nantucket last week. The editor of the Nantucket Inquirer thus speaks of the orgies and of his contributions thereto: "The Carnival has now commenced. The orgies of the mitten-worshippers are beginning to burst forth, and all the woolly world is in an agony and a catastrophe of better-skillerthiness. The mill-hills kip like rams, and the hummocks like young lambs, and the shearpen rageth and foatheth as it were, and liveth like a—*not fleas—bah!* Four-legged creatures of all practicable sorts; and one, two, three, and four wheeled vehicles of all supposable shapes, gett'ing into a furious passion. The very cows, common are in commotion. All around, the more elevements are head up and tail up—and the redominating cry is "cut-on-Dunnin," which meaneth go it, Jerry! The whole county is bewitched; the sands thereof are turning topsyturvy; and the grand design is to knock all creation into a Whoaw's nest!

Reader! didst ever besride a water-logged spar in the still dock, and spying in the oozy bed below, a

wriggling eel—didst ever clap thy thumb upon the sarge's tail with hope of holding him there? Or didst ever get of detaining within thy grasp, by the aid of soft-soap, or nther saponaceous unction, the like extremity of a swine, or an alligator? Or hast ever undertaken, in any similar fashion, to catch a bumblebee, or a devils-darwingueedle? If nay thou answerest, then dost thou know nought of the impossibilities of philosophy! Thine experimental acquaintance with the perplexities of existence, are as nothing and less than nothing, and thy wisdom not worth a brass baubee; for thou art but an abecedarian in the mysteries of boteration! But if thou canst comprehend these aforesaid difficulties, then wilt thou appreciate that tribulation which at this present besetteth us, the publishers and printers thereof, viz: the revolt of all hands against laboring among types and ink during the feast of the maton-heads, which they profanely call the patriarchal jubilee. Consequence is, no paper next Saturday!

NEW MECHANICAL POWER. A successful experiment has been recently made in this city, which appears to us decidedly to settle the question in favor of the application of *electro magnetism*, as a motive power to machinery. We have seen in operation at No. 53 Gold street, a machine moved by this principle—the construction of which is on a plan entirely novel and on a much larger scale than any other electro magnetic engine heretofore shown to the public. The motive wheel is five feet in diameter, and weighs four or five hundred pounds. This wheel is propelled by the action of four large electro magnets, which are connected with a galvanic battery, composed of alternate plates of copper and zinc. From forty to forty-five revolutions in a minute are produced by this arrangement for hours in succession, without any change in the apparatus or addition to the liquid, (sulphuric acid), which acts on the battery.

Professor Morry, the inventor of the *electro magnetic telegraph*, which has been approved by the French Institute, in Paris, has examined this machine since his return from Europe, and expresses the following opinion:

"I take pleasure in giving you in writing, what I have frequently observed in conversation, respecting the electro magnetic machine now in operation in Gold street, No. 53. The application of the magnetic power in this machine produces greater effects than in any arrangement I have yet seen, and I do not perceive any insurmountable obstacle to the indefinite increase of these effects."

The experiments at No. 53 Gold street, have been made under the direction of an association of gentlemen, who some time since obtained an act of incorporation for an electro magnetic company, which we understand has been organized and part of the stock taken in this city, Philadelphia and Providence. We hope citizens and strangers generally who are fond of improvements in science and the arts, will visit the establishment where this machine may be seen in daily operation, and we can assure them of ample gratification for the trouble. [New York Gazette.

A PLEASURE EXCURSION. The Pittsburgur of a late date contains the following particulars of a recent pleasure excursion to the falls of St. Anthony. "The steambot Pennsylvania, under the command of captain Stephen Stone, arrived at our port a few days since, from a trip to the falls of St. Anthony. The party, who went on board of her, amounted to about sixty, and were composed of ladies and gentlemen, a large proportion of whom were from this city. They had every thing that could contribute to their enjoyment—good music, good company, plenty of dancing, and fine spirits. On their outward voyage, they left St. Louis on the 27th of May, and arrived at the falls on the 2d inst. The falls are non-accessible by steamboat navigation; and, in order to reach them, the company had quite a novel and romantic excursion of seven miles over a beautiful prairie in wagons supplied by the politeness and hospitality of the commandant at Fort Snelling.

We understand there is a perpendicular fall in the water of about eighteen feet. But there is a smooth rapid for about two miles above the falls, making the whole descent about sixty feet.

The party visited the Indians in the neighborhood of the falls. They saw them in their wigwags and villages. The Indians, to the number of several hundred, entertained the company with a dance called the Buffalo dance, in which we imagine there was a good deal more life and animation displayed than in one of our cotillions. When the company were about to take their departure, the Indians, in full costume, commenced the war dance. Whether the ladies got frightened or not, we cannot say; but we are told they did not stay to see it out.

The party were accompanied to the falls by general Wool, of the United States army, and general Brooks, the commandant of the station a Prairie du Chien.

During their absence, no accident occurred to mar the pleasure, or endanger the safety of the company. The passengers in the Pennsylvania from this city, were much gratified with the trip, and give glowing descriptions of the scenery, the native beauty, and verdure of the vast uncutivated regions through which they passed. When such excellent opportunities are afforded through such fine strainers and such clever commanders as the Pennsylvania and captain Stone, of exploring the boundless forests of the west, we should not be surprised if the attention of our eastern friends should become directed to trips of this kind in preference to loitering in warm weather in the neighboring cities of the Atlantic coast."

CANAL ACROSS THE ISTHMUS OF PANAMA.—The republic of New Granada has granted to a company the privilege of making a canal, rail road, or Macadamised road, over this isthmus. In 1836 this privilege was accorded to col. Charles Biddle. The condition of the privilege not having been fulfilled, it has been granted to a company associated with the house of Solomon & Co. of Gaudeloupe. The agent of this company is now in Europe, with the view of raising the means, and making the preparations for this enterprise.

The conditions of the contract are concisely these:

1. The intermarine communication must terminate at one end, in the town of Panama. It may be a canal, a rail road or Macadamised road.
 2. If a canal be made, the duties of transportation to accrue to the government shall be one per cent.
 3. The navigation of the river Chagres, in canoes, shall not be interrupted.
 4. Vessels under the New Grenadian flag shall pay ten per cent. less toll than those of other nations; that is, ten per cent. off the toll.
 5. This privilege shall continue fifty years, from the completion of the work, for which six years are allowed.
 6. The company shall begin their operations in three years from the date of the contract. Failing to comply with this condition, they shall pay \$25,000 penalty to the state.
 7. At the end of the term of this privilege, (fifty years), the canal shall become the property of the republic.
- It may safely be predicted that the funds for making this canal, under the present contract, will never be raised. Contrary to the usual inducements to embark in such enterprises, that of an increasing value in the stock, in the present case, the stock must diminish in value every day, since it must become the property of the state at the end of fifty years. [Globe.

FROM HAVANA. We have accounts from Havana to the 5th instant. At that time there were 40 ships, 50 brigs and 31 schooners in the port of Havana. About four-fifths of them were Americans.

On the 28th ult. admiral Bandin arrived in the frigate Neride, together with brig Curissart, from Galveston; and from Vera Cruz, the corvette Nayade.

The admiral with the French fleet were still in port, and nothing had transpired about the day of the departure.

Shipments of sugar continue at last quotations. However, less eagerness was manifested by the purchasers, and a tendency to a decline prevailing.

The little coffee that appeared in the market was bought up at \$10c. for low kinds to good seconds. Prime entirely wanting.

The scarcity of this produce is the same in the other parts of the island.

Rail road in Havana. We find in a late Paris journal, a description of the rail road lately completed in the island of Cuba, from the city of Havana to Guines, a distance of about forty-five miles. This work was completed in a period of three years from its commencement, by engineers from the U. States, a part of whom were from this city, at the charge of the treasury of the colony. The work does great honor to the count Villanueva, the incumbent general of the island, who has admirably seconded, by his activity and intelligence, the energy of the late governor gen. Tacoa, who undertook to restore order and security to the colony. It is proposed to continue the rail road from Guines from the chain of highlands, which extends from one extremity to the other of the island. It will open a communication from the south side of Cuba,

to the capital. The work is already in operation upon this extension.

The captain general of the island, Mr. Espeleta, opened the rail road with appropriate solemnities, which served to quiet the apprehensions which were excited by this mode of communication, and with a rapidity to which the Spanish population were so little accustomed. In the first month which followed the completion of the rail road in December last, there were transported upon it 10,803 persons, which produced a receipt of \$26,911; which, after making a deduction for passengers from intermediate stations, gives a mean price of fair from Havana to Guines, of about three and a half dollars, or near eight cents a mile, a price greatly reduced from what the passage previously cost, but very high in comparison with the maximum price demanded by companies in France and with the ordinary price in this country. The receipts for merchandise transported in the same period amounted to \$10,853. This rail road is destined to change the face of sugar industry in the island of Cuba. The common roads were so bad in the direction from Havana to Guines, that the transport of a box of sugar cost more from the neighborhood of Guines to the seaport, than from the port to the extremity of the Baltic sea.

FROM THE NORTH PACIFIC OCEAN. By the *Rasselas*, at this port yesterday, we have a file of the *Sandwich Island Gazette*, to February 9. Mr. Stephen D. Mackintosh, who commenced its publication, has returned to this city in the *Rasselas*, with his family. He gave up the editorship at the close of the year 1838, at a meeting of the resident subscribers, who took the establishment of his hands, since which it has been conducted by a committee of the resident subscribers. At the meeting, the subscribers expressed their full approval of the course pursued by Mr. M.

The following are extracted from the paper of February 2.

By the arrival of the *Neeride*, from Columbia river, we have received no news of any importance. Capt. Brochie informs us that previous to his leaving the river the express had arrived from England, but unfortunately in running a rapid on the 22d Oct. one of the boats filled and upset, by which accident Messrs. Banks and Wallace, two English gentlemen, (boatmen), travelling for scientific purposes, were drowned, also, Mrs. Wallace, Mr. La Blac and two children, besides their mother and three of their children. Mr. Tod (the factor), Mr. John McLaughlin, Mr. Forest and Messrs. Blanchet and Demers, (two Catholic priests), all arrived safe at Vancouver, on the 24th November.

Died, on Sunday, January 27, Mrs. Mary Bancroft, widow of the late capt. Bancroft, of the British brig *Llanua*. Mrs. B's death was occasioned by wounds received in November last, on board the brig, on the coast of California, in the attack made on that vessel by the N. W. Indians, at which time her husband was murdered. Mrs. B's sufferings have been intense since the moment of the fatal accident. At this place every thing which kindness and the best medical aid could suggest, was done for her relief, but to no effect. [Boston Daily Jde.

In addition to the above, the *Journal of Commerce* contains an extract from the *Sandwich Island Gazette*, which gives the annexed account of the massacre on board the *Llanua*, Mr. Bancroft's brig. It will be recollected, no doubt, that in August last, the brig *Llanua*, capt. John Bancroft, sailed from this harbor for the port of Klygaryn on the northwest coast, for the purpose of there taking on board Indians of that tribe to hunt for otter on the coast of California. In due season she reached the port of her destination, received on board twenty-five of the natives, with their canoes, &c. and from thence proceeded direct to the hunting ground on the coast of California; there she arrived, and at the island of Santa Rosa the business of the voyage was commenced; the canoes had been lowered once or twice, and the prospect of success was good; but unfortunately on the 21st of November, the captain had some little altercation with one of the Indians, a quarrelsome and discontented man, who would not conform to the discipline required, and who could not brook reproach.

Shortly after this captain Bancroft was standing at the gangway, looking over the side; his back was turned when a volley of muskets was fired at him by the Indians on the quarter deck; he fell mortally wounded. His wife, Mrs. Bancroft, then below hearing the report, rushed on deck, and fell on the body of her bleeding and dying husband. The Indians, not yet certain of their victim, poured another volley of shot into the already lifeless body of capt. Bancroft, which penetrated also that of his agonized wife; a pangs was then made, and Mrs. Bancroft was suffered to be taken below, mangled

and mutilated in the most shocking manner. But here the slaughter did not cease; one of the seamen rushed to the armed chest to defend his companions that were left; as he endeavored to raise the lid, a shot reached his heart and he fell a lifeless corpse.

The massacre was now over; the Indians had gained possession of the vessel, and had nothing more to fear. The chief officer was then ordered to take the vessel directly back to Klygaryn, with this injunction that if he deviated from the direct course all on board would be murdered. Robinson, the mate, had no other alternative than to obey; all sail was made, and providentially the brig arrived in a short passage at Klygaryn; there the Indians disembarked in their canoes, carrying with them their effects and robbing the vessel of all that was portable. Strange to relate, the *Llanua* was suffered to depart without even dropping her anchor and the officer in command made his way to this island, where we have seen he arrived in fifty-two days after the murder of captain Bancroft. We must not neglect to state, that during the passage from California to Klygaryn, the Indians conducted themselves in the most brutal and beastly manner, offering every insult to the officers and mariners, and more particularly to Mrs. Bancroft, whose sufferings were indescribably awful.

CANADA. The *Toronto Examiner* repeats the assertion it has often made that emigration is taking place to a very great extent from the U. S. to this country. Some of the best citizens are selling off their property, and investing the proceeds in lands in the western states and territories. The *Examiner* has the following paragraph, not very complimentary to the order loving loyalists of Toronto. The *Patriot* editor, who is very careful to chronicle every manifestation of popular ill feeling by the people of the United States, will, of course denounce the mocratic spirit of its loyal co-adjutors. [Baltimore Chronicle.

Outrage on the printing office. There will soon not be a whole pane of glass in our printing office. On four different occasions have the infuriated partizans of ——— and Mr. ——— attacked our premises at night, and smashed the windows with large stones. This, it will be recollected, is in the capital of Upper Canada, under the surveillance of the governor, the mayor and city authorities. We have hitherto treated these assaults with contempt. They are getting too frequent. We shall allow the windows to remain in their present condition, as a standing advertisement of the tory system of discussing political principles.

The *Montreal Herald* of the 22d states that warrants will shortly issue for the confiscation and sale of property belonging to individuals who have been found guilty of high treason. The confiscation will not extend, it is said, to the property of refugees—at which the *Herald* is afflicted.

The same journal affirms that a project has been entertained, in this country, of intercepting and capturing the convict ship, about to sail for New South Wales, and liberating the prisoners going out in her, in fulfillment of their sentence! What nonsense the readers of the *Herald* have to swallow.

KEOKUCK KILLED BY YOUNG BLACK HAWK.—From several of the Pottawatomie Indians now in this city, we have recently passed the Sac country, we learn the following particulars. During the absence of a nephew of young Black Hawk, Keokuck got his wife drunk and passed the night with her.

Being thus detected, it fell to Black Hawk, as the nearest relative, to avenge his nephew's injury; which he took the earliest occasion to do, and stabbed Keokuck at the entrance of his nephew's wigwam. Keokuck, it will be remembered, was always the friend of the whites, and opposed the celebrated Black Hawk or Sac war, and was promoted chief through the instrumentality of the U. S. government. He was about 59 years of age, and at the time of his death, was this side of the Des Moines river, about 125 miles, (four days journey, the Indians have it), west of the Missouri; and Young Black Hawk is now chief of the Sac, and, at last news, was at the head of 2,000 warriors marching for the Sioux country. He has lost none of his inveterate hostility to the whites; but the terror with which his late travel through the United States, with his father and prophet inspired him, may keep him from any overt demonstrations of it, although he sneers at the peaceable disposition of Keokuck, and swears he will convince other nations of the invincibility of his warriors. He sent word to the Sioux that he had murdered the woman chief and was coming upon them with warriors more numerous than the trees of the forest. To whom the Sioux replied, he would be met by warriors as numberless as the leaves upon those trees.

Young Black Hawk is about thirty years of age, and altogether the most handsome Indian in his tribe. In passing to the Sioux country he crosses the Pottawatomie lands, which will be neutral ground so long as neither party infringes upon the rights and regulations of the Pottawatomies.

[Chicago Democrat. Doubts are suggested as to the truth of the above, for it is stated under date of Galena, June 5, that "Gov. Lucas, of Iowa territory, has recently made an excursion to the settlement of the Sac and Fox Indians, (50 or 100 miles west of Burlington, I. T.). He reports them as being comfortable and contented. Keokuck and his chief received the governor with all the ceremony peculiar to those sons of the forest."

EXECUTION OF A FETTER. We learn from the *New York Evening Post*, that *Cornelius Williams*, alias *Wilhelms*, who was convicted a short time ago of piracy and murder, on board the brig *Braganza*, was hung on Friday the 22d inst. at Ellis's island. He had been removed from the city prison to Bellevue early in the morning, and about half past eight o'clock was taken in the steamboat *Hoboken* to the place of execution. The principal authorities of the city, and a vast concourse of spectators, among whom a great many women, were present to witness the spectacle. The ceremony was performed by the United States marshal, W. C. H. Waddell, assisted by his deputies. After engaging in religious exercises with the clergyman in attendance, the prisoner ascended the scaffold, and attempted several times to address the multitude, but so great was the noise and confusion that he found it impossible to make himself heard. In the course of his remarks, however, he was understood to confess the crime with which he was charged, and to justify them on the ground that they had been provoked by the cruel treatment he had received.

Previous to the execution of the wretched man, whilst the officers of the Bellevue establishment were changing his dress a small file was discovered concealed in one of his stockings. On being questioned he stated the engine of the prison, Mr. Bishop had furnished the instrument to aid in effecting an escape. He stated to the marshal that he had given Mr. Bishop a guarantee of five hundred dollars on condition that he would assist him in working his way out of confinement, to which Bishop assented. The persons implicated by this disclosure of the prisoner were instantly arrested by order of the police justice.

Since the above was ready for the press, the case of Bishop, has been examined by the competent authority, and the accusations contained in the affidavit of *Wilhelms*, pronounced groundless. There is no doubt, says the *New York American* that the prisoner supposed a charge of this kind against a public officer, would excite some enquiries; and that a vague hope, that his execution might be put off in consequence, mainly led to his improbable accusation.

COMPARATIVE NUTRITIVE QUALITY OF ROOTS. We have hitherto had some little experience in feeding different kinds of roots to cattle and pigs in the winter. The potatoes are better for man, because they contain more farinaceous matter or starch than any of the others, but some of the others and more especially carrots, are better for fattening cattle.

One thousand parts of the potatoe yields of nutritive matter from 200 to 260 parts. This consists principally of starch with a little mucilage—from 15 to 20 of saccharine matter, and from 30 to 40 of gluten.

A thousand parts of the common red beet contain in about 150 parts of nutritive matter, which made up of 14 parts of starch, 121 of saccharine matter, and 13 or 14 of gluten.

A thousand parts of the mangrel wurtzel contain about 135 parts of nutritive matter, of which say 13 parts are starch, 119 saccharine matter, and 4 gluten.

A thousand parts of the common flat turnip contain about 42 parts of nutritive matter, of which 7 are starch, and 34 are saccharine matter.

A thousand parts of ruta bage contain 64 parts of nutritive matter, of which 9 are starch, 51 saccharine matter and 2 gluten.

A thousand parts of the parsnip afford about 100 of nutritive matter, 9 or 10 of which are starch and 90 saccharine matter.

The remainder of the thousand parts are vegetable fibre, useful to the animal that eats it in filling

the stomach and aiding the digestive organs by what is called the "stimulous of distension" and very probably affording other aid to them which we know nothing about and which cannot be detected by the chemist in his laboratory.

Compare almost any of the above roots, with the nutritive matter procured from the same number of parts of clover, or herds of timothy grass, as they call it at the south.

One thousand parts of the clover contain about 40 of nutritive matter, of which say 31 or 32 are starch, 3 are saccharine matter, 2 are gluten and 3 are insoluble vegetable extract.

There are different results obtained by chemists, in regard to the nutritive qualities of herds grass, but some put it down at 100 in a thousand parts.

Now if we take into the account the number of pounds of each root which is ordinarily obtained from an acre and the cost of production, an approximation may be had of the comparative value of each crop, and by fairly understanding the matter we shall not be likely to be carried away by our partialities for this or that crop to-day, or by disappointments likely to arise in regard to them to-morrow. [Maine Farmer.

FINANCES OF RUSSIA. During the wars of Russia with the Prussians, Turks and Poles, her revenues were not equal to her expenditures. Loans and paper money were resorted to. Catherine II, and the emperors Paul and Alexander, extended their resources by this method. The paper rouble declined twenty-five per cent.

The receipts of the empire for a late year are stated thus:

1. Revenues of the state.	Prussian dollars*
Capitation tax,	23,125,000
Tax upon capital,	5,310,000
Duties,	26,136,000
2. Revenues of the crown.	
Crown lands,	6,937,500
Monopoly of spirits,	35,733,333
Post office,	1,511,667
Crown woods and fisheries,	1,002,083
Crown factories,	1,079,467
Mines,	4,625,000
Other receipts,	1,073,000
3. Receipts in the kingdom of Poland,	
whose financial concerns are separate,	13,063,179
Total revenue,	119,531,850
The emperor has, besides, for his private chest, a revenue of \$1,600,000.	
The expenses of the state are thus stated:	
1. The emperor's household,	\$5,000,000
2. Department of foreign affairs,	2,000,000
3. Home department,	33,000,000
4. Department of foreign instruction and religion,	5,000,000
5. Army,	30,000,000
6. Navy,	12,000,000
7. Treasury department, and interest of public debt,	20,000,000
8. Other expenses,	3,000,000
9. Government of Poland,	12,000,000
Total expenditures,	\$122,000,000
The public debt of Russia, in 1831, amounted to 495,472,655 Prussian dollars.	

The public debt of Prussia is about one-third of this sum; that of Austria is \$100,000,000 greater; that of France three times as large; and that of England ten times greater. [Globe.

FOREIGN POSTAGE. Mr. Vansant, the postmaster of the city of Baltimore, has addressed letters to the postmaster at New York, and to the agents of the Transatlantic steam ship company, of that city, on the subject of the postage on foreign letters, and of the complaints which have arisen in this country of the exaction, in England of postage on letters to the continent, which had already been paid in the United States. The difficulty which caused these complaints, arose, as heretofore stated, from the usage which has existed in the New York post office, of putting the letters on which the foreign postage had been thus paid, into the general letter bag made up for the steamships, instead of keeping them separate.

From the letters of the New York postmaster and steamship agency, in reply to Mr. Vansant, we observe that measures have been adopted which will prevent difficulty or complaint on this subject in future. The agents have simplified the tariff of foreign postages, by charging one dollar on all (single) letters to the continent, for which includes the steamship postage, and the British inland postage. And the letters on which the postage to the continent has thus been paid in advance here, will hence-

forth be placed in a separate bag. Thus there need be, and probably will be, no difficulty hereafter in steamship agents adjusting the matter of advance postage with the British postmasters, so as to avoid giving cause of complaint in future.

TEMPERANCE. The late report of the N. York city temperance society states that the number of licensed liquor shops in that city in 1828 was 3,162; in 1838, with a much increased population, 3,507.

There were in the state of New York alone, in 1828, 1,129 distilleries; the number is now reduced to about 200. In 1837, there were in operation in the city of New York and vicinity, 17 large grain distilleries; now there are but nine. In 1837, 32,650, 27-100 gallons of first proof domestic spirits were inspected in this city; and in 1838, 48,049,000, 100-88 gallons, being 14,633,000 gallons less the last, than in the preceding year, or a falling off of more than 23 per cent, and greater than double the decrease of any previous year.

In the importations of distilled liquor into the port of New York the last year, there was also a decrease of 25 per cent. And it is worthy of notice, that according to the latest returns of the secretary of the treasury, in 1837, there was a decrease of 1,235,084 gallons of wine, as compared with the importations of 1836.

A DESCRIPTION OF THE PERSON OF JESUS CHRIST. As it was found in an ancient manuscript sent by Publius Lentulus, president of Judea, to the senate of Rome:

There lives at this time in Judea, a man of singular character, whose name is Jesus Christ. The barbarians esteem him a prophet, but his followers adore him as the immediate offspring of the immortal God. He is endowed with such unparalleled virtue as to call back the dead from their graves, and to heal every disease with a word or touch.—His person is tall and elegantly shaped,—his aspect amiable, reverend. His hair flows in those beautiful shades which no united colors can match, falling into graceful curls below his ears, agreeably crouching on his shoulders, and parting on the crown of his head, like the head dress of the sect of Nazaretes. His forehead is smooth and large, his cheek without spot, of save that of a lovely red; his neck and mouth are formed with exquisite symmetry, his beard is thick and suitable to the hair of his head, reaching a little below the chin, and parting in the middle like a fork, his eyes are bright, clear and serene. He rebukes with majesty, counsel with mildness, and invites with the most tender and persuasive language. His whole address whether in word or deed, being elegant, grave and strictly characteristic of so exalted a being! No man has seen him laugh; but the whole world behold him weep frequently; and so persuasive are his tears no one can refrain from joining in sympathy with him. He is very modest, temperate and wise. In short, whatever this phenomenon may turn out in the end, he seems at present a man for excellent beauty and divine perfections, every way surpassing the children of men.

THE COLOSSAL STATUES OF CHRIST AND THE TWELVE APOSTLES, executed by Thorwaldsen for the Cathedral of Notre Dame at Copenhagen, have been opened to public view in that church, with great ceremony, in the presence of the king and queen, and royal family, and the great officers of the state. Two baptismal fonts in the form of angels holding vases, also executed by the great sculptor, have been placed in the same edifice. Thorwaldsen himself was one of the sponsors for the first infant christened at them, the child of the Danish sculptor Freund, his old pupil at Rome.

MARRIAGES IN FRIENDS' MEETING. The manner of accomplishing marriages as adopted by the religious society of Friends, appears to gain popularity, as is evinced, on the 12th inst. by the number and respectable audience which crowded the meeting house of that society in this city, on which occasion two amiable and accomplished daughters, one of a rich chandler, and the other of a respectable builder, entered into that solemn and interesting relation, the marriage covenant. Before the time appointed for the meeting, the galleries and every avenue leading to them were literally packed with the beauty, intelligence and fashion of the city. The interest of the meeting was very materially enhanced by the company of that highly gifted minister, Joseph John Gurney, from England, who in a very interesting and eloquent manner explained the nature of that divine institution, referring to the sacrifice received from the Saviour of men on that memorable occasion when the water was turned into wine. When he concluded his discourse, the candidates for the nuptials stood up, and taking

each other by the hand, prostrated, through divine assistance, to be loving and affectionate to each other till separated by death. The certificates of marriage were then read, being elegantly expressed on two large sheets of vellum, and a very appropriate prayer delivered by the Friend before referred to, when, after a short pause, the meeting separated, apparently highly gratified with the proceedings. [N. Y. Whig.

THE BLOOD OF THE YANKEE WOMEN. The true Yankee blood of the Down East women is strongly illustrated in the following paragraphs:

We have just heard an incident which shows how fully our whole population, women as well as men, enter into the spirit of resistance to the claims of the British over a part of our territory. Among the troops now in this town from Oxford county are four sons of a widow. As they were preparing to march last week, taking leave of their mother, one of them asked her how she felt about it. She replied,

"I feel my sons, that I wish I had half a dozen more to go."

The sons of such a mother will receive no wounds in the back. [Kentucke Journal.

A lady in this village remarked that she felt as keenly as a mother could the absence of her son, who had gone a soldier to the Arrostook, but with all her anxiety she would rather he would be shot than to have him return a disgraced coward.

Another. A woman in this vicinity was inquired of by her husband if she was willing he should go into the service of the state. She asked if his country desired his services. He replied yes, men are called for to defend the soil against foreign aggression. Well then, says she, go, if you have courage to fight like a man, but if you think you have not, let me have your clothes and I'll go.

AN OLD HOUSE. One of the oldest houses in Salem, known as the Henfield house, was taken down during the past week, for the passage of the rail road across the city. It is supposed to have been erected and occupied by its first proprietor.—The huge beams of red oak appeared to be as sound as though lately hewn. It was formerly the Mansion of Hilliard Vereen, (says the Register), a merchant, and for some years clerk of the county court and collector of the customs. He was born in 1620 and died in 1683, at the age of 63.

[Newburyport Herald.

LATER FROM ENGLAND.

From the N. Y. American.

The packet ship Cambridge, captain Binsley, arrived yesterday from Liverpool having sailed on the 21st of May. She brings intelligence three days later than the Great Western but as one of the days was Sunday, the commercial news presents no very different aspect. Nothing of political importance had transpired. The cotton market was still very dull, with a very slight decline of prices. The money market in London was "tight," but English funds continued firm. The whigs persisted in their illegal meeting in spite of the queen's proclamation.

Accounts from France are no later than were brought by the Rhoue. Paris was quite, although arrests were daily taking place. We annex extracts from the English papers likely to interest our readers.

The packet ship Siddors, captain Palmer, arrived at Liverpool from New York on the 18th, with New York papers to April 26th, three days later than those previously received by the Great Western.

The queen's troops in Spain have gained some advantage over the Carlists.

Twenty fishermen lost their lives from Monnt's bay fishing boats during a recent gale.

A new ship of 110 guns, called the queen, was launched at Portsmouth on the 15th. Tonnage 3,099. Length of gun-deck 204 feet.

An extensive fire took place on Friday night in Messrs. Hudson & Bottom's lace mills, when property exceeding 2,000l. in value was destroyed.—The stock and premises are insured.

[Nottingham Jour.

Birmingham, May 19. After I sent off my account on Friday evening, a very large assemblage of the people took place in Smithfield, and were addressed by Dr. Taylor and others speakers. Finding that the police and military were sufficiently strong and willing to suppress any attempt at outrage, the agitators advised the people to respect "peace, law, and order," and in obedience to this advice the mob quietly separated about 10 o'clock. Yesterday the town resumed its wonted character; the irritated and feverish feeling which on Friday

*The Prussian dollar is worth about eighty-four cents.

appeared to pervade all classes had completely subsided, and no meeting was held in the evening. This (Sunday) morning, however, a mob has again assembled at Holloway Head, but the principal agitators being for the present silenced, the attendance is very small; the majority consists of mere Sunday idlers. It is understood that the great "simultaneous meeting," as it is called, is to take place at Holloway Head, but as yet no notice has made its appearance on the walls. The convention adjourned on Friday until the 1st of July, when, it will, the "rent" permitting, resume its sitting in Birmingham. The additional military recently arrived still remain at the barracks, and it is supposed they will confine here until fears of an outbreak are completely removed. There is no question but the vigor of the magistrates, and the presence of adequate military aid have prevented commotion, and abolished the expressed determination of the chartists.

London, Saturday evening, May 18. The English stock market has been extremely quiet all day, and the prices of the funds remain with scarcely any variation. Consols were 93 1-8 for money, and 93 1/2 for account. Bank stock 195 to 6; India stock, 255 to 6; exchequer bills, 32s. to 34s. premium.

In the foreign house, a further slight improvement in the quotations of the non-dividend paying loans, both European and Spanish American, may be noted.

The share market was in a depressed state, and the reports from Liverpool show an uneasy feeling there in the share, the same as the cotton market. Scarcely any business was done in railway shares to-day, and the prices may be considered as merely nominal.

The Times of Friday evening, May 17, says:

There is nothing adverse hitherto, but the contrary, in the working of the bank resolution of yesterday for an advance in the rate of interest on discounts to 5 per cent. The principal money dealers have been willing to lend to-day below that rate, that is, at 4 1/2 per cent, and accommodation generally has been more free than it was before. A slight improvement may be noted in the money rates of consols, which closed at 93 1/2 to 1, both for money and account. For the July account the quotations were 93 1-2 to 3; bank stock was 195 to 196; Indian stock 255 to 256; exchequer bills, 32s. to 34s. premium.

Business in the foreign house was rather more animated, and in several of those stocks upon which no dividends are paid, the quotations are a shade higher.

From the Courier of Monday, the 20th, we extract the following remarks on the transactions of Saturday, the 18th.

There has been no particular demand for money to-day, and as there has been very little business transacted in the English stock market, the quotations are consequently nearly the same as yesterday. Consols left off at 93 1/2 for money, and 94 1/2 for the account; new three and a half per cent. 100 to 1; exchequer bills 32s. to 34s. prem. bank stock 195 to 196, and India stock 255 to 256.

In the foreign market there was more animation, and some of the different securities, which have undergone depreciation within the last few days, in consequence of the scarcity of money and other causes, have improved in appearance, and are quoted higher.

From the London Morning Chronicle May 20.

There is no abatement in the pressure for money, or in the rates of commercial discounts. This "tightness," as it is termed in the money market, appears to have arisen from a combination of circumstances, of which one must be decidedly the adverse state of the continental exchanges, and another the late and existing political agitation which has prevailed almost throughout the country, circumstances of themselves sufficiently important to render every portion of the banking and monetary interests extremely cautious—to these it may be added that it is pretty well understood that the late heavy speculations in cotton and grain have not turned out so favorably as the speculators, without doubt, fully anticipated. This circumstance has, of course, rendered not only the Bank of England, but the banking interests generally, rather shy of the bills drawn against these speculations, which at present inundate the discount market; therefore, for a while, little or no alteration in the value of money can be anticipated.

The British funds continue very firm, particularly so when it is considered that large sales of money stock have been made during the past week, and that the country is far from being in a quiet position. Consols closed to-day at 93 1-8 a 1-4 money and account, and for the July account some few bargains have been done at 93 3-8. The three and a half per cent. reduced annuities, are 99 1-2 a 3-8; and the new three and a half per cent. 100 3-4 a 78. Bank

stock is 195 2-4; and India stock 256 money. The premium upon exchequer bills remains at 32 a 3-4; on India bonds it is 95 a 3-7.

The dealings in the peninsular bonds to-day have been so limited, that the quotations are merely nominal; in the transatlantic bonds there has, however, been a little jobbing, which has caused a slight improvement in some of them.

The railway share market still betrays symptoms of giving way.

From the Liverpool Albion of May 21.

State of trade at Manchester. Although it is impossible to announce any actual revival in the demand for manufactured goods generally, yet it is satisfactory to know that in those branches in which the stagnation has been most severely felt, the only safe and certain curative process is in operation. Short time and a diminution of production can alone restore the equilibrium so violently shaken by the events of 1837. And so prudently have the manufacturers prepared for such a necessity, that we now see it acted on with little inconvenience to any party, and without any of those disastrous and dangerous results which have formerly attended sudden and unforeseen movements of a similar character.

The drain upon the saving banks has passed its climax, and the claims upon the poor rates have not risen, and show no tendency to rise, beyond the ordinary and accustomed amount. So perfectly orderly are our town population, that one of our most crowded and poverty stricken districts did not furnish one single delinquent to the watch on Saturday night last. These facts all tend to prove, that, on the whole, the state of the labor market is not so bad as the depression in some branches of trade and manufacture might lead us to conclude, and that there is no reason to despair for the general resources of the country. The depression which we experience is not confined to us, but is felt with at least equal severity in every market to which the stock of 1837 extended. The manufactures at Ghent and the neighborhood are all in the same situation as our own establishments in Lancashire; only two or three are working full time, all the others are working only half time.

Liverpool, Friday May 17.

Cotton market. The same circumstances which have influenced the market for some weeks past continue to govern it; nor do we look for any amelioration but in the removal of the depression which hangs over the manufacturing interests. The demand has been very moderate, and the transactions in accordance thereto, being divided into numerous small portions, evidently carrying out the existing principle of buying only what necessarily supplies requires—there is no apparent inclination on the part of the consumer to increase his stock; and on the other hand the importers seem as little disposed, under present circumstances, to meet the market. Prices are now lower than the week, save for Egyptian and Brazil 1-4d. per lb. Exporters have taken 200 bales of American and 100 Maranhian. The sales to-day are about 1,500. The import this week is 12,220 bags, and the sales are 7,650 bags, including 50 Sea Island at 23 a 20c; 10 stained do. 19 1-2; 2,640 Upland 3 1-2 a 9c; 2,250 New Orleans 7 1-2 a 11; 1,250 Alabama, Sec. 7 1-4 a 9c; 400 Pernambuco 9 3-8 a 10 1-2; 250 Bahia and Macao 8 3-8 a 10; 930 Maranhian S 1 4 a 9 3-4.

The sales on the 18th (Saturday) were 1,200 bales of previous prices.

Decrease of import this year, compared with the same date last year, 252,677

Decrease of stock, 9,800

Decrease of quantity taken for consumption, 155,100

Computed stocks, 310,000

May 17, 1839, 310,000

Same period, 1838, 320,200

May 20th. Nothing has occurred in the market since Friday that requires particular comment, the trade still continuing to purchase in the same limited proportion as before. The sales to-day and on Saturday will not exceed 2,000 bales, without variation in prices.

FRANCE.

M. Poincés, the French minister to the United States, had arrived at Paris.

Paris, May 17—half past 3, P. M. Five per cent, 41 1/2. 30c. three per cent, 31 1/2. 50c. bank accounts, 27 1/2.

Paris papers to May 18th, say that the new ministry were displaying vast solicitude to conciliate the liberal opposition. The brother of M. Odillon Barrot had not only been appointed to a lucrative place, but M. Dupont, (de l'Eure), was, it was said, about being raised to the bench of the court of cassation.

The general impression was, that ministers would be able to maintain themselves in office.

There are some further minor details in these journals of the events of the 12th and 13th inst, but

none requiring special notice. Several new arrests have taken place, and many additional warrants had been issued. It was not certain that the minister of war would, as he threatened, dissolve the Polytechnic school, for having, in the terms which our readers have already read, contraicted the Journal des Debats in its statement that three insurgents had been killed by the students of the Ecole Polytechnique.

Business in Paris had naturally suffered from the disturbances of the early part of last week. Failures among the small classes of traders were still lamentably frequent. Respecting the superior order of houses of business, however, confidence was fast restoring.

The weather had become fine in Paris, but the frosts on Monday and Thursday nights had done irreparable and most extensive injury to the vines in the vicinity of that capital. Even the leaves of the oaks suffered from it.

Prince Napoleon Louis Bonaparte has sent a letter to the newspapers, denying that he is in any way responsible for the insurrection in Paris. The prince says: "The intelligence of the bloody scenes which took place has caused me as much surprise as grief. If I were the soul of a plot, I would also be the chief actor in it on the day of danger; nor would I shrink back after a defeat."

SPAIN.

Advices from Madrid to May 11th, announce another change of the ministry. It was rumored on the evening of that day, that the ministry would be definitely constituted as follows: M. Perez de Castro, president of the council, and minister of foreign affairs; general Alaix, minister of war; general Vigodet, of marine; M. Diego Estreño, of the interior; M. Arrazola, of justice; and M. Ismenez, of finance. The reports of the victories of the Christiano armies had inspired some activity to the business on the Bourse.

A good harvest was expected, which anticipation had reduced the price of corn.

London, May 20. Letters from Bayonne of the 13th inst. bring intelligence from Durango of the 11th, and from Manzanaera of the 9th. A bulletin, published by the Carlist general Maroto, at his head quarters of Manzanaera, states that on the 8th, five of the six pieces of artillery which lined the ramparts of Guardalmano having burst after the first shots were fired, occasioned the death of 15 soldiers and 2 officers, and set on fire and blew up a depot of gunpowder and hand grenades in the first. Owing to this accident it could no longer protect the fortified houses of Ramales, and yet the garrison of the latter, consisting of 150 men, defended them bravely, until 108, including their commander, had been either killed or wounded.

Letters from Bayonne of the 15th, confirm the account of the taking of Guardalmano, on the 12th, by general Espartero. One report stated that the garrison consisting of 300 men, had capitulated and been made prisoners of war.

The occupation of Guardalmano would, it was thought, be soon followed by that of Balmasada, in which case general Estreño would gain possession of the whole of the surrounding country, and of the high road leading from Orduna to Boboa. Durango, and a great portion of Biscay would, in consequence, soon return under the domination of the queen.

General Leon, (queen's party), was displaying the utmost activity in Navarre, first advancing on one point, sometimes on another, of the line of La Solana, and continually keeping Elio in check. He entered Los Arcos on the 10th, and on the 12th a warm action took place between him and Joachim Elio, commandant of the Carlists. It would seem that the latter was defeated, notwithstanding the success which he received during the action.

On the 13th some severe fighting took place about a league from Estella. Nearly all the inhabitants of the town had fled to the mountains. If Leon continued to obtain the advantage, Estella would be captured, and probably destroyed.

By a decree of the 29th ult. Don Carlos revoked an order of the 29th of December last, prescribing the expulsion of the Christiano families residing within the northern provinces, in retaliation for measure of the same kind enforced by general Espartero against the Carlist families inhabiting the different towns occupied by his troops.

GREECE.

Private letters from Athens, dated the 29th ult. received in Paris, state that "the English" were once more becoming highly popular and influential. Great dissatisfaction pervaded the country. An attempt at insurrection took place at a place called Cassany a few days previously, but was suppressed. Several of the insurgents were made prisoners, and would be tried by courts martial. The king was, notwithstanding the failure of the disaffected, seriously alarmed for his throne and life.

EGYPT AND ARABIA.

A letter from Alexandria, dated the 27th of April, denies a report, circulated on the authority of the learned M. Jomard, that Mehemet Ali, intended abolishing slavery in his dominions. The pasha has restored to liberty a number of prisoners taken by his troops during his late expedition to Fozzogli, but merely to conciliate the natives of the country. Slavery would appear to be too productive a branch of revenue for the pasha to be soon suppressed, "and in fact, as no former period were the bazaars of Alexandria and Cairo so encumbered with slaves as at the present moment." The same letter states, that the English troops in possession of Aden were decimated by the want of water and fresh provisions, and the excessive heat. The Arabs kept the garrison constantly on the *qui vive*, and the Europeans who had the misfortune to wander any distance from the ramparts were mercilessly murdered.

Paris, May 16. The *Ecole d'Orient* has an article from Constantinople, dated April 22, which says: "It is affirmed that a detachment of Egyptian troops, pursuing some Arab deserters, has entered the Ottoman territory, which it has thus audaciously violated, notwithstanding the pacific assurances which Ibrahim pasha is continually giving."

SYRIA.

A private letter from Beirut, dated the 17th of April, corroborates the report which, on Saturday, we copied from the *Sayra Gazette*, that the troops of Mehemet Ali had marched for Bahrein, in the Persian gulf.

ARMY AND NAVY.

From the Army and Navy Chronicle.

GENERAL ORDERS, No. 33.

Adj't. general's office, Washington, June 11, 1839. The following instructions have been received from the war department, relative to the intercourse with the Indians, which are published for the guidance of commanders on the frontiers, and all who may be concerned:

War Department, June 8, 1839.

"SIR: Information having reached this department that certain evil disposed persons frequent the Indian country, for the purpose of enticing the Indians to play at games of hazard, and thus, by the basest, and most nefarious means, deprive them of their property, and of the means of gaining a comfortable subsistence, the commissioner of Indian affairs has been directed to instruct the proper officers of his department to proceed forthwith to remove all such persons from the Indian country, and to prevent their return thereto.

"These officers will be given to understand that if, in the execution of this duty, the aid of the militia force becomes necessary, the employment of which in such manner is authorised by the intercourse act of 1834, they must call upon the commanding officers of the different posts in that quarter, for such force as will enable them promptly and effectually to carry out their instructions. And you will cause orders to be issued to the commanding officer to comply with the requisitions of the officers of the Indian department, and to afford them all the aid and co-operation in their power. Very respectfully, your most obedient servant,

J. R. POINSETT.

Maj. gen. A. Macomb, commanding-in-chief.

By order of maj. gen. Macomb:

R. JONES, adj't. gen.

Medical staff. The medical board for the examination of candidates for appointment as assistant surgeons in the army, which adjourned on the 14th instant, have approved the following persons:

1. James W. Russell, N. Y.
2. Henry H. Steiner, Pa.
3. John C. Glen, S. C.
4. Henry E. Cruttennden, D. C.
5. James Simons, S. C.

Before the same board examinations were held for promotion in the cases of assistant surgeon J. J. B. Wright and John B. Wells, and in the deferred case of surgeon Burton Randall, all of whom were approved.

Before another board subsequently organized, and which adjourned on the 15th instant, examinations were held for promotion in the case of assistant surgeon John B. Porter, and in the deferred case of surgeon H. L. Heiskell, both of whom were approved.

Engineer Department, Washington, June 17, 1839.

ENGINEER ORDER, No. 5.

It has become the painful duty of the chief engineer to announce to the corps of engineers the death of a brother officer, captain Wm. A. Ehason, who expired suddenly at Alexandria, D. C. on the morning of the 15th inst.

As a testimonial of respect for the deceased, the officers of the corps and those of the military acad-

emy will wear the usual badge of mourning for thirty days.

JOS. G. TOTTEN,

col. and chief engineer.

Beller news from Florida. The Alexandria Gazette of yesterday contains information from Florida, by officers of the United States army, who left there six days ago. It is stated that the Indians are coming in peaceably from every quarter and that several hundred are now collected at Fort King. The most confident belief is entertained, by the officers of the army, that the war is, in reality, ended. A murder was committed near Picolata a few days ago, but it was supposed to have been the work of a white man and a negro.

The Indians declared their determination to abide by the treaty, and their actions so far show that they are in earnest. Whether they will continue in this mind no one can say; but we trust that the anticipations of the officers of the army may all be realized, and that we may say, at last, that there is an end of the Florida war.

The Savannah Georgian, by the arrival at that city, on Thursday night, of the steamboat Charleston, direct from Black Creek, has information from an authentic and indisputable source, to the effect that the prospect of a permanent peace with the Indians is quite favorable, and, indeed, may be considered as fairly settled.

Within the last few days, it is said, that many hundred Indians have come in at Fort King, friendly to peace, and on their way south, in fulfillment of their treaty engagements. They daily meet the expresses and trains on the road, and appear perfectly assured in their manner of the favorable change in affairs, intimating as little disposition to molest others, as fear of being molested.

We trust that these favorable anticipations may be fully realized, and peace and security be once more restored to the people of Florida.

There came as passengers in the Charleston—major Fauntleroy, 2d dragoons, capt. Backus, 2d infantry, and lieut. Merit Inge, with two companies 2d dragoons, destined for Fort Columbus, N. Y.

From the Philadelphia National Gazette.

Frost Florida. St. Augustine, June 7, 1839. I rejoice to apprise you of the extraordinary success attending the negotiations of general Macomb. The Seminoles are eagerly flocking to our posts, and in obedience to the general's directions receive that courtesy and attention which their distinguished prowess and individual character merits. Indeed a scrupulous jealousy exists for the palm of the closest observance of the general's views in this respect. It appears, however, that the posts on the upper St. Johns seems most favored by the Seminoles,—perhaps from their proximity to the secret haunts.

I have before me a copy of an extra official communication which is pregnant with interest. It manifests the powerful influence of the general's proposition for a cessation of hostilities over the entire savage country; and confirms, what was heretofore suspected, the melancholy condition of the subsistence department of the Seminolan army.

Fort—, May 29, 1839.

SIR: By the interposition of Providence, I have the honor to report the most satisfactory results attending the issue of the order dated 12th of May. Fires have of late been frequent in this vicinity, which indicate the approach of Indians from all directions. Immediately after my men returned with their horses last evening from grazing, indistinctly frightful noises appeared to issue from a hammock in the rear of our defence. I had no hesitation in ordering one-third of my command consisting of two able bodied men, to remain on guard, lest a surprise might be anticipated. The sequel illustrated my sagacity. About two o'clock this morning the faithful sentinel who was posted on the left curtain of the work, was startled by a repetition of the noise, which he immediately communicated to the sergeant of the guard, who withdrew all the sentinels in order to afford an opportunity to those who might feel disposed to avail themselves of the benefits of the general order.

Having awaited with breathless anxiety until daybreak, we had the satisfaction of discerning something approaching the fort. I ordered the gate thrown open. A *canine femelle*, apparently in distress, came voluntarily in, and seemed to ask protection, which, I need scarcely remark, was promptly extended. Quarters were furnished, and the subsistence department directed to issue the proper rations. In the course of the day I had the inexpressible pleasure of an addition of eight more of the same tribe, which were brought in and delivered by the aforesaid female, whose Indian name we have been unable to learn, and therefore christened her—

In continuation permit me to express my conviction that, from the avidity with which this poor creature received our bounty, the subsistence depots of our late enemy's army have been considerably reduced, and consequently, in all human probability, many more will come in.

Returning thanks to that high functionary whose diplomatic sagacity has showered blessings upon our army, and for the benefits derived by me, individually, I remain, with exalted consideration, your obedient servant,

Captain, commanding post—

To Commanding—district, Florida.

Florida. We submit without comment the annexed taken from the St. Augustine Herald of the 29th inst. as exhibiting the condition of things in Florida.

Herald office, June 20, 1839.

Information has reached us that a number of Indians have gone in at Fort King, and among them, the party who murdered Brockenberry, near Picolata, a short time since.

They admitted the murder, and alleged that they were ignorant of the treaty entered into with gen. Macomb.

Since then, however, the treaty has received another bloody seal. Two men were killed at a place called Fort Cross. The sixty days allowed for the Indians to go south have not expired. (It is said a number are going south, but it is suspected it is for holding the "green corn dance," which takes place about the first week in July next.

Murder in the Indian territory. Captain R. D. C. Collins, United States army, and principal disbursing agent, writes as follows, from the Choctaw agency to the editor of the *Arkansas Gazette*: "Two men, one by the name of Crump, the other Backus, both from Mississippi, left the depot at Boggy, a few days since, for this place. They were murdered about 29 miles from where they started. Crump had a considerable sum of money with him. A mule which they led was found dead, a few hundred yards from where Crump lay shot nearly through with an arrow, such as is used by the wild Indians; at all events, not such as either the Choctaws, Chickasaws or any of our friendly Indians use. There was also found a bow near where Backus lay. He had run perhaps two hundred yards and was tomahawked."

"The only hope of ascertaining the murderers is from the bow and arrow left. There are a number of Kickapoos and Osages hunting on Blue and Washita. There is some suspicion that they may be concerned. The affair has created quite an excitement, and rendered the travel from here to the depot somewhat precarious."

[St. Louis Republican.

NAVY. Captain Spencer. Some mention has been already made of the very important services rendered to American citizens at Tampico, by captain Spencer of the United States sloop of war Warren, at the central forces under Arista. It affords us much pleasure to add the following emphatic testimonial in favor of that gallant officer, which we find in the *New Orleans Bee* of the 19th inst.

United States sloop of war Warren. The services rendered by the presence of this vessel at the late critical juncture in Tampico, were particularly beneficial to the protection of American citizens. Much American property that was jeopardized by the state of parties, was secured to the rightful owners through the unceasing efforts of commodore Spencer; and when our citizens, resident at Tampico, were threatened with the vengeance of government for supposed political offences, he came forward and demanded their liberation in terms that could not be mistaken. The course which he pursued on this occasion tended in a great measure to prevent bloodshed, and to bring about a settlement of the existing difficulties, as also to restore the trade which had been so much interrupted by the revolution.

Lt. Moore and the Texian navy. Notwithstanding the denial of the Globe, and the jesuitical letter of Lt. Moore, there is no doubt but he has accepted command of the Texian navy, and takes with him between twenty and thirty of the young officers of our navy to serve in subordinate stations. It is also understood that commodore P. A. C. Jones volunteered for this command, and that Lt. Moore agreed to serve under him. But the services of the former were not accepted in consequence of his advanced age. Mr. Moore is now engaged in making contracts for arms and munitions of war for the Texian navy, and we learn that the majority of the crew of the Boston, in which vessel he returned from the West Indies, has been induced to promise to enter the Texian navy. [Boston Atlas.

REMINISCENCES.

Genuine copy of a letter from Mr. Livingston, titular governor of New York, to his excellency, sir Henry Clinton, K. B. dated Elizabethtown, N. J. 29th March, 1779.

Sir: After having apologised for delaying your and Mr. Franklin's dinner, by being accidentally absent from you did me the honor a few days ago to send Colonel Stirling to wait upon me to New York; I beg leave to acquaint you, that I am possessed of the most authentic proofs of a general officer under your command having offered a large sum of money to an inhabitant of this state to assassinate me, in case he could not take me alive. This sir, is so repugnant to the character I have hitherto formed of sir Henry Clinton, that I think it highly improbable you should either countenance, connive at, or be privy to a design so sanguinary and disgraceful.— Taking it, however, for granted, that you are a gentleman of too much spirit to discover any thing that you think proper to abet, I give you this opportunity without your approbation; assuring you at the same time, that if they are countenanced by you, your person is more in my power than I have reason to think you imagine. I have the honor to be your excellency's most humble servant,

WILLIAM LIVINGSTON.

Gen. SIR HENRY CLINTON.

HIS EXCELLENCY'S ANSWER.

New York, April 10th, 1779.

Sir: As you address me on a grave subject, no less than life and death, and your own person concerned, I condescend to answer you, but must not be troubled with any further correspondence with Mr. Livingston. Had I a soul capable of harboring so infamous an idea as assassination, you, sir, at least, would have nothing to fear; for be assured I should not blacken myself with so foul a crime to obtain so trifling an end. Sensible of the power you boast, of being able to dispose of my life by means of intimates of yours, ready to murder at your command, I can only congratulate you on your amiable connexions, and acknowledge myself your most humble servant,

H. CLINTON.

London, July, 1739.

List of his majesty's ships lost, taken or destroyed, since the commencement of our unfortunate disputes.

Ships' names.	Guns.	Ships' names.	Guns.
Augusta,	64	Merlin,	18
Soumset,	64	Ceres,	18
Repulse,	32	Bute,	18
Junio,	32	Kingfisher,	16
Flora,	32	Pomona,	16
Lark,	32	Nautilus,	16
Orpheus,	32	Zebra,	16
Minerva,	32	Cupid,	16
Arcthusa,	32	Weasel,	16
Montreal,	32	Senegal,	16
Mermad,	28	Pegasus,	14
Corbeus,	28	Spy,	14
Fox,	28	Alexander,	14
Liverpool,	28	Drake,	14
Astion,	28	Helena,	14
Syren,	28	Raven,	14
Active,	28	Swallow,	11
Vestal,	20	Otter,	10
Mercury,	20	Savage,	10
Lively,	20	Folkstone,	10

Besides a number of armed schooners, &c.

The following is the translation of the challenge sent by the marquis de la Fayette to the earl of Carlisle, and the earl's answer:

October, 1779.

To the earl of Carlisle:

I did not hitherto believe, my lord, that I ever should have occasion to meet you but on the footing of politeness, except at the head of the troops which we respectively command. Your letter of the 29th of August, to the congress of the United States, and the insulting expression on my country, which you there have signed, could alone have given me cause to quarrel with you. I do not design to refute the charges, my lord, but I desire to punish it. It is from you, as chief of the commission, that I demand a reparation as public as has been the offence, and which must give the lie to the expression you have used. I should not have delayed this demand so long if your letter had reached me sooner. My occasions call me from hence for a few days, but on my return, I hope to find your answer. Mr. Gimot, a French officer, will settle the time and place of our meeting to suit your convenience. I do not doubt but that, for the honor of his compatriot, general Clinton will attend you to the field. As to me, my lord, it is indifferent who attends you, provided that,

to the glory of being a Frenchman, I join that of proving to a gentleman of your country, that no one dares to insult mine unpunished.

LA FAYETTE.

To the marquis de la Fayette:

Sir: I have received your letter, transmitted to me by Gimot, and I confess I find it difficult to return a serious answer to its contents. The only one that can be expected from me, as the king's commissioner, and which you ought to have known, is, that I do and ever shall consider myself solely responsible for my country and king, and not to any individual for my public conduct and language. As for my opinion or expressions contained in any publications issued under the commission in which I have the honor to be named, unless they are retracted in public, you may be assured, I shall never, in any change of situation, be disposed to give an account of them much less recall them, in private.

The injury alluded to in the correspondence of the king's commissioner to the congress, I must remind you, is not of a private nature, and I conceive all rational disputes will be best decided by the meeting of admiral Byron and count D'Estaing.

CARLISLE.

New York, Oct. 11, 1779.

SEIZURE OF FISHING VESSELS.

We mentioned on Monday, the return of capt. Sturgis, of the revenue cutter Hamilton, from Nova Scotia, whither he had been sent to make inquiries relative to the seizure of fishing vessels, by British cruisers. The following report from the consular agent at Yarmouth, will show the character of the cases of seizure which have been made, and the proceedings which have taken place upon them.

[Boston Patriot.]

Consulate U. S. Yarmouth, N. S. June 18, 1839.
To Josiah Sturgis, esq. commander of the American revenue cutter Hamilton.

Sir: At your request, I enclose to you an abridged statement of the depositions of the masters and crews of the four American fishing schooners, lately seized by the commander of the British government vessel "Victory," and now lying detained at this port, together with a succinct account of my proceedings, upon the application to me for assistance by the masters of these vessels.

Upon the 27th day of May last, application was made to me, as the consular agent of the United States at this port, by William Burgess, master of the American fishing schooner "Independence," for advice and assistance, under the following circumstances: On Sunday, the 20th day of May last, while lying at anchor at the Tusket islands, near the coast of this province, the said schooner was boarded, and, with her cargo and papers, seized and taken possession of by the commander and part of the crew of the British government vessel "Victory," for an alleged infraction, by the crew of the "Independence," of the treaty between Great Britain and the United States, and the laws of this province for the protection of the British fisheries. The schooner was brought into this port, stripped of her sails, and part of her rigging, and the master and crew obliged to leave her. Depositions of the master, William Burgess, and of the crew, Benjamin Sylvester, Samuel C. Mills, Ezekiel Burgess, and Samuel Burgess, all of Vinalhaven, in the state of Maine, were taken to the above facts, and also to those which follow.— They deposed, that the schooner Independence, of the burthen of 31 tons, or thereabouts, and belonging to Vinalhaven, was fitted out and cleared from that port, on a fishing voyage into the bay of Fundy, on the 10th day of April last, and that they continued to fish in the bay, never at any time at a less distance from the coast of Nova Scotia than 15 miles, until about the last of April, of the present year, when, being in wait of water, and it blowing very heavy, they stood in for the coast, and anchored in the Tusket islands, where they remained about twenty-four hours. At the expiration of that time they again went to sea, and remained upon the fishing ground until the 25th day of May last, when, the compass having been accidentally broken, and there being no other on board, they again stood in for the coast, intending to make the port of Yarmouth, for the purpose of having the compass repaired, and of procuring a supply of water; but the wind being adverse, and very violent, and the weather thick and lazy, they were unable to make that port, and were obliged to take shelter in the Tusket islands for the night, at which place they were seized the next day, as before mentioned. The master and crew of this vessel deposed, most solemnly, that no fish of any kind or description had been taken or caught by them during the present season, or since their departure from port, either in the Tusket islands, or at any distance nearer to the coast of Nova Scotia, or

of any of the British possessions in North America, than 15 miles; and that at no one time did they remain at anchor in the said islands, or in any port on the coast, for a longer space than twenty-four hours. They, however, admitted that, at the earnest solicitation of an inhabitant of the Tusket islands, whose name was to them unknown, they did, for one night, lend their nets to him, and that they received from him, on the following morning, a few herrings.— This occurred but once, and for one night only; they never having remained in the islands for two consecutive nights.

The master of the American fishing schooner "Magnolio," seized at the same time and place, deposed in substance to the same facts as the foregoing, except that they had not lent or parted with their nets. They deny most positively having fished or attempted to take or catch fish within 15 miles of the coast of this province during the present season. The Magnolio is of the burthen of 37 tons, or thereabouts, belongs to Vinalhaven, and was fitted out and cleared from that port on a fishing voyage into the bay of Fundy; she sailed from that port on the 26th day of April last, and was twice into the Tusket islands for shelter, and for wood and water, during the present season. The master's name is George Poole. The names of the seamen are Wm. S. Combs, David Lane and Samuel Clarke, all residing at or near Vinalhaven, in the state of Maine.

The master of the schooner "Java" acknowledged that he and his crew had taken fish in the islands, and was aware that the fact of his having done so could be proved against him. He therefore declined to make any effort for relief. The "Java" was fitted for a fishing voyage into the bay of Fundy, and belonged to Vinalhaven, and she was seized at the same time and place as the other two vessels before mentioned. The said Burgess was master; the crew were George McFarlane, Charles J. Perkins and Thomas McFarlane, all residing at or near Vinalhaven.

A few days subsequent, on the 31st day of May last, another application was made to me by James Taylor, the master of the American fishing boat "Hart," of Deer island, in the state of Maine, who deposed that his boat was fitted out on a fishing voyage into the bay of Fundy about the last of April of the present year, that he had frequently been into the Tusket islands to seek shelter, and to obtain wood and water, and once only they anchored in this port, having come hither for the purpose of hiring an additional hand—they continued to fish until the 30th of May last, when being at anchor in the Tusket islands, the vessel, cargo and papers were seized and taken possession of by the commander of the "Victory," who brought the vessel and cargo into this port, and obliged the master and crew to leave her. They state most positively, that they have not since their departure from the port of Vinalhaven, taken or caught fish of any kind or description, within 15 miles of the coast of Nova Scotia, or of any of the other British coasts, nor did they at any one time remain in and among the said islands for a longer space of time than 24 hours. They state, however, that the master and Hiram Rich, one of the crew did receive from Benjamin Brown, the master of a British fishing vessel at anchor in the said islands, about two barrels of herrings given to them by Brown to recompense them for their services in assisting him for one night at his request, in clearing his nets of herrings, and in salting and curing his fish. This took place during one night that they came into the island for wood and water. This statement is corroborated on oath by Hiram Rich and Albert Douglass, two of the crew of this boat, and I

Power, a resident of this place, the additional hand above mentioned, who deposed to the truth of the statement of the master and crew subsequent to the time of his engagement with them, before which time they had not proceeded to fish at all.

Benjamin Brown, a resident of Yarmouth, and a person of much respectability, deposed, that the first seizure of this vessel "Hart" in the Tusket islands, was on the first of May last, she having then but just arrived, as he believes, from Deer island, and not having been in the islands before, during the present season. He further states, that afterwards, the boat frequently came into the islands, at times when the state of the weather was such that the safety of the vessel and crew would have been endangered at sea, and at other times, as he believed, for wood and water, having frequently observed them proceed to the shore, and bring therefrom a supply of these necessities. He was, to the best of his belief, aware of the boat's arrival, whenever she came into the islands, her place of anchorage being close to his vessel, and he says that the boat never remained in the said islands at one time for a longer space than 24 hours. He usually witnessed the boats get under weigh, and she always stood directly out to sea. He had fre-

quent opportunities of observing the conduct of the master and crew of this boat, and he verily believes that no fish of any kind were taken by them, in or near to the said islands, subsequent to the 1st of May, the date of his arrival there, nor does he believe that he came there for the purpose of fishing or setting nets, and that had they done so, he must have been aware of it, as the boat always anchored close to his vessel. He further stated that, at his request, the master of the boat and one of the crew named Rich, assisted him for one night in clearing his nets of herrings and in salting his fish, for which service he gave them two and a half barrels of herrings, and that he had seen the nets seized on board the boat, and that the fishes were too small to admit of the taking by them of any description of herring that had been on the coast during the present season.

These depositions I enclosed to John Morrow, esq. United States consul at Halifax, for the purpose of using them to assist him in his endeavors to effect the release of the *Magnolia*, *Java* and *Hart*, under the plea of their having been seized and detained on insufficient grounds.

The masters of these three last named vessels, by my advice, proceeded to Halifax, where they now are, awaiting the decision of the government officers there, whether they shall at once be released, or whether they will be obliged to contest the legality of the seizures in the court of vice admiralty at that place. I have received no information from thence, that can be depended upon, as to the probable issue of the exertions already made, and now making, in behalf of the owners and others interested in these vessels.

The affidavits which have been made to substantiate the legality of these seizures are, first, that of John McConnell, of this place, who deposes that he did see the crew of the *Java*, between the 11th and 27th days of May last, in the Tusket islands, put their nets into the boat belonging to that vessel, and on the following morning he saw them return with a quantity of fish, which was repeated four or five times during the above mentioned period, and that the skipper of the *Java* acknowledged to him, that he had taken fish within the limits prohibited—for bait. He further states, that on Sunday, the 26th of May last, he saw on the deck of the *Java*, then lying in the Tusket islands, a quantity of gurry, with the crew's sail was from about three quintal of fish, caught the day before, and that he saw the master and crew throw the same overboard, being then about 2 miles from the above point, in Yarmouth.

21. The same person John McConnell, further deposed, that he saw the *Magnolia* about two weeks previously, when at anchor in the islands, send her boats away in the evening with nets, and return again the next morning with fish, which also again took place for several successive days. He further stated, that the crew of the *Magnolia* did about the same time acknowledge that they were then taking fish among the Tusket islands, and had before been doing the same.

31. David McConnell, of Yarmouth, made oath that the skipper of the American schooner "Independence," acknowledged to him on the 26th day of May, that he had hired nets belonging to that schooner, the skipper of an English fishing vessel to be set by him on shores.

4th. Jonathan Baker, of Yarmouth, deposed that between the 11th and 18th days of May last, he saw the crew of the American schooner "Java," then at anchor in the Tusket islands, put the nets out at different days, leave the vessel, and return in the mornings, with the nets and a quantity of herrings.

5th. Joseph Darby, commander of the schooner Victory, deposed that he did see from the said schooner Victory, then lying in the Tusket islands, the crew of the American fishing boat "Hart," cleaning fish on board of that vessel, and that the master of the "Hart" acknowledged to him that he did about a week previously procure from Benjamin Brown, two barrels of fresh herrings for bait.

The crew of the *Magnolia* positively deny the truth of the depositions made against them, and say that their vessel must have been mistaken for some other. The crew of the "Independence" also deny having hired their nets, and it is probable that the acknowledged sworn to as made by the master, has been misunderstood by the person to whom it was made, the real admission having been the lending the nets to an inhabitant of the Tusket islands, as is mentioned in the depositions of the master and crew of the "Independence." I need not remark upon the insufficiency of the evidence upon which the seizures of the "Independence" and "Hart" have been made. It consists entirely of verbal acknowledgments, which may and usually are, misunderstood or misconstrued, and can seldom be correctly repeated; and, indeed, taking for granted

that the admissions sworn to have been made by the masters of these vessels, I cannot understand that they amount to sufficient evidence to authorise a seizure.

I may observe that these vessels have all been fitted out on shares—that is, each man on board, in lieu of wages, receives a share of fish at the termination of the voyage. This circumstance may be of importance, as it may effect their decision in the court of vice admiralty.

I have at present, at this consulate, two destitute American seamen of the boat "Hart," James Rich and Albert Douglass, who, if not contrary to your instructions, I have to request that you will receive on board the cutter Hamilton, and land them at some convenient port in the United States.

The crews of the "Java," "Magnolia" and "Independence," were put by me on board of a British schooner, the master of which landed them at Casco, in the state of Maine. They were in a perishing and destitute condition, the provisions and stores of the vessels having been seized. I had, therefore, to provide for them while they remained in this place, and to find them a passage to the United States. I am, sir, your obedient, humble servant,
HENRY GRANTHAU, *consul & agent for the U. S. for the port of Yarmouth, (N. S.)*

SEIZURE OF AMERICAN FISHERMEN.

On learning, a short time since, that very many of our fishing vessels had been seized by the British authorities in Nova Scotia, during the present season, the secretary of the treasury permitted the collector of this port to despatch the United States revenue cutter Hamilton on a cruise to Yarmouth and its vicinity, to inquire into the causes of such seizures, and to report the names of vessels and their Captains, thus detained by our provincial neighbors. Captain Sturgis, accompanied by col. Barnes, the naval officer of this port, immediately proceeded to Yarmouth, N. S. in the Hamilton, and thence up the bay of Fundy to this harbor, and near to Digby. The Hamilton also crossed over to Mount Desert, in Maine, where she landed two American fishermen taken on board at Yarmouth. Captain Sturgis has been absent but nine days on this cruise, having sailed eight hundred miles, and encountered much heavy weather. The citizens of Yarmouth returned the salute of the Hamilton, and treated the officers with much courtesy and kindness. It was the general opinion of the people of Yarmouth, that many of the seizures of American fishing vessels had been made without sufficient cause, and that the court of vice admiralty at Halifax, would release a majority of those now under seizure.

Col. Barnes and capt. Sturgis speak in the highest terms of praise of the exertions of our consular agent at Yarmouth, H. Grantham, esq. in behalf of the fishermen who, by the seizure of their vessels and provisions, have been left among strangers entirely destitute. We are permitted to make the statement of Mr. Grantham, which will furnish the facts in relation to the seizure of four of the vessels. There have been many other vessels seized at the Gut of Canso, but captain Sturgis could not learn their names, nor the names of the masters.

[*Post.*]

COMMERCE AND AGRICULTURE.

Georgia silk culture.—Owing to the large bounty wisely given to the state, the silk business is going ahead most vigorously. Around Athens alone, 457 pounds of cocoons have been raised, and brought in to county, and a silk journal is to be published. Mulberry trees are greatly wanted. It is expected two crops of silk can be made the same season.

Sheep Shearing.—We have heard of the large yield of wool from the back of the Bakewell and other sheep, recently introduced into the country at heavy prices. At a late shearing in the neighborhood of Warrenton, Fauquier county, Va. a sheep of an old stock, familiar to the farmers of that county, and known as the Whiting sheep, which was raised by Dr. Macrae, of Prince William, yielded, at fifteen months old, ten pounds, down weight. Another sheep, of the common stock raised by the owner, yielded at the second shearing 8½ pounds. In both cases, the tags and other filthy wool were not weighed. It appears to us, from these and other instances, that too little attention is paid to this branch of husbandry, and by far too little care is bestowed upon these valuable animals. Not excepting these counties in which the raising of sheep is the predominant interest, we think of few of all the earth, the best adapted to it. We have millions of acres on which the plough cannot be employed, which might be rendered highly profitable sheep walks. We have, too, regions adapted to the growth of the different varieties of the sheep—we have the warm plain for the coarser wools, and the mountain for

the finer, with markets to consume all we can slaughter for the table. [*Jeffersonian.*]

Wool.—The Boston Price Current gives the annexed minute statement of the wool market—the supply and demand:

The season for sheep-shearing has passed, and we learn that there has been quite a large clip, and that the growers generally are convinced that they will not be able to obtain the extravagant prices, which a few months since was expected would be realized. In consequence of some advance in prices of woollen goods, last autumn, there was manifested by manufacturers, a strong disposition to lay in heavy supplies of wool, and an undue demand for the article was created, thereby causing a large advance in price, which was far from being warranted, even if the highest prices for goods, which were anticipated had been realized. But instead of any permanent improvement in woollens to any great extent, the advance which had taken place was not maintained, and prices receded to nearly the lowest point at which they had been during the preceding year. The consequence has been, that manufacturers generally have not been doing a profitable business in many cases, a saving business, and will not, for any length of time, continue their operations under such an unfavorable state of things. Already several establishments have stopped a portion of their machinery, and others will do so, unless the prices of wool shall justify their going on. Some manufacturers have sold their woollen machinery at a great loss, and are preparing to work cotton. We have information from the western part of Pennsylvania, that the growers are selling their wool at an advance of about five cents per lb. on the lowest prices realized last year. The wool grown in that region, is the best produced in the country. The quantity is very large, and is likely to be in market quite early this season. Prices range there from 35 to 55c. In some very choice flocks coming from 50 to 55c. In New York sales are making at from 30 to 50c. and in Vermont at from 30 to 50c. No new wool has yet been brought to the principal markets, and as prices cannot be fixed until sales have been effected there, we omit quotations for the present. The supply of pulled wool is limited, and sales continue to be made without any material change, as regards prices. Of coarse foreign wool there is not a large supply, but sufficient to meet the present demand, and prices are firm.

Unprecedented weight of sheep and wool.—When the sheep at Spout Run were sheared, on the 15th of May last, a yearling ram and five of the ewes were weighed, as follows: The ram, 174 lbs. his fleece 5 lbs. 1st ewe, 166 lbs. fleece 7½ lbs. 2d ewe, 170 lbs. 3d ewe, 190 lbs. fleece 10 lbs. 4th ewe, 164 lbs. fleece 5 lbs. 5th ewe, 164 lbs. fleece 5 lbs. Only two are considered at all above average weight of the flock. The wool was clean-washed, and otherwise the fleeces would have weighed from 7½ to 10 lbs. and the ewes were all suckling lambs. These two considerations taken into view, it is believed to be the greatest exhibit of weight of carcass and fleece ever made in the United States by a flock of ewes.—These sheep were raised and improved by my friend Mr. Thomas H. Burwell, of Spout Spring, Clarke county, Va. [*Worcester Virginian.*]

Washington's opinion of agriculture.—The following is an extract of a letter from general Washington to sir Arthur Young, who was distinguished for his devotion to agricultural pursuits:

"The more I am acquainted with agricultural affairs, the better I am pleased with them; inasmuch, that I can not where find so great satisfaction as in those ancient and useful pursuits. In indulging the feelings, and endeavoring to reflect how much more delightful to the unenlaced mind is the task of making improvements in the earth than all the vain glory which can be acquired, or envying it by the most uninterfered career of covetousness. The design of this observation is only to show how much, as a member of human society, I feel myself obliged by your labors to render respectable and advantageous an employment which is more congenial to the natural disposition of mankind than any other."

Marblehead fisheries.—The Salem Gazette contains a statement of the number of vessels engaged in the cod fishery, owned in Marblehead. This number is 53. Of these, 82 fish on the Grand Bank of Newfoundland, and 3 on the coast of Labrador. The number of tons engaged is 6,855—amount of bounty paid, \$27,023. The bounty is \$3 per ton for vessels of 90 tons and upwards—and \$4 per ton for vessels under 90 tons. The vessel must be engaged 4 months to be entitled to the bounty. The average tonnage of the vessels is 80.3-4. The average number of hands employed is 7, making a total of 593 men and boys.

Martinique.—The French consul at New York has furnished the editor of the American the annex-

ed official document respecting the trade of Martinique.

Important notice to commerce.—From *Martinique*. The consul general of France in the United States has received notice from his excellency, rear admiral —, governor of Martinique, and commander of the French naval force in the Antilles, that the *Aréop*, (free port), provisionally established at St. Pierre's, has been definitely authorized by royal ordinance since the 10th April last.

His excellency, the governor, announces equally that he has just authorized the exportation of sugars to foreign countries.

These two acts of the administration are of the greatest importance, not only to Martinique, but to the United States. The closest intercourse will be established between the two countries, and numerous adventures will be immediately undertaken—the New York shippers, who carry the produce of the United States to Martinique, being sure of finding there an advantageous re-urn freight.

For a year past the colony of Martinique has experienced the daily benefits of a wise, prudent and paternal administration. His excellency, rear admiral —, whose great capacity and services are too well known to need being recalled here, has comprehended the whole importance of his high and difficult station; and by his late measures, calculated to revive the prosperity of the colony, he abundantly justified the confidence of government, and all the flattering hopes of his administration, which the colonists had indulged.

The Union canal.—We learn from the Harrisburg (Pa.) Intelligence, that the bill authorizing the governor to subscribe \$400,000 to the stock of the Union canal company, to be expended in enlarging the canal, has passed both branches of the legislature. It also contains an appropriation for the relief of the Danville and Pottsville rail road company.

Duty upon oil. The committee delegated by our citizens to present a memorial to the president of the United States relating to the recent decision of the treasury department, have proceeded to Washington in the fulfillment of that mission. If there be any particular branch of their commerce upon which the American people have ever looked with much pride, it is that which is connected with the adventurous employment of whaling. In the infancy of the trade, the exploits of our whalemen could call forth from Burke the beautiful encomium he then passed upon them, how much more do their present daring exploits entitle them not only to our admiration, but also to our protection! If there is a branch then, of our commerce that should be sustained and fostered by the national government, it is that which has relation to our fisheries. Aside from the advantage derived by the navy from the fisheries, which form a school in which brave and hardy seamen are trained for the defence of our national rights, the latter also deserve encouragement as their products are so much wealth gained from the ocean.

The decision of the treasury department is, however, only in keeping with the hostility that the present administration has ever shown toward every kind of enterprise; and in this only can it be found in inconsistency with their measures. In the memorial adopted by our citizens, (which we regret that we are not yet at liberty to publish), it was stated upon the information furnished by our oldest citizens, many years since engaged in the whaling business, that the practice of furnishing vessels employed in the whale fishery with registers, originated in the conviction, on the part of the government officers, that that document, as an evidence of the national character of the vessel, would be more certainly respected and insure greater protection than the enrolment or licence, which, until very recently, has never been accompanied by the sea letter on the Mediterranean passport, and also as furnishing peculiar advantages in foreign ports, not otherwise attainable in vessels thus employed.

As an evidence that the recent decision must be in its effects at least entirely opposed to the spirit and intention of the law, it has been ascertained that in a correspondence in the year 1793, between the then collector of this port and the comptroller of the treasury, the collector was expressly advised to furnish registers in all cases in which they should be desired by the owners or agents of vessels employed in the whale fishery; and subsequently the whole subject has remained almost entirely under advisement of the officers of the customs, without the remotest thought or suspicion on either side of any infraction of law, or liability to the severe penalties now demanded under the recent circular of the comptroller of the treasury.

We do not deem it necessary to extend our remarks at this time, the more especially as we shall, probably, in a few days, be at liberty to publish the

document and correspondence to which we have referred. [New Bedford Mercury.]

LAW CASES.

From the *Boston Atlas*.

The license law of Mr. Jacobs. This morning justice Simmons delivered the opinion of the court upon the questions raised by Mr. Hallett, in the case of George C. Jacobs, convicted of selling spirituous liquors, in a less quantity than fifteen gallons, without a license. The principal question, as the public are already aware, was, whether the court have power to enforce the payment of fines, incurred under the present license law, by imprisonment.

The opinion of the court was written out at much length, and occupied about half an hour in the delivery. We have been politely favored, by justice Simmons, with the privilege of copying the manuscript, but have not room for the document to-day.

The substance of the opinion was this. The court had no doubt about the power to commit. They agreed with Mr. Hallett in the position that there is no special power to imprison given in the statute of 1833, either by that statute or by the 47th chapter of the revised statutes; but they were clearly of opinion that they possessed this power under a general principle of law, and by the common practice of courts, which had never been called in question before. This power, they believed, was also recognized by inference, in the revised statutes, in numerous instances; provision having been made, for certain proceedings, when this power had been exercised.

The court therefore directed the clerk to declare, that Geo. C. Jacobs, convicted of a violation of the license law, and sentenced to pay a fine of \$10 and costs, having refused to pay the same, stand committed until this sentence be complied with, or until released by process of law.

The number of persons collected in Court street, and about the court house, was quite as large as on any former occasion during the progress of the case, but the people appeared less excited, and less disposed to create a disturbance.

The hour for the long expected riot had now arrived. The coach in which it was supposed that Mr. Jacobs would be carried to the jail, stood at the door. A pathway had been made by the officers, from the court house to the carriage. The city marshal and the high sheriff was seen bustling about, upon the steps of the court house, and in the open space in the crowd. The door of the coach was opened—the steps let down. The crowd clambered upon the fences, and carriages and omnibuses, and appeared at every window, and upon the house tops. Expectation was on tiptoe. The driver mounted his box, and took the reins in hand. The eagerness of the crowd increased. There was very little excitement, except the excitement of eager curiosity, and no noise or confusion. At length, that the elapsd, but still the prisoner did not appear. The city marshal then came out, and placed a small bundle in the coach. The steps were folded up, the door was closed, and the empty coach drove off! A few faint cheers announced its departure, and all was over! Two thousand people looked at each other and laughed! They caught the idea in a moment. It was a true Yankee trick. The coach, and the show of force in front of the court house was a mere gull. While they had been patiently watching for their man at one end of the court house, he had gone quietly out by another door in the rear, and was no doubt safely lodged in Leverett street jail. The news soon spread, and the assembled multitude soon dispersed.

Mr. Jacobs remained in prison but a short time. His fine and the costs of prosecution, were paid by a friend, and he was immediately set at liberty. We understand that it is his intention to bring, against the justices of the police court, a case of false imprisonment, fixing the damages at \$5,000, for the purpose of further testing the question of the right to imprison in such cases.

We learn, also, from good authority, that about one hundred men, properly armed, with clubs and watch-hooks, were placed in the basement of the court house on this occasion, under the direction of the sheriffs, ready to assist the police, in case of necessity, in arresting any riotous or disorderly persons. Fortunately their assistance was not needed; but had they been called into action, we have no doubt they would have proved highly servicable. We cannot but commend the good sense and judiciousness of the sheriff, in preferring such a force to support the law, rather than by resorting to the dreadful alternative of military power.

New York superior court, Saturday June 22.

Before Judge Oakley.

Liability of shipping agents. William H. Beatty & Co. vs. Stark W. Lewis.—This was an action to

recover damages for an alleged breach of contract, committed under the following circumstances:—

The plaintiffs are a mercantile firm doing business in Baltimore, and the defendant belongs to this city, and is agent for the schooner *Mohican*, trading between this port and Baltimore.

On the 14th of March, 1837, Messrs. W. G. Bull & Co. of this city, agents for the plaintiffs, shipped on board the *Mohican* 50 hhds. of sugar for Baltimore. The vessel being advertised to sail with immediate despatch, it was expected that the sugars would arrive out in season to sell for the then existing high price of the article.

It was afterwards learned that the vessel did not sail till after the 20th of March, and did not arrive in Baltimore till the 13th of April. The consequence was, that the shipment of sugar, instead of fetching the "top of the market" as was anticipated, the sale was made at the full decline of the article, which made a difference in the result of \$2 00 per hundred weight to the plaintiffs. It was to recover this difference in price that the present suit was brought. The bill of lading for the sugar was produced and admitted.

For the defence it was contended that the voyage had been prosecuted with all due and reasonable diligence. And proof was adduced to show that after the 14th of March a storm of some ten days duration occurred which caused a corresponding delay in the voyage.

The jury under a brief charge by the court rendered a verdict for the plaintiffs of the amount claimed, with interest, viz: \$512 73.

Counsel for the plaintiffs, D. Lord, jr. for the defendant, Griffin, sen. [Courier.]

Steamboat law. A case of some interest to steamboat commanders and officers, as well as to steamboat travellers, was lately tried in the court of common pleas of Hamilton county, Ohio. The plaintiff, William C. Lavrenson, sought to recover damages against Beech, Stewart & Holley, the captain, clerk and mate of the steamboat *Gazelle*, for an assault and battery alleged to have been committed by them upon him. From a report of the case, as given in the *Cincinnati Gazette*, it appears that on March 3, 1837, the plaintiff took passage on board the *Gazelle*, at Portsmouth, for Cincinnati; and that about one o'clock next morning, while on her way to the latter place, "the defendants caught plaintiff, and dragged him to the side of the boat, where one of the defendants flourished what one of the witnesses thought a knife and used abusive and threatening language. Plaintiff was then forced to the stern of the boat, put in the yawl, taken by Holley towards the shore, beaten in the yawl, and before reaching the shore was thrown into the river. When put into the yawl, plaintiff requested defendants to give him valise, containing clothes and letters of introduction to respectable persons in Cincinnati, which was refused. Plaintiff was left by the boat on the Kentucky shore, sixty miles from Cincinnati, about one o'clock at night."

This was the charge of the plaintiff, fully sustained by testimony, whose character for "integrity and correct bearing," was also established by a number of witnesses. The defence set up was, that the plaintiff was a deck passenger; that he wore a drab coat; and that some man wearing a drab coat was seen to enter the cabin of the boat, with his candle.—Contrary to a "custom of the river," to the effect that "whenever a deck passenger entered the cabin, he was put on shore."

The court, in charging the jury, stated that the defence rather tended to aggravate than to justify the case on the part of defendants. The jury were probably of the same opinion, as they rendered a verdict of \$6,766 for the plaintiff.

In the Boston United States circuit court, on Monday, captain Frederick C. Taber, master of the whale ship *Isabella*, was convicted of having maliciously, and without justifiable cause, put on shore at Navigators' Island, in the Pacific ocean, Benjamin F. Heath, the second mate of the ship. Captain Taber moved for a new trial, on the ground of an alleged misdirection of the jury by the charge of the judge. This motion will be argued before the whole court. The penalty for the offence, as affixed by the statute, is a fine not exceeding \$100, or imprisonment not exceeding six months. The reason assigned for leaving the second mate as above was his having been found by the captain on the night previous, asleep on his watch.

An extra of the Ontario Messenger published at New York, and dated June 21st, gives the following particulars of the trial of Mackenzie, the patriot, for a breach of the neutrality law:

The trial of Wm. Lyon Mackenzie, for a violation of the neutral law of 1813, which was con-

menced in this village yesterday morning, was brought to a close this afternoon, by a verdict from the jury of GUILTY.

The testimony in the case was but a recapitulation of a few of those facts with which the Navy Island affair had made the whole country familiar. Mackenzie had no counsel; nor did he introduce any testimony, that testimony which he proposed to introduce having been deemed inadmissible.

He addressed the court and jury after the evidence was closed, in a speech about eight hours long, which was made up most of historical matter in reference to himself and the patriot cause, and of divers political speculations which had little or no connexion with the question which was before the jury. He showed much ability, however, and his remarks were not infrequently, really eloquent.

Mr. Benton, the district attorney, occupied about an hour in presenting the argument on the part of the United States.

Judge Thompson charged the jury at considerable length, giving a very able and lucid exposition of the law and the facts of the case. The charge was decided by adverse to the defendant.

The jury was out three hours.

Majorie heard the verdict with calmness, though it is said that he had confidently anticipated an acquittal.

The sentence of the court was pronounced upon him soon after the verdict. It was, that he be imprisoned, during the term of eighteen months, in the county jail of Monroe county, and pay a fine of ten dollars.

At the Loudoun county court, on Monday last, Philip Nelson, a free colored man, was arraigned on a charge of being concerned directly or indirectly in the circulation of abolition papers, amongst the colored population. The evidence developed against Nelson (says the Leesburg Washingtonian) was not sufficiently strong to justify the court in executing the law to its full extent against him, which would have been transportation into slavery for life, but sufficiently to implicate him in being connected with the circulation of abolition papers to such an extent as to justify the court in ordering him and his entire family to leave the state within the period of twelve months, never to return to it again. During the investigation of Nelson's case, it appeared that Gerard a slave, had been the active agent in circulating these fire-brand publications among the slaves. He was, therefore, immediately arrested, and, on the next day, the court had him brought before it, and, after trying him on the charge of circulating these incendiary papers, which was fully proved, sentenced him to receive twenty lashes, and to be transported into slavery for life.

[Alex. Gaz.]

International law—Brazil. The public prints in this country have alluded to an occurrence which happened in the harbor of Rio de Janeiro, and which is represented to have caused great popular excitement in that city. The unfortunate event alluded to had been the subject of correspondence between Mr. Ouseley, her Britannic majesty's charge d'affaires, and senior Oliveira, the minister for foreign affairs. Mr. Ouseley's despatch to the British commodore Sullivan, which we extract from the *Journal do Commercio*, the government paper of Brazil, will explain the circumstances of the case. Mr. Ouseley was some years ago secretary of the British embassy in this city.

The government journal speaks of the sincere desire exhibited by her Britannic majesty's charge d'affaires to give ample satisfaction to the government and nation.

[Globe.]

Rio, April 25, 1839.
Sir: It is with extreme pain that I am to inform you of a distressing event, which has been officially communicated to me by H. E. the senior Candido Baptista de Oliveira, minister for foreign affairs.

By representations made to me by the government of this imperial majesty, I am informed that on the 21st inst. the steamboat Especuladora, returning from the island of Paqueta to this city, was fired into by the Ganges, one of the vessels lately captured, with Africans on board, and that a Brazilian gentleman on board was mortally wounded.

The communication of Senior Oliveira does not suggest that there was the slightest provocation for this act, nor is it said that it was accidental. Under these impressions, and until further explanations can be had of the origin of this painful event, or terms are so strong to express the censure and indignation with which such an offence should be viewed.

The painful regrets of a friendly nation should of only be excited by such an act of barbarity, but am sure, sir, that as commander-in-chief of H. B.

M's naval forces on this station, you will participate with me the feelings which compel me, not only as H. B. M.'s charge d'affaires, but as an Englishman, sincerely to deplore this event, and to desire the punishment of the individuals who may have committed this unprovoked crime.

I am persuaded, sir, that I shall have your cooperation in investigating the circumstances of this case, and obtaining proofs for the purpose of justice. For this object, I now request officially, that you will be pleased to receive on board your frigate, any legal or competent authorities, or such as the government may appoint to investigate this subject, and render every facility in obtaining evidence.

I am informed that, at half past four o'clock this evening, judicial authorities appointed by the imperial government for this object, will repair on board of her Britannic majesty's ship Stag, to obtain the necessary information.

Confiding in the sincerity with which you will aid my efforts on this occasion, I have the honor, &c. G. W. OUSELEY.

Com. Sullivan, commanding H. B. M. naval forces.

The bark inspection case. We published on Monday morning, a statement from the Philadelphia Commercial Advertiser, in reference to the seizure and detention by the bark inspector at this port of a load of bark, which, on account of circumstances over which the captain of the vessel had no control, was brought into the harbor of Baltimore to be re-shipped. We then expressed the opinion that our inspection laws would not bear the inspector out in what appeared to us to be an unwarranted oppression. It will be seen by the annexed report, which we find in an afternoon paper, that the state, through her agent, has been non-suited on the claims made, and we do not see, if the matter was carried still further, that damages might not be recovered.

INSPECTION OF GROUND BARK.

Trial of an important case before a magistrate. State of Maryland vs. John Smith, before William Eichelberger, esq. justice of the peace of the state of Maryland, in and for the city of Baltimore. Thirty-two warrants for the recovery of \$20 pecuniary each.

The above cases arose under the following circumstances:

Caleb Ross, a citizen and resident of the state of Delaware, had contracted with Messrs. Weil & Barratt, merchants of Philadelphia, for the sale and delivery of a large quantity of ground black oak bark, a part of which had been delivered. Some time in the early part of the month of June, he shipped at Laurel in Delaware, on board of a schooner owned in Delaware, but licensed at Vienna, in Maryland, (there being no port of entry at Laurel) thirty-two bchs. of ground black oak bark, the growth and manufacture of Delaware, to be carried to Philadelphia by way of the Chesapeake and Delaware canal, in fulfilment of the above contract. When the schooner arrived at the canal, the captain learned that, owing to a breach in the banking of the canal, he could not proceed through, and being without orders from Mr. Ross, and his vessel not being in condition to proceed to Philadelphia by way of the Chesapeake, he sailed to Baltimore, where he remained with the bark on board until he wrote to Mr. Ross, by whom he was directed to obey the orders of Mr. Smith, the defendant, in regard to the bark. Mr. Smith, in pursuance of the direction of Mr. Ross, ordered the captain to put the bark on board of another vessel for the purpose of being conveyed to Philadelphia, which was accordingly done. Both of the vessels lay in the port of Baltimore, without landing the bark, or any part thereof, on any wharf in the city of Baltimore. After the bark had thus been transferred, the inspector of bark for the city of Baltimore, called on Mr. Smith, and insisted on having the bark inspected, when Mr. Smith informed him that he did not think that the bark, under the circumstances, was liable to inspection.

The inspector then caused the bark to be seized and taken to the inspection warehouse, where the same was inspected—and marked 24 quality. In this state of things, Mr. Smith, for the purpose of avoiding further trouble and controversy, offered to pay the price of inspection and necessary expenses attending the same, still insisting, however, that the bark was not liable to inspection—but the inspector refused to deliver the same, insisting that it had been forfeited under the provisions of the act of assembly of 1821, ch. 77, which provides that no ground black oak bark shall be exported from the port of Baltimore until the same shall be inspected; and also, that the person or persons who shall have shipped the same without inspection, shall forfeit the same, together with \$20, for each and every cask so shipped, &c.

The price of inspection, and expenses attending the same, were then tendered by Mr. Smith to the inspector, and by him refused. A replevin issued delivered to Mr. Smith, by whom it was sent to Philadelphia. Afterwards the above warrants were issued against him for the purpose of recovering the penalty of \$20 for each hoghead, and the cases came up for trial on Thursday last at 4 P. M. The counsel for the plaintiff contended that the bark had been shipped for exportation contrary to the provisions of the inspection laws, and consequently forfeited, together with the penalties, for which the warrants were issued.

The counsel for the defendant contended. 1st. That the transfer of bark from one vessel to the other, as above stated, made no difference in this case; that the case should be considered precisely the same as if the bark had not been transferred, from one to the other, but continued in the same vessel in which it was originally shipped; and that, therefore, it had not been shipped in the port of Baltimore for exportation, contrary to the provisions of the act aforesaid.

2d. That if this was a case which came within the strict letter of the inspection law, the legislature of Maryland had no right, under the constitution of the United States, to pass such law, as it was a violation of the 8th and 10th sections of the 1st article of the constitution of the U. States, and therefore, void.

3d. That the act of 1821 ch. 77, under which the penalty was claimed, was so far a penal one, and should be strictly construed, and that it applied to the owner of the bark who shipped the same contrary to its provisions, and not a mere agent, such as the defendant was. The cases were held by the justice under consideration until yesterday (Monday) morning, when he rendered judgments of non-suit in each case.

Wm. J. Cole and John Scott, esqrs. for the plaintiff, and Wm. H. Collins, esq. for the defendant.

A somewhat uncommon case was tried last week at Lowell. It was an action of trespass, Montgomery, es. Parker, for taking and carrying away a letter put into the post office for plaintiff. It appeared in evidence that Parker took the letter, which was written by a lady, from the post office, broke the seal, and read its contents to another person, to prove an assertion he had made that the writer of the letter and the plaintiff "kept company." The letter was afterwards shown and read to two other persons by defendant.

The defendant's counsel insisted that the plaintiff ought to prove that the letter was a real letter, actually written by the signer to the plaintiff—but the court ruled otherwise. Counsel then contended that an action for trespass could not be maintained; the plaintiff never had possession of the letter, and it was not his property when taken from the office; that if the action were sustained, the damages should be small—it was not a case for smart money. The plaintiff's counsel contended that when a letter was written by one person, directed to another, and put into the post office for that person, the person to whom it was directed, was the owner, and entitled to the immediate possession, and might therefore maintain an action of trespass. It was a case for exemplary damages—the conduct of the defendant was flagitious.

The court decided that a letter is property, and the damages for taking it away may be estimated. An article devoted, set aside and marked off for a person and put in the way of conveyance is the property of the person to whom it is so devoted, &c. Possession follows ownership of personal property, if a man has the ownership, and is entitled to the immediate possession, he may maintain an action of trespass. This was a fit case for exemplary damages. Judgment for the plaintiff: damages \$15.

[Boston Transcript.]

The newspaper press in France. A correspondent of the National Intelligencer says that by the laws of France the proprietors of every newspaper are compelled by law to insert the reply of any individual who may have been named or attacked in their journal, (from the king down to the beggar), under a penalty of from fifty to five hundred francs, without prejudice to any damages to which the article may have given rise. This reply must be inserted in the number of the day which follows the receipt of it, and without charge, unless the reply be more than double the length of the original article; or, paragraph, in which case it must be paid for as an advertisement.

If such a law prevailed here, some papers, if the persons slandered should avoid themselves of their rights, would contain nothing for months but replies to their slanders. [Baltimore Patriot.]

CHRONICLE.

Intemperance and crime. Josiah Hussey, esq. of Nantucket, who has been a magistrate for many years, has published an article in reply to an inquiry, as to the proportion of crimes committed by drunkards, that have come under his cognizance during the last twenty years. He states, that from an examination of his docket, he feels warranted in saying, that about ninety male offenders out of a hundred were drunkards—and that among the females that have been brought before him for various crimes and offences, seven-eighths of them were grossly intemperate.

The beautiful steamship Natchez, built in Baltimore, for the New York and Natchez trade, was sold at auction in New York, on Friday, the 17th inst. for \$10,000. The purchaser was the only bidder, and he had a claim on her for more than three-times the amount she brought. Originally she cost over \$100,000.

Foreign engineer. The chevalier Francis de Guernsey is now on a visit in this country for the purpose of inspecting our internal improvements. The chevalier constructed the first rail road in Belgium, and after introducing that great improvement of the age into Russia, by the successful construction of the rail road from St. Petersburg to Moscow, arrived in the United States in November last. He has already passed over 2,000 miles of rail roads in the United States, and expects to pass over at least 1,000 more before returning to Europe.

A bill has passed both houses of the legislature of Pennsylvania, and received the signature of the governor, appropriating \$50,000 to the constructing of the Cross-cut canal, connecting the Pennsylvania and Erie canals at Conowingo, in the State of Ohio. This appropriation enables the company to complete the entire work by next spring, and thus open an artificial inland navigation, extending about 500 miles, through the states of Pennsylvania and Ohio.

A fire occurred at Port Gibson, (Miss.) on the 1st inst. which destroyed a large portion of that town. A letter to the editor of the New Orleans Louisianaian, says:

The loss of property is estimated at not less than seven hundred thousand dollars—by some persons to one million. Most of the principal merchants are utterly ruined. The court house was totally destroyed; and the whole of the principal business street, is nothing but a heap of ruins. The houses were principally built of brick. I have just returned from the scene of calamity, and I have been more moved by the sight of the calamity than at this. The citizens and the strangers in town were in the greatest agitation; some of the unfortunate inhabitants were frantic with loss. The circuit court of Claiborne county was in session last week, but this terrible calamity has caused the judge to adjourn the court, the records and papers to be removed from the burning court house being in too much confusion to be arranged easily for several days. It is to be hoped the sympathies of the whole country will be for the unhappy people of Port Gibson.

Manufacturers at Lowell. There are eight cotton manufactorys at Lowell, Miss. which turn out an aggregate of about a million and a quarter of yards of cloth weekly.

Large cocoonery. The New York Star states that the Messrs. Prince, at Flushing, have in their cocoonery, a million and a quarter of silk worms, now feeding. The number is sufficient to produce about 500 bushels of cocoons, and 100 lbs. of silk. They have also a large quantity of silk worms' eggs in their ice house, whose hatching is thus retarded for the purpose of producing successive crops.

The following resolutions were adopted by the whig members of the Connecticut legislature at its late session:

Resolved, That the confidence we have ever felt in the integrity, pure and talents of Henry Clay, is confirmed and strengthened by the daily history of his public life, as well as by the constant and increasing attachment of his fellow citizens throughout the United States.

Resolved, That of all the candidates proposed for the presidency of the United States, we prefer Henry Clay. But as we regard principle more than men, and our country more than our party, we will cheerfully unite in the support of the candidate who shall be nominated by our political friends in national convention.

The Delaware Journal states that the ship Jefferson, of Baltimore, has been purchased by the Wilmington whaling company, and is to be immediately employed in the whaling business. This is the fifth vessel owned by this company. Two of their ships, recently arrived with full cargoes, are now getting ready to depart on another cruise.

A correspondent of the Savannah Republican makes the following statement of the distances and changes on the route of travel between that city and New York:

Table with columns: Distances, Passage, and amounts for routes from Savannah to Charleston, Wilmington, Weldon, Pottsmouth, Baltimore, Philadelphia, and New York.

General Washington's teeth. A few days since an engraved profile was shown to us, under which were these words: "John Greenwood, dentist to his excellency George Washington." This led to further inquiries, when we were informed that Gen. Washington, in the latter part of his life, wore a complete set of artificial teeth, on both jaws, which were manufactured by this Mr. Greenwood who then resided in the city of New York. Washington usually had two sets on hand, in order to meet any sudden emergency, in case those in use were broken. A letter is extant in that it might be prepared to speak before the ensuing congress. The last tooth, which was extracted from the general, being carefully preserved came ultimately into the possession of the son of Mr. Greenwood, also an eminent dentist of New York, who had it secured very choicely in a gold set, many years ago, and which is still kept, and believed to be the only organic relic, not extant, of the great and good man.

Parisian embassy. The Madisonian learns that Mr. L. O'Sullivan, of the United States Magazine and Democratic Review, has been nominated to the secretaryship of the legation at Paris, and only awaits the approbation of governor Cass, our minister there, for the consummation of the appointment. Mr. O'Sullivan is a gentleman of fine talents and will prove a valuable member of the embassy.

Fatal accident. Yesterday evening, a man apparently intoxicated, fell over a fence, directly over a rail of the Southwark rail road; a car full of passengers passing over his neck separated the unfortunate man's head from his shoulders. This is another sad example for those who unduly use intoxicating drinks.

(Philadelphia Herald.)

Great gang of coiners arrested. The United States marshal has, through the aid of several of our most vigilant police officers, succeeded in capturing two of a desperate gang of coiners, with also a large quantity of the base coins, with dies, moulds, &c.

(N. Y. Courier.)

The French papers have a good deal to say of a Mr. Taborie, who has discovered a mode of reviving the human voice, by making their owners better condensed air. He is busily employed in restoring to the stage some celebrated singers, whose voices have absconded!

D. J. McCord, esq. a gentleman whose talents and legal knowledge and experience are well known to the state, has been appointed by the governor to compile and digest the statutes of South Carolina, in place of Dr. Cooper, deceased.

(Columbia (S. C.) Telescope.)

The Vicksburg Sentinel announces the failure of the house of Bennet, Forriades, and Co. of that city, for upwards of a million of dollars.

Light houses lighted with gas. The light house at Balls Bluff, in Chateaugue county, N. York, is lighted by natural gas, which escapes from fissures in the rocks near the shore. The supply is a never failing one and no light equals it in power. A rude reservoir has been erected over one of the fissures in the rock, by which the gas is conveyed in pipes to the light house. The Buffalovertiser remarks that the light gas is of a nature similar to that found in Portland or Barcelona, in the neighborhood of Erdunna, a few miles from Barcelona, and that the supply obtained from them has been used for lighting that flourishing village; but few have any knowledge of the fact above mentioned. It is certainly curious that gas of so pure a quality should issue from the earth in such quantities, and for such a length of time.

Troubles ahead. The annexed letter which we copy from the Sandwich Island Gazette, shows that the English mean to establish themselves permanently in the Oregon territory. The forts which they are building, ostensibly to defend themselves against the Indians, will in due time be employed against Americans:

Extract of a letter from a friend of Columbia river: "The company expect to build a fort on Vancouver's island this summer, for the raising of furs, cattle and sheep. There are extensive plains on the south east side of the island, well calculated for pasturage. They have already about one thousand sheep at the head of Pagets Sound, also on the Cowitch and Will-a-mett (two branches of the Columbia) they have large herds of cattle. In a few years they anticipate they will import annually to England, cargoes of furs, cattle and wool. The two Catholic priests who came out this year are to be established on the Lawlich to enlighten the rising generation."

Horse thieves, in some states, fare worse than murderers. In Petersburg, Va. a fellow, who stole a horse and saddle, was sentenced to the penitentiary for life. The general synod of the Reformed Dutch church, at their late session in Philadelphia, passed resolutions with great unanimity, in favor of the colonization society.

Fire. The Planter's Hotel, with all the outbuildings, situated at the corner of Broadway and Broadway, was destroyed by fire on the morning of the 18th inst. One or two small buildings on the opposite side of the street were also destroyed. All the property burned, except one small and unimportant building, belonging to Samuel Hale, esq. The loss is estimated at \$25,000, on which there is insurance as follows: The Gloucester insurance company, \$8,000; Hartford insurance company, \$7,000; Phoenix office, London, \$5,000. Among the

travellers staying at the hotel was Mr. Buckingham, the oriental traveller, his wife and son,—probably all of his valuable manuscripts were saved from the flames.

Army movements. The steamboat Charleston arrived at Savannah on Friday the 21st inst. from Gregory's Ferry, with the following officers on board: Major B. Bennett, raymaster, U. S. A. Capt. Bryant, 2d dragons and family; also, Lieut. Ker, Graham and Arnold, of the same regiment—Lieut. Metcalf, ordnance, and Dr. Lamb, a surgeon, U. S. A. with two companies of the 2d dragons.

All of the officers before named, proceed, with the dragons, for Florida, excepting Major Bennett and Dr. Bennett, who return to Florida in a few days.

Two companies of the 2d regiment of dragons, (E and C) arrived at Fort Columbus, (New York harbor), from Florida, on Sunday last, in the brig Mary Bernard, under the command of Lieut. H. W. Merrill and Z. P. Inge.

The price of wheat was nine shillings per bushel in the city yesterday, and still on the decline.

(Rocheater Democrat, June 22.)

The last of the Huguenots. Died at Charleston, South Carolina, on the 17th inst. Mr. Stephen Thomas in the 89th year of his age. Mr. T. was a native of St. Germain, France, who came to America on the 19th of August, A. D. 1750, and fled with an elder maiden sister to London, in 1764, to join the rev. Mr. Gibert, who with his congregation had also been compelled to seek an asylum from the persecutions which they endured in their native land. This congregation of exiles consisted of nearly one hundred persons; and when the remainder of the British fleet in safety on the 12th of April, 1764, where the subject of this notice has ever since resided. At an early period of the revolutionary struggle, Mr. T. returned to his native country on business, where he suffered a painful detention from his family for about three years. On his return, he was captured by the British fleet in the Chesapeake, and he remained some time a prisoner. At length, being exchanged he returned to Charleston, and immediately joined the troops in defence of his adopted country, was at the battle of Fort Mifflin, and afterwards was with general Marion to the close of the war.

(Observer.)

New invention. A surgeon of Guernsey, Mr. Le Mesurier, has recently invented a new pump for slips and mines, on a principle infinitely superior, for all practical purposes, to any yet discovered. In this pump the piston is dispensed with, and a vacuum is produced by means of an air-tight rubber stretched over the top of the cylinder. Some of its peculiarities are the total absence of friction, the impossibility of getting choked by sand, wheat or even small stones, and a capability in a small sized one worked by one man, of delivering a hoghead of water in a minute and a half. Mr. Le Mesurier has been offered three thousand pounds for the patent.

Interest of Russia in American steam navigation. It is stated in the Pittsburg Gazette, that captain Pepin, who, in conjunction with lieutenant Sharonben, took the Russian naval engineer service, is invited to visit the United States, in order to make themselves acquainted with the steam navigation on those waters—has reached that city in the prosecution of the duty confided to him. Among other matters which engaged his attention at Pittsburg was the U. S. snag boat, for the removal of snags from the rivers, of which he has made a drawing, with an explanation on rings. Some of his peculiarities are the Don and Volga, and other Russian rivers.

J. Fenimore Cooper. In the last Cooperstown, (Ontario county), Republican, there is a paragraph which states that the grand jury of that county had just found bills for libel, at the instigation of Mr. Cooper, against Mr. Webb, editor of the Courier and Enquirer; Mr. Weed, editor of the Albany Evening Journal; and Mr. Fellet, editor of the Chateaugue Telegraph.

Curious case. When Dr. Theller, the patriot, was taken prisoner near Malden, by the British, he was taken money and a watch about him to the value of \$55. Of this, according to the practice of war, he was immediately robbed by the captors. Dr. Reynolds, of Malden, was one of the capturing party, and he happening to be in Detroit, was arrested at the suit of Theller for the debt. The case has since been tried before a justice at Detroit, and the jury returned a verdict in favor of Dr. Theller, for \$25 and a good deal more than that, as the money was by order of his commanding officer.

We understand that seventy-five men and girls arrived in this town last week from Liverpool, to be employed in the factories at Chicopee.

(Springfield Mass. Repub.)

Vigorous old age. Says the Salem Gazette, Capt Benjamin Webber, of Gloucester, a veteran of the revolution, now 84 years old, started from home about 1 o'clock in the morning, on foot, walked to Salem, a distance of about 15 miles, and took the 10 o'clock train of cars for Boston. After walking a good deal, he then took the afternoon cars for Salem. On arriving at Salem, he resumed his homeward walk, and arrived within a few miles of his residence, when he was taken up by the Gloucester stage, and carried the rest of the way. All this was accomplished in less than two hours, and the veteran had walked more than thirty miles, and travelled on the rail road about the same distance.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 19.—VOL. VI.]

BALTIMORE, JULY 6, 1839.

[VOL. LVI.—WHOLE No. 1,449.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WM. OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

TREASURY NOTES. *Treasury department, July 1, 1839.* The whole amount of treasury notes authorized by the act of October 12, 1837, has been issued, viz: \$10,000,000 00

Of that issue there has been redeemed as ascertained and estimated the sum of 9,576,442 00

Leaving outstanding of the first issue \$423,558 00

In lieu of those redeemed there has been issued under act of 21st May, 1838 \$5,709,810 01

Of that issue there has been redeemed as ascertained and estimated the sum of 4,532,101 44

Leaving outstanding of the second issue the sum of 1,177,708 57

Aggregate of first and second issues outstanding 1,601,266 57

The issues under the provisions of the act of the 2d of March, 1839, amount to 3,857,276 21

Making the aggregate outstanding \$5,458,542 78
LEVI WOODBURY, *sec. of the treasury.*

FLORIDA. *From the Army and Navy Chronicle.* Judging from the tone of the newspapers in that territory, we should be induced to suppose that a great degree of excitement existed with respect to the late pacification of the Indians; but other accounts both oral and written, give a contrary impression, and represent that the excitement is confined to those who are interested in continuing the war, or for some cause desire the total expulsion of the Indians.

Among the latest and most positive testimony that we have seen, of the peaceable intentions of the Indians, and of the satisfaction of the inhabitants at the conclusion of hostilities, is contained in a letter written to major general Macomb by colonels Warren and Mills, who commanded each a regiment of Florida militia, have traversed the whole territory, and are familiar with the views and feelings of the citizens. This letter is so much to the point, that we requested and have obtained a copy for publication.

Jacksonville, Florida, June 15, 1839.

General: You will no doubt have been somewhat surprised at seeing by the papers of St. Augustine and Tallahassee, that great excitement is stated by them to prevail in the country, in consequence of the treaty or provisional agreement entered into by you with the Indians. You may be assured that this feeling exists no where in the country. The nerve and sinews of the counties of Alachua, Columbia, Duval and Nassau, who have suffered so much by this war, most readily agreed long since that the expulsion of the Indians by an armed force was a matter to be terminated some twenty years hence; and having suffered such great losses of property, as well as of life, particularly for the last year, hail with great satisfaction the present arrangement, as affording the only probable assurance of peace and quiet.

Those persons who are so loud in their denunciations, are for the most part men who have never been through the country at all, and are therefore unacquainted with the nature of the country or of the enemy to be contended with. It will readily be admitted that it would be much better to have the Indians removed; but if that object cannot be effected without such immense sacrifices, we say peace is actually indispensable.

If they will keep to the limits assigned them, there will be no difficulty between the citizens and them; and if, at any future time, the government desire to remove them, it can much more readily be effected after all angry feelings shall have subsided, and when the country bordering the limits assigned them will be settled up. With sentiments of high respect, we are, general, your most obedient servants,

JOHN WARREN,
W. J. MILLS.

Maj. gen. A. Macomb, commanding U. S. army.
VOL. VI.—SRO. 19.

Garry's Ferry, E. F. June 18th, 1839.

Since my last, nothing of interest has transpired. Indians, wandering in all directions, are daily met by the expresses that constantly pass between this depot and the numerous posts north of the Withlacoochee, and seem peacefully inclined.

It has doubtless been suggested to your mind on perusing general Macomb's "order" of the 18th of May, announcing the termination of hostilities, that his arrangement is a tacit but free avowal of the fraudulence of the Payne's Landing treaty, which produced this atrocious and expensive war. A favorite system of policy of general Cass, while administering the affairs of the Indian department was to consummate all his treaties by force. I will instance the present case. He invested a commissioner with restrictive powers to negotiate with the Seminoles; and the ingenious architect of flimsy fabrications—such as Cass's Indian treaties—met and acquainted them of his being sent by the president to buy their lands if they would go west. They answered "no; we prefer remaining where we are."

"That won't do," said the colonel, "general Jackson's *proviso* is this land, and you must go west; here's the land he will give you in exchange." The negro interpreters being bribed with a promise of two hundred dollars each, had no difficulty in getting the Indians after they had been plied with whiskey to drunkenness, to yield their assent to the thing called treaty, and a deputation was hustled off to examine the western lands. Misrepresentation again took place, and the Indians signified their approbation of what they did not comprehend; the agents construed it into a ratification of a treaty, which the Indians have constantly declared was forced upon them. A war ensued. Twenty or more millions are expended; and the commanding general of the army finally sues for peace, and yields to his victors as much or more land than the Payne's Landing treaty contemplated defrauding them of? Another part of the general's order is worthy of comment. Instead of interdicting intercourse of whatever character, except by regularly constituted agents, and otherwise making it a penal offence, the general authorizes the commanding officers of posts to grant permission to whomsoever they may think proper. And for what? Who has business there unless they be agents of government? And do they require any other permission than the warrant of the president, which they carry in their pockets? But here's the evil. Officers having authority to grant or deny permission to applicants, unpopularity, nay, proscription is the lot of him who refuses; because none but the president's friends, for whose especial benefit the war was got up, seek intercourse from mercenary views, and to oppose them would be the *warranto mori*. The same evil exists in the present army regulation.—by the by, also got up by the general. If one officer exercises that judicious authority conferred by law, and prohibits the sullen crediting his (the officer's) company for more each month than one half their monthly pay, whilst another, less regardless of the interests or happiness of his men, permits the sutler to take all their pay—the former will be inevitably sacrificed to gratify the vengeance of the sutler, (who of course is a loco loco), and the latter officer renders himself the more popular. This frequently occurs.

The boat on the verge of departure, and the quartermaster's cry "be off captain," admonishes me to close for the present, with the promise of further views by next boat.

We copy the following from the Tallahassee *Flo-ridian* of the 22d ult.

The extract of a letter from Mr. Poinsett to a citizen of this territory, affords satisfactory evidence that the government have resolved that under no circumstances shall the Seminoles be suffered to remain permanently in Florida. The Washington *Metropolis*, a paper supposed to be in the confidence lately of this territory, confirms this determination of the executive, by information derived from "undoubted authority." So far so good. We learn governor Call has not been officially informed of the views of the government since gen. Macomb's arrangement.

Sir: I take the liberty of requesting the publication of the enclosed extract from a letter from the secretary at war, which places the arrangement made by Macomb in its true light. It clearly shows

(that the administration have no idea of substituting the armistice made by gen. Macomb for the treaty of Payne's Landing:

"We must expect hostilities to be partially continued for a short period after an armistice; but, I am of opinion that the arrangement made by gen. Macomb will lead to the pacification of the country and enable me to remove the Indians from the territory much sooner than can be done by force."

(Signed) J. R. POINSETT.

ARMY MOVEMENTS. The steamboat Charleston arrived at Savannah on Friday, from Garry's Ferry, with the following officers on board:

Major R. Bennet, paymaster, United States army; captain Bryant, 2d dragoons, and family; also, lieuts. Ker, Graham and Arnold, of the same regiment; Lieut. Metcalf, ordnance, and Dr. Lamb, a surgeon, U. S. army, with two companies of the 2d dragoons.

All of the officers before named proceed, with the dragoons, for New York, excepting major Bennet and lieut. Metcalf, who return to Florida in a few days.

THE COURT MARTIAL for the trial of Major Grant, organized at St. Louis, on Saturday the 15th June, at the Union Hotel. No business of importance was transacted.

The court is composed of the following gentlemen, all of whom were present:

- 1 Lt. brig. gen. J. E. Wool, inspector gen.
- 2 Lt. brig. gen. W. K. Armstrong, col. 3d artillery.
- 3 Lt. col. J. B. Walbach, lieut. col. 1st art.
- 4 Col. G. Croghan, inspector general.
- 5 Col. S. W. Kearney, 1st dragoons.
- 6 Lt. col. W. S. Foster, lt. col. 4th infantry.
- 7 Col. T. Cross, assistant quar. master gen.
- 8 Maj. H. K. Craig, ordnance.
- 9 Major M. M. Payne, 2d artillery.
- 10 Major H. Bache, topographical engr.
- 11 Lt. major Levi W. Miting, 4th artillery.
- 12 Major J. E. Taylor, commissary of subs.
- 13 Captain D. H. Vinton, ass't. q. master.
- Capt W. C. DeHart, 2d artillery, judge adv.

BRANDON BANK. A respectable gentleman of this city, who has recently returned from a visit to Brandon, assures us that he was informed by the officers of the bank at that place, that they will, without doubt, redeem their issues by paying one-third the amount by the 1st of July next, giving post notes with 5 per cent. interest for the balance; and by the 1st of August they will resume entirely. The bank has recently received all her account sales of 52,000 bales from Humphreys & Biddle, through the house of Hobson & Gouch, of this city, and is also ready to draw on 8,000 bales of last year's advances a part of which were sold in New Orleans, and 7,000 bales which were sold in New York from Washington's press, Vicksburg, making in the whole 68,000 bales, which will probably average forty dollars per bale, making 2,400,000 dollars. The bank has only drawn for 1,200,000 dollars of which she has used but about 900,000 dollars.

If this statement be correct, and we have no reason to doubt it, we expect to see the Brandon bank come out all right after all. [*N. Orleans Pic.*]

SAFETY FUND BANK NOTES. By the following letter copied from the *Argus* of yesterday, it appears that the three banks in this city, which agreed to redeem the bills of the country safety fund banks, have given notice that such agreement shall cease "from and after the 27th of July next." This, we hesitate not to say, is a very judicious step on the part of the banks in this city; and we believe also that the country banks will be equally benefited. Unless some such arrangement is made as exists with the banks in Boston, the country banks will find their interests best promoted by making individual arrangements in this city for the redemption of their bills, or not, as they shall deem best.

New York, 26th June, 1839.

Sir: On the 18th of May last, the Bank of the State of New York, the Merchants' Exchange Bank and the Leather Manufacturers' Bank, renewed the arrangement with the western banks, until the first of August, 1840—either party having

the privilege of discontinuing the arrangement, at any time prior to that date, after 30 days notice to that effect.

In the published report of the committee on behalf of the western banks, it is truly stated that the amount of safety fund bank notes, which had appeared for several weeks previous, had been so much larger than was anticipated, that the city banks had entered into the renewal of the arrangement with some reluctance, but the committee on behalf of the western banks, so strongly expressed an opinion that the pressure would cease after a few weeks, and knowing that last year, the influx of country bank notes greatly decreased about the first of June—and referring also to the right of ending the arrangement by giving 30 days notice, the city banks were induced to agree to the renewal.

The city banks were also greatly influenced in continuing the business, by a reluctance to break up an arrangement which was believed to be a great public convenience, and which had a tendency to give general confidence.

Since the 15th of May, however, the expectations then entertained, in relation to a diminished amount to be received, have not been realized; for, on the evening of Saturday the 22d inst, the Bank of the State of New York alone held the notes of the country banks to the amount of \$1,788,002.—Another week commenced on Monday, when it took in \$74,190; and on Tuesday \$103,924, with a prospect that, by Saturday evening next, the bank will again hold more than \$1,500,000.

Without, therefore, adverting to any other causes, the three city banks have come to the conclusion, that they have not the means to do justice to their city dealers and continue the arrangement.

☞ The three city banks accordingly hereby give notice, that from and after the 27th day of July next, they will cease taking the notes of the country banks under the arrangement made in May 1838, and renewed on the 18th of May, of this year. Very respectfully,

C. W. LAWRENCE, *president*.
R. WITHERS, *cashier*.
W. M. VERMILYE, *cashier*.
F. C. TUCKER, *president*.

THE PHILADELPHIA LOAN COMPANY. The Ledger states that the expected report of the committee was made to the meeting of creditors on Friday afternoon. The debts due by the company consist of \$310,000 of certificates, \$50,000 deposits, and \$1,000 issue of small notes. The assets are stated at \$280,000, details not mentioned. During the three years of its existence, the bad debts have been \$135,000, and doubtful \$30,000. The stock of the company is \$500,000, of which \$330,000 is pledged on stock notes, and \$50,000 forfeited and purchased by the company, making the actual stock paid, \$70,000. The committee recommended a rescission.

DYOTT'S MANUAL LABOR BANK. *The mayor's decision.* Jacob Ridgway, Daniel Mann and Thos W. Dyott, jr. appeared on Wednesday morning before the mayor, at 11 o'clock, when his honor delivered, in substance, the following opinion relative to certain charges preferred against them. We commend it to attention as a proper and dispassionate view of the position in which the defendants are placed, without any testimony having been heard in their favor:

"This is a case of conspiracy, in which certain individuals are charged with colluding together to do an unlawful act.

"It is one of deep interest to the parties concerned, and highly important to the community. I need not here remind the parties that this is only an examination by the mayor, in order to decide if there be probable cause for a judicial investigation; but it may be proper to suggest to others, who have heard so much testimony given here and spread before the public, that this is an *ex parte* examination, in which all the testimony is heard against the defendants, and none in their favor; and although it may be the duty of a magistrate to bind over, a judicial tribunal may entirely acquit. It is unjust, then, to form an opinion unfavorable to these parties, some of whom have for many years been among the most respectable of our community.

"From the partial nature of our examination, it must fall heavily on the defendants. Let us, then, forbear hastily to condemn any one. The duty of the magistrate is to hear the testimony, and if he is satisfied there is cause to bind over, he must do so. After carefully considering the testimony in the case, I am of opinion that there is cause to bind over the defendants.

"I therefore direct that Thomas W. Dyott, and Jacob Ridgway, and T. W. Dyott and Daniel Mann

be bound over to the next court of criminal sessions, on a charge of conspiracy to defraud, in the sum of \$5,000 each. T. W. Dyott is already in custody; J. B. & C. W. Dyott have not appeared before me. There does not appear to be any testimony to authorize the binding over of Thomas W. Dyott, jr. and Jacob Ridgway.

"Much has been said during the examination relative to Stephen Simpson, a witness for the prosecution, and of his connexion with T. W. Dyott. I have not been able to remove the impression from my mind that he has been an active agent in the transactions of the Manual Labor bank from its very commencement. I therefore hold Stephen Simpson to bail in the sum of \$1,000, to the next court of criminal sessions, on a charge of conspiracy with Dr. Dyott."

Daniel Mann and Stephen Simpson gave bail; Jacob Ridgway refused to give bail, and surrendered himself into the custody of the high constable, and applied to the court of common pleas for a writ of habeas corpus, which was granted. The writ was made returnable on Wednesday next, and in the mean time, Judge Randall held Mr. Ridgway to bail in the required sum of \$5,000 for his appearance. By this proceeding, his whole case will have to undergo another examination, the object in view being the final discharge of the defendant, as his counsel assume that sufficient cause has not been shown authorising his being bound over on the charge alleged against him.

[*Phil. Nol. Gaz.*]

MISSOURI IRON MOUNTAIN. The St. Louis Bulletin of the 19th June says that the Iron Mountain rail road company has succeeded in disposing of \$600,000 of their stock in New York, to Messrs. Rothschilds, through the agency of Mr. Seshel, and that general Jones leaves immediately for Europe to complete the engagement and receive the money. It is added "that the Rothschilds expressed themselves gratified with the charter, and were anxious to obtain the whole amount of the stock; and have likewise offered the company as much money as they required to carry on the operations, at 5 per cent. per annum. Two extensive manufacturers in New York, and one from New York, and the other from Baltimore, are now on their way to the mountain for the purpose of examination."

MISSOURI RIVER. The Globe states that information has been received at the engineer department from the superintendent of the improvement of the Missouri river, that the steam snag boat Heliopolis had worked 250 miles up from the mouth, and removed all the most dangerous snags from the main channel. The river is represented as being much changed in its appearance, and the navigation so much improved, that up to the point reached by the snag boat, steamers are now enabled to run in the night, which was not attempted by any of them previous to the commencement of the work.

SILK FARM IN PENNSYLVANIA. The Danville Reporter announces the arrival there of Mr. Morris Pollock, the enterprising proprietor of the Glovan Silk factory, near Glasgow in Scotland. As already understood by our readers, he proposes to establish a silk farm near Danville, on which he expects to raise \$150,000 worth of the raw material annually to supply his establishment in Scotland. The Danville Reporter says that he intends to commence operations immediately. The superintendent of the establishment, and several hands just from the "old country," were "upon the ground." Mr. P. brought with him several species of the mulberry. He also brought over many of the finest varieties of the *grapes*, and designs to test the adaptation of the soil and climate about Danville to the growth of the vine. We predict that he will find both admirably suited.

[*Richmond Compiler.*]

THE NAVAL SCHOOL for boys at Brooklyn is said to be fulfilling the highest expectation of its friends. The discipline and instruction is such as to inspire the pupils with a high self-respect, while they are instructed in all the branches of science and art, which pertain to good seamanship. The United States sloop of war, St. Louis, captain Franck Forrest, now ready for a cruise to the Pacific, has been rigged entirely by the apprentice boys, under the direction of captain H. W. Odgen, of the Hudson frigate, and the 1st lieutenant J. Harding Marshall. It is said that the blocks are strappd, and the rigging set up in a style worthy of old tars.

There are about 100,000 seamen in the United States, and of this number a great majority are foreigners. The plan of school ships, if carried out, would probably train up an adequate body of American seamen.

NEWFOUNDLAND. A disagreement between the governor and the legislature, on a question of privilege, has led to the prorogation of the latter, until the home government could determine the point.—

The case is this: the clerk of the assembly being absent, the governor commissioned a Mr. H. W. Hyles as acting clerk. The assembly looked upon this as an invasion—and so it would seem to be—of their rights; and immediately appointed Mr. W. Dillon, who took his seat at the table. Thereupon, the governor prorogued the assembly.

UPPER CANADA. The Toronto Examiner alleges that constant emigration is going on from Upper Canada to the United States, owing to "tory persecution," and the uncertain condition of the province. There is no doubt, we apprehend, that the attempts at revolution have paralysed all undertakings, and materially injured the country. Revolutions are not playthings—and least of all, such revolutions as that attempted in the Canadas, where, after stimulating the unthinking and excitable into open revolt, the ring-leaders, almost without exception, fled to our borders, leaving their deluded and more sincere followers to bear the penalty of the whole offence.

CONSUL TRUST. This eminent personage ought not to write letters; or if he does he should enjoin his friends not to publish them, here is an extract from one of his effusions, which some very injudicious crows has communicated to one of the New Orleans papers.

"With regard to the newspapers, the only concern they give me is through my friends. As for the thing itself, and its direct bearing upon me, they might howl or bray ad libitum from one end of the year to the other, and the subject would be one of just as much interest to me as the croaking of the crows in any given marais of Louisiana, 1,000 miles off.

"But my friends and the public are entitled to hear some truth in the midst of all this lying, and they shall have it, but they must be patient. My friends must rest satisfied with the assurance which I give them, that they could not wish for me a prouder distinction than that which awaits me. If you were to set your imagination to work to devise all the shapes which falsehood could assume toward a man in my position, you would not count up half the heads of the hydra now hissing at me, and which it has been given me to exterminate. I wish you could see, were it ever so partially, the club that I have got.

"I have a number of issues to make before the American people, and those who have compelled me to make them, will be sicker of the undertaking than ever they were of any in their lives before."

If the consul is going to do such wonders with his club, we wish he would set about it. He brags fiercely—we would like to see how his performance will match.

[*New York Com. Adv.*]

THE LATE ELECTION IN PENNSYLVANIA. A correspondent wishes to know what was the real vote for governor, and upon the question of the amended constitution, at the October election.—The subjoined are the returns, as reported to the senate a few weeks since, by a committee appointed for the purpose of examining well the subject, and adopted and placed on the journals of that body as the true and complete vote. They include all the districts which had been omitted or rejected in the first returns.

Governor—Porter, 133,550; Ritner, 126,629; majority for Porter, 7,521.

Amendments—For amendments, 119,228; against amendments—116,076; majority for amendments, 3,152.

MORMON MEETING. Agreeably to public notice, a meeting was held in the college chapel last evening, which was opened by a few remarks from a gentleman accompanying Mr. Greene; after which Mr. Greene gave a statement of the early settlement of the Mormons in Missouri, and a history of their persecution, which has hardly a parallel even in the persecution of the primitive Christians. They were ruthlessly driven from their homes, their property destroyed, the women and children forced into the woods without any shelter from the inclemency of the weather, (it being the month of January) where they roamed about till their feet became so sore that their enemies tracked them by foot-prints of blood. The men were in many instances cruelly murdered. On one occasion the mob attacked a smith-shop, into which nine of the Mormons and two boys had taken refuge; it being a log house, the mob fired between the logs, and killed every one of the nine men; then

tered and dragged the two boys from under the floor who begged for mercy in most piteous wails, one of the miscreants applying his rifle to the ear of the youngest, (who was but nine years old) said, "my lad, we have no time to quarter you, but we will halve you," and immediately shot away the whole upper portion of his head. The other boy was severely wounded in the hip, but had the presence of mind to fall and remain quiet, and so escaped: he is still living, and is at Quincy, Ill.—Speaking of the massacre he said, "they had killed my father and brother, and I was afraid if I moved they would kill me too." To cap the climax, the sailors plundered the dead bodies of their clothes.

In another instance, a part of the mob pursued an aged man, who, finding he could not escape, knelt, and raising his hands to heaven, begged for mercy; the reply he received was a shot from a rifle, which he fell mortally wounded; he still besought them to spare him, when one of the party picked up a whip, or sickle, and literally hacked him to pieces as he lay on the ground. This man assisted in the achievement of our liberties in the revolutionary war. Mr. Green's narrative contained many such instances, and was indeed a tale of woe and suffering, at which the heart sickens.

On motion, a chairman and secretary were appointed, and resolutions passed condemning the conduct of the executive of Missouri; appointing a committee to prepare a statement of the treatment received by this distressed people, and recommending them to the favorable notice of the people of Cincinnati. [*Cincinnati Daily News, June 18.*]

BREAKING UP OF THE SLAVE TRADE. In conversation with captain McDonald of the brig North, that arrived at this port from the coast of Africa, we learn that thirty-one slave vessels had been captured, carried into Sierra Leone, and condemned between the first of January and the first of April last; that the British cruisers had also landed men and broke up several slave establishments on shore, particularly on the island of Boobala, a place so called by Portuguese.

Captain McDonald also states that the commander of the British brig of war Partage, told him in conversation that they had fallen in with several vessels which had the appearance of being slaves, but having American colors and papers, furnished the consul at Havana, he had to let them pass, and afterwards fell in with them, and captured them with slaves on board, that being proof positive of their true character.

More slave vessels had been captured lately between the river Gambia and Sierra Leone, than at any given time before; that part of the coast being near to the British settlement, and one of the principal rendezvous for men of war, that they did not think it required watching so closely, and whereby thousands of slaves were let slip, most of which would have been retaken and liberated, had they been aware of the extent to which the traffic had been carried on, almost under their own eyes.

Captain McDonald further states that the brig Transit of New York, in passing down the river Amazon, had been boarded by the people of one of the kings of that country, and robbed of a considerable amount of property, and one man killed belonging to the ship, before they surrendered. The property had, however, afterwards been all restored in their being told that an American man of war was lying in the Gambia and would be in the Nooeez in a few days, and destroy their town, which was very close to the shore, if it were not restored. No American man of war was there, however, for an American man of war seldom goes on the coast of Africa, and never for the protection of our trade, which is highly important and merits attention.—The reason the king gave the supercargo of the ship for robbing her, was that they had sold powder to his enemies up the river, with whom he was at war, and which enabled them to invade his dominions, and make slaves of his people.

[*Baltimore Republican, July 1st.*]

EXPEDITION TO LIBERIA. The ship *Saluda*, captain Waters, just returned from Liberia, will be despatched again for that colony about the 1st of August. She will sail from Norfolk, and it is desirable that all emigrants who are to take passage there should be got ready who are to take passage as possible. The pilot ready who are to take passage are solicited to aid these emigrants in making their preparations, and in reaching the place at which they are to embark.

Editors in Virginia and North Carolina friendly to the cause of African colonization, are respectfully requested to forward this notice with an early insertion. S. WILKESON, Gen. agent Am. col. society.

BREAD. There is a general and well founded complaint that the loaves of bread made by the bakers of this city, are as small and as dear as they were when flour was nearly double its present price. This is a serious evil, but we doubt whether the passage of new laws or the revival of old ones, to regulate the bakers, as called for by some of the newspapers, is the proper and effectual remedy.—We might just as well fix the cost of shoes by law when leather is selling at a certain price, or do the same in regard to coats, according to the market price of cloth. Laws in such matters do nothing but mischief, and in the end injure instead of benefiting the consumer. The remedy is to be found in competition. Let it be understood that the baker who furnishes good bread at reasonable rates, will receive a large and steady patronage, and loaves will soon grow in size. The young bakers, who either wish to set up business for themselves, or are anxious to obtain more extensive custom, have now a glorious opportunity of reaping a harvest which will be lasting. Let them advertise their willingness to furnish loaves in due proportion to the price of flour, leaving themselves a reasonable profit—let them make their bread of proper quality of flour, and continue to do so, and their success is certain. If they hold back, persons more enterprising will come from other places and secure the prize which they neglect.

It appears that flour is selling in this city at little over six dollars a barrel, and the loaves are about the same in size, price, and remaining stationary, as when flour sold for \$3 per barrel, a remaining stationary to those who have disposed to avail themselves of it; for even if they compel their brethren to follow their example, still they gain a business which will remain with them. Here are the business inducements, and in business it is as idle in itself, as it is erroneous in the philosophy of the thing, to hold out other reasons for pursuing a new course. Some of our cotemporaries ask for cheap bread on the score of charity to the poorer portions of the public. If this be a sound principle, which would in the end destroy every business subjected to it, why not whine to the butcher, the tailor, the hatter, the grocer, the shoemaker, to reduce prices on the score of benevolence—why not appeal to the philanthropy of the coal dealer for cheap coals—to the tender heartedness of the wollen merchant for cheap blankets—why not pass laws to regulate the business for them? Because we know better, but it is sometimes forgotten that the better does not form an exemption from the free action of trade, and in bread as in other matters of necessity, high prices, though grinding enough at the present time, are very often blessing instead of an evil, for they cause us to be economical in seasons of scarcity, and prevent a return of such periods by stimulating production; so that the evil of legal intermeddling is apparent. When prices are kept up without true cause, competition must be relied on to bring them down. If it should be known as a fact that more bakers are wanted in Philadelphia, we shall soon have them, and if bread brings more than a proper profit, the new bakers will soon reduce it, if the old ones are determinedly leagued together. Our people are ready enough to rush into any business which promises fairly. [*Pennsylvaniaan.*]

LAW CASES. *New York court of common pleas.* Judge Ulshoeffer, presiding. *James Watson Webb vs. Joseph F. Atwell.* This was an action to recover the amount of a bill for advertising in the *Courier and Enquirer.* It appeared that the defendant had been a yearly advertiser with the *Courier*, prior to July 1836, when he ceased to advertise by the year. In the course of the year 1838, several advertisements of the defendant's were sent to the *Courier* office, and published in that paper, and the present action was brought to recover the amount.

The defence set up was that the defendant had not sent these advertisements to the *Courier.* From the evidence it appeared that the defendant intended that these advertisements should be sent to another paper, and that they were sent to the *Courier* through the mistake of some person in defendant's employment. It was contended by counsel for defendant that even if he was liable to pay for the advertisements, he should be only charged the same price he would have had to pay as a yearly subscriber, and not the price charged him, which was at the same rate as was charged for casual advertisements.

The court charged the jury. It appears when these advertisements were published, the defendant was a yearly advertiser with the *Commercial Advertiser*, and the advertisements were left at the *Courier* office in mistake. Nevertheless, the plaintiff is entitled to be paid the same sum as he would

from any other persons who sent advertisements to his office.

The plaintiff is not to be responsible for the mistakes of the defendant's servant, or on that account to suffer loss.

If there were two prices for advertising, you ought perhaps in the present instance to allow the plaintiff only the lower price, as the case occurred from accident. But there is no ground for such a question, except that yearly advertisers pay less than the rate charged the defendant. But the defendant had for more than a year discounted his advertisements, and therefore these advertisements can only be considered as casual advertisements, subject to the same prices as are charged in such cases. I have no doubt that the defendant is acting in perfect good faith, under the impression that he ought not to pay this debt, as he had not knowingly incurred it. He is nevertheless liable to pay the same as any one else would, who had sent the advertisements to the plaintiff's for publication.

Verdict for the plaintiff, \$54 15, being the amount claimed.

Magdalena Bell vs. the mayor, alderman, &c. of the city of New York. An incorrect statement of the above case having appeared in some of the daily papers, the following brief account of the proceedings in it, and the result, may not be uninteresting, and may be relied on as entirely accurate.

Mrs. Bell claims a right of dower in Blackwell's Island as the widow of James T. Bell, esq. formerly sheriff of the city and county of New York, who in 1823 had purchased the island from Mr. Blackwell, and who died seized of the premises in 1825. After his death a mortgage, executed by him upon this island, to secure the payment of twenty thousand dollars, (a portion of the purchase money), was foreclosed in chancery and the property sold; and under these proceedings in chancery the corporation derive title. Mrs. Bell was not made a party to the proceedings of foreclosure, and she now claims her dower in the island, or that the corporation allow her to redeem, and convey to her the premises upon the payment of the amount due upon the mortgage.

In asserting this claim, George Dummer, esq. her son-in-law, on her behalf, tendered, in January 1837, to Cornelius W. Lawrence, esq. then mayor of the city of New York, forty thousand dollars in full discharge of principal and interest due upon the above mentioned mortgage, and demanded a conveyance of the island to Mrs. Bell by the corporation. The tender and demand were rejected—and Mrs. Bell, by James W. White, her solicitor, filed a bill in chancery against the corporation, setting forth her rights as above, and praying for relief, &c. The corporation appeared by Robert Emmett, esq. and, in October, 1838, the cause was referred by the chancellor for a hearing and decision to the honorable Charles H. Ruggles, vice chancellor of the second circuit. On the 7th day of June last the case was argued before vice chancellor Ruggles, at Poughkeepsie, by Samuel Sherwood and David B. Ogden, esquires for Mrs. Bell, and by Robert Emmett and Daniel Lord, jr. esquires, on the part of the corporation; and since then the vice chancellor has, with his accustomed promptitude, given a decision in the cause in favor of Mrs. Bell's claim, accompanied by the exceedingly able and learned opinion upon the important principles of law and equity involved in the case.

EARLY COMMERCE OF AMERICA. *Interesting facts.* The first decked vessel ever built within the limits of the old U. States, was constructed on the banks of the Hudson, by Adrian Block, in the summer of 1614. She was called a yacht, and her first voyage was made through Hell Gate, into the sound, and as far east as Cape Cod, by the Vineyard passage. It was in this voyage that Block Island was discovered.

Within the first 46 years after the settlement of Massachusetts, there were built in Boston and its vicinity, 730 vessels varying from 6 to 250 tons burthen. One of these, the *Blessing of the Bay*, a bark of 30 tons, was built in 1631. The celebrated English patriot and divine Hugh Peters, caused a vessel of 300 tons to be constructed at Salem, in 1641. The first schooner ever launched is said to have been built at Cape Ann, 1714.

In 1714, Connecticut had but 2 briggs, 20 sloops and a few smaller craft, employing but 120 seamen; while Massachusetts, about the same time, had 462 vessels, the tonnage of which was 23,406, and employed 2,493 seamen.

The first ensign ever shown was by a regular man-of-war; it was hoisted on board the frigate *Alfred*, in the Delaware, by the hands of Paul Jones, in the latter part of December, 1775. What

this ensign was is not precisely known, as the present national colors were not formally adopted until 1777.

The first regular American cruiser that went to sea was the Lexington, a little brig of 14 guns, commanded by captain John Barry, of Philadelphia. She sailed sometime in the winter of 1775. The first American man-of-war that got to sea after the adoption of our present form of government, was the *Ganges*. She was originally an Indianan, but was purchased by the government, and converted into a cruiser, having an armament of 24 guns.

She sailed in May, 1793, under command of captain Richard Dale, who was first lieutenant of the *Bon Homme Richard*, when that ship captured the *Serapis*. The Constellation was the first of the new built vessels that went to sea, under captain Truxton. She sailed in June 1793, and was followed by the *United States*, and a little later by the *Constitution*, both these latter sailing in July the same year.

The first prize under our present naval organization was the French privateer *La Crocodile*. She was a schooner of 14 guns, and was captured by the sloop-of-war *Delaware*, capt. Decatur. The above historical facts we have gathered from Mr. Cooper's excellent naval history of the United States.

[Boston Post.]

THE FIRST METHODIST CHURCH. The N. Y. Tatler states, that the first Methodist church erected in America, was built in 1776, in John street, in that city, and is still occupied by that body. When the above church was erected there were but about 1,109 Methodists in this country. At the present moment they number 700,000 members.—They have upwards of 3,000 ministers, 5,000 local and itinerant preachers.

BATTLE OF PRINCETON. The following touching account of that engagement, is extracted from an unpublished work by Mr. Custis, of Virginia, entitled "private memoirs of Washington."

The heroic devotion of Washington on the field of Princeton is matter of history. We have often enjoyed a touching reminiscence of that ever memorable event from the late col. Fitzgerald, who was aid to the chief, and who never related the story of his general's danger, and almost miraculous preservation, without adding to his tale the homage of a tear.

The aid de-camp had been ordered to bring up the troops from the rear of the column, when he had under general Mercer became engaged. Upon returning to the spot where he had left the commander-in-chief, he was no longer there, and upon looking around, he discovered him endeavoring to rally the line which had been thrown into disorder by a rapid onset of the foe. Washington, after several ineffectual efforts to restore the fortunes of the fight, is seen to rein up his horse, with his head to the enemy, and, in that position, to become immovable. It was a last appeal to his soldiers, and seemed to say, will you give up your general to the foe? Such an appeal was not made in vain. The discomfited Americans rally on the instant, and form into line; the enemy halt, and dress their lines; the American chief is between the adverse posts, as though he had been placed there, a target for both. The arms of both lines are levelled. Can escape from death be possible? Fitzgerald, horror-struck at the danger of his beloved commander, dropped at the reins upon his horse's neck, and drew his hat over his face, that he might not see him die. A roar of musketry succeeds, and then a shout. It was the shout of victory. The aid-de-camp ventures to raise his eyes, and oh, glorious sight, the enemy are broken and flying, while dimly amid the glimpses of the smoke is seen the chief, "alive, unharmed, and without a wound," waving his hat, and cheering his comrades to the pursuit.

Col. Fitzgerald, celebrated as one of the finest horsemen in the American army, now dashed his rovels in his charger's flanks, and heedless of the dead and dying in his way, flew to the side of his chief, exclaiming, "Thank God! your excellency is safe," while the favorite aid, a gallant and warm hearted son of Erin, a man of bows and sinews, and "a little maddened in the melting mood," gave loose to his feelings, and wept like a child for joy.

Washington, ever calm amid scenes of the greatest excitement, affectionately grasped the hand of his aid and friend, and then ordered, "away, my dear colonel, and bring up the troops—the day is our own!"

ANCIENT HISTORY OF THE ROSE. Among both the Greeks and Romans, some attention appears to have been paid to the cultivation of flowers as offerings or as ornaments; as offerings in the temples

of their deities, and as ornaments on occasion of public or private festivity. The Romans, however, appear to have esteemed flowers more than the Grecians, and the origin of this greater regard for them may not improbably be found in the imitation of that luxury and splendor which the Romans had witnessed in eastern countries. The rose is mentioned by Homer and Anacreon; by the former, in the hymn to Ceres; by the latter, in many of his odes; through which we learn that it was a flower remarkable for the beauty of its petals; that it grew amid thorns; that it had a divine fragrance; was the color of the human complexion; that it was the most beautiful of all flowers, "the queen of flowers," the "flower of love." According to the *Calendar of Natural Occurrences in Greece*, the rose blossomed in March; the *rosa græca*, or lychnis coronaria, in May. In the Roman Calendar we find early roses were in blossom in April, and that in May they were generally in flower. In Egypt, according to Theophrastus, the rose blossomed two months before it appeared in Italy, and continued in flower for almost as long a time in the former country, after it had ceased blooming in Italy. In the latter country it succeeded the blossoming of the violet and the lily.

[Literary World.]

BRUSSELS LACE. How few, if there be any, of our lady readers, who know, or knowing, think and ponder on the penurious condition of the poor women who manufacture the "genuine brussels," treasures of which are sometimes so ostentatiously displayed by those to whom they have been transmitted from generation to generation, the lace being more valuable as it grows older. Perhaps the following extract from a letter from an intelligent correspondent of the N. Y. Star, may convey information of which such readers may not perhaps be possessed. Writing from Brussels, he says: "The carpet trade, once so famous here, has ceased to be anything extraordinary. The manufacture of tapistry has also gone out, like the snuff of a candle. Lace, such as is equalled no where, continues to be abundantly made.—I went over the principal manufactory lately. It is the property of Mons. Dupetiaux, and is in a street (I forget the name) near the cathedral. Young women are almost wholly employed, and appear to be most wretchedly paid, though their work brings high prices. At least the clerk who showed me through the concern, pointed out a box for donations, for these young women, and told me, when I inquired, that a small deposit in it would be of value to them.—The price of the lace, and the people was worth the five franc piece I dropped in. The clerk smiled and said "the people of Brussels, the ladies and gentlemen, only give a few francs." The young women make lace edgings and sprigs, which others of their work upon net for loupes, rippets, borders, veils, &c.

BRITISH POST OFFICE. The New York Evening Post publishes the subjoined letter from a friend in Birmingham, England, in referring to Rowland Hill's plan for the reduction of postage:

"You will see that our new post office plan is pretty well decided on; indeed, I am told that one of the covers has already been seen in this neighborhood as a curiosity. These covers are to be stamped and sold at one penny each, and when not containing above a certain weight—I believe half an ounce—will go free to any part of the country. It is a grand scheme truly, and, it seems to me, its moral effect will be great. I only fear for the faith of our faithless and fickle ministry in carrying it out. Our political changes, by the bye, will have amused you. Who says now a queen of England is nobody? A king may be so, as the ladies will have it. Perhaps, however, the power of the queen will prove a power rather in show than in substance, for it does not seem likely that the ministers can keep their places. I was much amused to see, the other day, a long article in one of your daily papers on our post office scheme, ascribing the invention to the rev. Rowland Hill, of blessed memory; and then the editor, to get over the difficulties of his theory, very cleverly adds that 'it did not attract much attention during that great man's life,' &c. The truth is that Mr. Rowland Hill, the inventor of this, is now living. He proposed his scheme only two years ago, and is as different from the parson as I am."

The Post adds:

The prodigious reduction which thus takes place in the rates of postage in England, amounting to several hundred per cent. shows how cheaply the people of that country might have had their letters conveyed hitherto, had the mails been left to private enterprise, and how heavy a tax they have paid for making them a concern of government.

FOREIGN NEWS.

TWENTY-FOUR DAYS LATER.

The packet ships Ontario, capt. Hutleson, from London, and the Independence, captain Nye, from Liverpool, arrived at New York, on Saturday 11 29th ult. the first with London dates to May 23, and the second with Liverpool papers to the 26th May; and on Sunday, (noon) the 30th, the steamer ship Liverpool, capt. Bayler, came up with Liverpool post papers of the 13th ult.—and with letters from all parts of the old world. The Liverpool had rough weather, and contrary winds, which has somewhat prolonged her voyage. The political news is not at all remarkable, though there is much news of general interest, particularly the commercial.

Though the news by the Liverpool is over three weeks later than we have had, yet the political news is without interest.

Of the harvest, high expectations were entertained, and the import of grain had, for the present ceased, and, with that, the export of bullion. The stock of the latter, however, in the vaults of the bank, had been reduced to about *four millions* sterling, and money was still scarce in London.

Mr. Shaw Levevre had been chosen speaker of the house of commons, by the very meagre majority of 18, over his rival competitor, Mr. Goulburn. The numbers were 219 to 201.

We subjoin the brief and sensible acknowledgment made by the newly elected speaker, in the hope that some of our verbose public men may profit by it:

"I venture to offer my sincere and heartfelt acknowledgments for the distinguished honor you have conferred upon me. I wish your election had fallen upon an individual more worthy of the honor.—I assure you I will endeavor, by an honest and impartial discharge of my duties, to deserve the high distinction I have received at your hands." (Cheers.)

On Tuesday, Mr. Shaw Levevre, attended by his mover, seconder and a large body of members, appeared at the bar of the house of lords. Mr. Levevre stated, in the usual form, that the common had elected him to the office of speaker; and to his honor the speaker, in the usual complimentary strain, signified "the majesty's royal approbation and allowance" of him as speaker. On his return to the house of commons, Mr. Levevre stated what had passed in the lords.

The state of England was less disturbed. The Morning Chronicle, referring to the chartists' meeting, has this paragraph:

The simultaneous meetings of the chartists have every where turned out a decided failure. Kersa moor meeting was to have been attended by 500,000 and was to lead to the most astounding results; we have seen various accounts of the meeting, and its highest estimate of the number is that of the *Manchester Courier*, which estimates the number present "at most 15,000"—other accounts estimate the number variously from 5,000 to 10,000. The *Birmingham Journal* says of the meeting in that town, "it was a miserable failure." The *Sunderland Herald* says of the meeting on the town moor of the same name, that the men, women and children present were but about 10,000, but that the chartists were at no time more than four hundred; the rest being "like ourselves, amused spectators of a somewhat diverting comedy, got up to gratify the vanity of small number of political performers."

It is asserted, however, that the ministry have a confidence in their majority in the house of commons, and that a dissolution might probably be resorted to.

From Spain, there are the usual quantity of murder, arson and brigandism, in all of which there is but little that is novel.

The demand for first rate vessels for the N. York trade is represented as very great. According to the Liverpool Albion, the export of British manufactures to the United States is now brisk; the Liverpool packets get quite full, and the Virginia, which sailed last, refused goods; the transatlantic ship, *Control*, of Charleston, and the *Troy*, are announced. The first Baltimore spring ship will convey out 1,400 tons measurement goods, and the Philadelphia packet of the 8th has more goods than she can take.

The demand for American securities has been limited. United States bank shares are 237. 1/2. to 237. 1/2. 6d.

The arrival of Mr. Webster with his family in London (at the Brunswick hotel) is announced. London papers of the 4th June. We cordially welcome, says the London Gazette, to our shores this great and good man; and accept him as a fit representative of all the great and good qualities of our transatlantic brethren.

From the London Times, June 4.

The usual average returns of the liabilities and assets of the bank of England, embracing the pe-

from the 5th of March to the 23th ult. which appeared in last night's *Gazette*, gives the following result, viz: that the average of the month ending 23d ult. as compared with the average of the month ending the 5th of March, shows a decrease of the circulation of £ 498,000, a decrease in the deposits of £ 879,000, and a decrease in the stock of bullion of £ 2,712,000. Wherefore it appears the decrease in the liabilities is £ 1,257,000, this represents the decrease in the total quantity of money, in the month ending the 23th ult. as compared with the month ending the 5th of March, so far as regards the administration of the currency by the Bank of England.

The yearly comparison is as follows:—The average of the month ending the 26th of June, 1838, is a decrease in the circulation of £ 1,011,000, a decrease in the deposits of £ 2,358,000, and a decrease in the stock of bullion of £ 5,475,000. Wherefore it appears that the decrease in the liabilities is £ 2,393,000, and this represents the decrease in the total quantity of money in the month ending the 13th ult. as compared with the month ending the 26th of June, 1838, in so far as regards the administration of the currency by the Bank of Eng-

land. The variations in the stock of bullion have taken place in the following manner and proportions:—In the month ending the 19th of September, as compared with the month ending the 5th of June, 1833, there is a decrease

£ 393,000

In the month ending the 11th of December, as compared with the month ending the 13th of September, 1833, there is an increase of

69,000

In the month ending the 5th of March, 1839, as compared with the month ending the 11th of December, 1833, there is a decrease of

2,439,000

In the month ending the 23th ult. as compared with the month ending the 5th of March, there is a decrease of

2,712,000

which leaves upon balance a decrease of £ 475,000. The changes and fluctuations in the circulation appear from the following statement:—In the month ending the 13th of September, as compared with the month ending the 26th of June, 1833, there is an increase of

£ 552,000

In the month ending the 11th of December, as compared with the month ending the 13th of September, there is a decrease of

1,293,000

In the month ending the 5th of March, 1839, as compared with the month ending the 11th of December, 1833, there is an increase of

138,000

In the month ending the 27th ult. as compared with the month ending the 5th of March, there is a decrease of

408,000

which leaves upon balance a decrease of £ 11,000. The following are the changes and fluctuations which have taken place in the deposits:—In the month ending the 13th of September, as compared with the month ending the 26th of June, 1833, there is a decrease of

£ 774,000

In the month ending the 11th of December, as compared with the month ending the 13th of September, there is an increase of

252,000

In the month ending the 5th of March, 1839, as compared with the month ending the 11th of December, 1833, there is a decrease of

957,000

In the month ending the 23th ult. as compared with the month ending the 5th of March, there is a decrease of

879,000

which leaves upon balance a decrease of £ 333,000.

The following are the average amounts of the circulation, the deposits, and the stock of bullion, for the period from the 26th of June, 1833, to the 11th ult. inclusive:—

Circulation £ 13,662,000
Deposits 9,209,000
Bullion 8,951,000

The first thing to be observed in the present report of the above is an analysis, it is the continued decrease of the stock of bullion, which began in the month of August last, with the single exception of the return in 11th of November, it has continued without intermission to the present moment.

The following is a statement of the progress of the decrease in the average of the month ending the 13th of August, 1833, as compared with the aver-

age of the month ending the 29th of May, is 9,000, and this taking place in twelve weeks, the mean decrease is 750, per week.

The decrease in the month ending the 13th of September, as compared with the month ending the 26th of June, is 233,000, which is a mean decrease of 37,750, per week.

The decrease in the month ending the 16th of October, as compared with the month ending the 21th of July, is 331,000, which is a mean decrease of 44,500, per week.

The decrease in the month ending the 13th of November, as compared with the month ending the 21st of August, is 294,000, which is a mean decrease of 24,000, per week.

In the month ending the 11th Dec. as compared with the month ending the 18th Sept. there is an increase of 69,000.

The decrease in the month ending the 8th Jan. as compared with the month ending the 16th of October, is 78,000, which is a mean decrease of 6,500, per week.

The decrease in the month ending the 5th of February, as compared with the month ending the 13th of Nov. is 1,251,000, which is a mean decrease of 104,250, per week.

The decrease in the month ending the 5th of March, as compared with the month ending the 11th of Dec. is 2,439,000, which is a mean decrease of 203,250, per week.

The decrease in the month ending the 2d of April, as compared with the month ending the 8th of January, is 3,099,000, which is a mean decrease of 258,250, per week.

The decrease in the month ending the 30th of April, as compared with the month ending the 5th of Feb. is 3,150,000, which is a mean decrease of 262,500, per week.

And the decrease in the month ending the 28th ult. as compared with the month ending the 5th of March is 2,712,000, which is a mean decrease of 226,000, per week.

The present stock of bullion in the coffers of the bank is about 4,000,000, rather under than over.—Of this stock probably 500,000, consists of silver, which leaves 3,500,000, in gold against liabilities to the extent of upwards of 26,000,000, and therefore the proportion which the gold bears to the liabilities is about 2s. 6d. in the pound. This state of things requires no comment. It has arisen partly from the nature of our system of currency, and partly from the gross misconduct of the bank directors, and which is most palpable; for by the return of the 11th December last, the average of the securities held by the bank from the preceding three months was 20,707,000, whereas since that period the amount has been regularly increasing, till on the 5th of March it had reached the sum of 23,513,000, which is an increase of 2,806,000.

Now, on the 11th of December last, the average amount of bullion held by the bank during the preceding three months was 9,362,000, while by the return of the 23th ult. the three months average is diminished to 5,119,000, and so that in the face of an enormous decrease of 4,243,000, in the stock of bullion; the bank directors have been actively engaged in the manufacture of 2,336,000, of paper money; all which is repugnant to sound principles and in direct violation of the principle laid down by the directors themselves, in 1832.

The matter so standing, it should now seem that three circumstances most concur to retrieve things into their original integrity, and extricate the bank from its perilous situation:

1. A continuance of fine weather and a good harvest, so that we may not require a further importation of corn.

2. An increased exportation of British produce and manufactures.

3. Favorable news from the United States of America as to the state of their money market.

Failing in these things, it is to be feared, that in order to avert their impending difficulties, the bank directors will have recourse to a series of miserable shifts and expedients, and which, without adding to their stock of disgrace (which by the by is impossible) will inflict serious injuries on the community.

The condition of the Bank of France is in singular contrast with that of England, for instead of about eight millions sterling, which is its usual supply of coin, it had in its vaults in the beginning of June eighteen millions sterling, an accumulation useless in itself, and injurious to others, but occasioned mainly by the depressed condition of French trade.

If the pressure for money had not in some degree abated, it was understood, so says the Morning Chronicle, which is supposed to speak with knowledge on the subject, that an arrangement would have been effected between the two banks, by which the Bank of France would have advanced to

the Bank of England a large sum in gold. This is precedent for such a proceeding, as it was stated by *lord Ashburton* (Alexander Baring), that the Bank of France once supported the Bank of England through one of their most pressing exigencies by a liberal advance of gold.

The arrival, however, of a million of dollars from Mexico, and the expectation of another million close at hand, together with the stock of exports of metal to the continent, had rendered such a recourse unnecessary—33, in any event, it must, we suppose, be unpalatable to the Bank of England.

From the *London Morning Herald*.
On several occasions lately we have had but too touch occasion to refer to the distressed position of the manufacturing districts, particularly those wherein cotton-spinning is carried on, and also to the causes which have induced the Bank of England, as well as other banking establishments, to put the screw upon the discount market. In confirmation of what we have lately advanced upon this subject we take the following extract from the *Manchester advertiser*—a generally well informed paper, and in this instance, from its locality, likely so to be:

"Most of the mills are working short time, and many have stopped altogether. The numbers of poor operatives who are daily begging their bread in the streets, and calling from warehouse to warehouse, or daily on the increase, and present really a sad and heart-rending appearance. The number of persons in Lancashire upon half work and out of work, who have been employed in labor branching out or dependent upon the manufacture of cotton, cannot be less than from eight hundred thousand to one million of souls. Where this is to end with the present high price—and future prospect of the high price—of bread, presents a question of a really frightful nature. The banks are pulling up their customers in all directions; and letters of a peremptory nature, requesting balances to be forthwith paid up, are going in all directions. We regret the spinners and manufacturers should have brought this entirely upon themselves. Ten hours' labour four years ago, would have prevented all this evil, and all the future evil to themselves, and all the misery and hunger to their distressed and offending operatives."

We fear that this picture of the existing state of the districts to which we have referred is by no means overdrawn, and it affords a sad contrast to the prosperity statements of the government organs: thus proving as it were, that the government itself was perfectly indifferent to the matter. We had occasion also in the course of last week, to refer to the reasons which had induced the bank to elap the screw upon the money market, to which the same journal has referred, and to which the following illustration of the mode by which the late artificial traffic, or rather gambling, in cotton wool has been carried on:

"A large number of cotton brokers and others connected with them in Liverpool have long pursued a practice to enable them to speculate in cottons in the face of a rising market, to the great injury of the spinner and manufacturer, by means of drawing upon each other. John Doe says to Richard Roe—Richard, do you buy a thousand bales of cotton, draw upon me, and get the bill discounted through your bankers; I will do the same, and draw upon you, and get the bill discounted through my bankers; and in three or four months (the date of such bill so accommodated) they each sell their cottons at considerable advance without having out of one single baling, and which they have done with £ 40,000 invested in mills and machinery, has to pay for. This has been done from time to time, to a very great extent, particularly so in March and April last, and which bills are falling due in June and July. How they are to be met at this time, with a fall of 2d. per lb. from the highest point, we leave our readers to determine for themselves. These bills having been paid into different banks for discount, the secret remained snug enough until now, when the pressure in the money market forces most of the banks to seek for discounts from the great leviathan depot in Threadneedle street, where they no doubt discovered the game of the crossing of paper, giving the parties presenting them the gentle proof of having to discount. These bills, then, we are persuaded, a portion of the ones referred to in the Morning Herald. The Bank of England having raised the rate of discount to five per cent. it has been followed up by the Bank of Ireland adopting the same thing. It need not be added, that five per cent. means discounting no bills that are not direct from London."

Thus we have the money market of the whole country deranged by a surreptitious and most reprehensible mode of speculation; which by merchants

of the old school would have been thought very much akin to swindling. The mischief, however, we fear, is not over; much, and great, indeed, will be the sacrifices that may be made if the concoctors of such bills have not the honesty to attempt to take them up. The result may be solved in the compass of a nut-shell—that is, it may be safely asserted that no commercial country can long prosper when such disgraceful means are adopted to force speculations and to bolster up our markets. We believe, also, that the statements of the shortness of the cotton crops in the United States are wholly unworthy of credit, and that they are put forth with the sole view of forcing this market into an unnatural degree of speculation."

From the *London Times*, June 10.

It is understood in the city that Mr. Jaudon is about to quit the country, and that the agency established here for the United States bank is about to be given up. From the fact that it may be pronounced a failure, and though it acquired a specious appearance of permanency while issues were large and paper abundant, it was foreseen by many that the first change in the market would be very likely to seal its fate. What the Bank of England refused to do in 1837 for houses of the highest credit in London, they were not likely to do for an individual who could acquire no credit in his own person, and whose bills were liable to the fatal objection of being drawn by principal upon agent, which is applied alike, under the strict commercial rule, to the highest and to the lowest names. That of Mr. Jaudon added nothing to the security of the instrument, while the draughts heretofore of the Bank of the United States upon individual merchants always acquired thereby some increase of credit, and sometimes the acquiescence quite as good as the drawer. Mr. Jaudon has therefore been disappointed in a great measure of those facilities on which he had reckoned, and in providing for his obligations as they became due, must have had to pay a price for it calculated to diminish greatly the profit of his general account. At the very outset no man could be in a more false position than he was. In the bank parlor he was looked at with distrust, his account refused, and the merchants universally felt angry and insulted at his presuming to interfere in transactions which belonged to their peculiar province. A new agency, certainly not of American origin, must now be appointed, and matters revert to their old channel. The experiment is not to be considered, however, as wholly thrown away; it will form a very useful lesson to all parties.

[The *Times* is very poor authority on American affairs.]

American slavers—Plymouth. The *Pylades*, sloop of war, has arrived from Africa. She brings important intelligence from the coast respecting the slave trade, a new system having sprung up for the purpose of eluding the vigilance of our cruisers, under the protection of the American flag. It appears that American vessels are taken to the Havana, and sold together with their papers, for employment in the nefarious slave traffic; they are there manned by regular slave crews, and sailed under American colors. Two of these vessels have lately been captured by the English cruisers, and so complete were their American credentials, that, in the absence of any representative from the United States to Sierra Leone, the commanders have sent them under charge of a man of war to New York, in order that the circumstances may be investigated by the American government, and their assistance obtained to put a stop to such practices. The *Pylades* has lost but one man on the coast; she brings, however, distressing accounts from some of the other ships, among whom the loss of life has been most serious, both of officers and men.

Attempt of an insane man to enter Buckingham palace. On Monday night a most daring attempt was made by an insane man to gain admission into the interior of Buckingham palace, when the police and military fortunately interfered. It appears that about nine o'clock on Monday night, the sentry on duty in that part of the garden which is immediately beneath the terrace of the north wing of the palace, heard a rustling among the shrubs, and saw a man emerge from them, and immediately prepare to ascend the steps of the terrace. The sentry called out to him, when the man answered, it is all right, and the soldier seeing that he was dressed as a laboring man, conjectured that he was employed either in the garden or kitchen. The man accordingly walked on up the steps and having reached the terrace, passed some paces towards a glass door which leads into the interior of the palace, when he was noticed by one of the ladies' maids—who was sitting near the door, and who upon seeing him, screamed out to the soldier to seize him as he was a stranger, and from his singular and ferocious ap-

pearance she imagined he meant harm. The soldier immediately secured him, and intelligence of the occurrence having been forwarded to the police on duty at the palace, inspector Russel was immediately on the spot, and the man was delivered over to him. The prisoner then began to use most horrid language, called the queen by every opprobrious term that he could at the moment think of, and repeatedly said his intention was to have killed her majesty, "he had come there for no other purpose." Amongst the expressions made use of by him was one that "no Protestant queen ought to sit upon the throne of England." The prisoner, who is a middle-aged man, and apparently of great strength, used great resistance, but after much trouble the inspector succeeded in getting him clear of the palace, and into the bird-cage walk, where he became so violent that inspector Russel, who was unassisted, was forced to handcuff him, and afterwards obtain a file of the guard at the Wellington barracks to assist him to convey the prisoner to the station house in Gardner's lane. All the way there, and after his arrival, he continued applying epithets to the queen totally unfit for publication, and several times lamented that he had not killed her. It being evident the man was mad, his actions were watched all night, during the major part of which he continued raving. Next morning a private examination of the prisoner took place before sir Frederick Roc, as chief magistrate, at the home office, and after a sentence embracing the facts detailed in this paper, and he was remanded, in order that he might be visited by experienced surgeons, and his connections inquired of, the prisoner having refused to state who or what he was. At the conclusion of the examination the prisoner was taken to Tottill-fields, Bridewell. Upon searching the prisoner at the station house no dangerous weapon was found.

The *Liverpool steam ship*.

Liverpool, June 3, 1839.

To John Pollock, esq. secretary of the Transatlantic Steam Ship company, Liverpool.

Sir: The undersigned passengers (several of them with their families) in the transatlantic steam ship *Liverpool* on her late trip from New York to this port, adopt this mode of signifying their sense of obligation as well to the proprietors, whose enterprise and public spirit have afforded this mode of conveyance, as to captain Fayer, commander of the ship, for the great attention and kindness uniformly exhibited by him during the voyage. They also wish to express their approbation of the skill and diligence of the officers and engineers, and the good conduct of all doing duty on board.

The *Liverpool* left Sandy Hook on Saturday, May 18th, at 5 o'clock, P. M. and took the pilot for this harbor at 5 o'clock, A. M.—thus making the passage from the discharge of one pilot to the taking of the other in 14 days and 7 hours. For a considerable part of the voyage the ship experienced an almost entire calm, and for most of the residue, head winds of greater or less strength. She is steady, commodious, and appears to the undersigned to be well suited to the service in which she is engaged. Indeed they suppose it hardly possible for the Atlantic ocean to be traversed with more certainty, as to time, less risk, and less change from the ordinary habits of life, than by the use of her.

Thanks to capt. Fayer, leave him their cordial good wishes, and tender, through you, their respects to the proprietors. DANIEL WEBSTER, and all the other passengers on board.

May 21st, 113 emigrants from Bohemia, for New York, consisting in part of agricultural laborers, but chiefly mechanics, arrived at Hull, in the *Severn* from Hamburg, under the care of Mr. Phillipson, with whom they departed on Tuesday morning for Liverpool. The intended line of packet ships between Hull and New York will prevent the necessity of large numbers of emigrants having to pass through Hull to Liverpool to obtain shipping for New York, for they will sail direct from that port in the Hull shipping company liners. So says the *Eastern Counties Herald*.

The Paris Monitor announces that the ratification of the treaty between his majesty, the king of the French, and her majesty, the queen of Great Britain and Ireland, for the transmission *via* France of the correspondence of the latter kingdom with the East Indies.

Died, May 18, at Florence, the countess de Lipona, ex-queen of Naples. She died in the arms of her brother, the count de Montfort, and his daughter, the countess de Rasponi. The ex-queen sunk under the same disease that destroyed her brother, the emperor Napoleon, and their father, cancer in the stomach. She was delirious with occasional lucid intervals, during the last fifteen hours. The two sons of the countess de Lipona are in the United States, where they are practising as barris-

ters, and their absence from her is said to have greatly increased the bitterness of her last moments. It will be remembered, that, last year, French chambers voted an annual income of 100,000*l.* to the countess as a compensation support. The countess was born the 26th Mar 1782, and was, therefore, in her 58th year.

In answer to S. Canning, June 5, lord Palmerston stated "that the last despatches which he received from our minister at Buenos Ayres, dated the 21st February, and at that time the blockade of the straits continued. He could state that her majesty's government had been unremitting in the exercise of their friendly offices, both at Paris, Buenos Ayres, in order to bring about an amicable adjustment of the matters in dispute."

The tea trade. The tea trade has been brisk. Last week the deliveries amounted to 431,228 (lbs.) At the public sale of 30,869 packages, (1,933 lbs.) which commenced to-day, the attendance the trade was but limited, but though it went heavily, prices were not lower.

We understand that on his recent departure from London his excellency, Richid pasha, the Ottoman minister, presented to Miss Pardee, the well known author of "The City of the Sultan," a farewell of the most costly perfumes, antiques, amulets, and other eastern objects of luxury, tastefully arranged in a handkerchief of pink gauze, and tied with violet colored ribbons. [Morning Post.]

The ship Roger Stewart. The passenger *Roger Stewart* has sailed from Greenock for New York with 148 passengers, the number allowed vessel of her tonnage by the emigration laws of the United States. The passengers by this ship are of the "bein'" and respectable classes, and take a great deal of capital with them. We learn about 20 passengers were rejected for want of accommodation. Three or four other vessels are at the berth for New York, and at present the trade for emigration gives reason to conclude, that they will have their quota of passengers.

[Glasgow Chronicle.]

The British Queen steamer. This immense magnificent vessel is hourly expected to reach New York, from Glasgow, where she has departed with her engines, and previous to her departure her first voyage to New York, which has been verified for the 29th of this month. [Penny Magazine.]

American compliment to queen Victoria. The president, &c. of Columbia college, New York, agreed to place the gilded crown, which formerly adorned the cupola of the college previous to the revolution, upon the figure head of the *Queen* (steamer) expected at New York during summer. This superbly made crown has remained in their library since 1777.

The American minister and Mrs. Stevenson are passing a few days with Mrs. Marryatt, at a delightful villa, at Wibleton.

At Paris a considerable failure has occurred Messrs. Outrequin & Jauge, the bankers to Carlos.

A young woman in Turkey entered the military service in disguise, not long since, in order to follow a lover, who had been forced to go in the army. Such a circumstance, though it has not been witnessed in western Europe, had never before been known in the east, and it appeared after the female recruit had behaved with credit for a while, her sex was discovered by the time she was going to be made a sergeant, the awkward fact of her becoming a mother.

March of drunkenness. No less than 41,538 gallons of alcohol, which is double the strength which is called proof spirit, are consumed in this year. Forty-one million gallons of rank poison. Who can then wonder at the amount of poverty, crime, disease and death produced in this country.

American enterprise. The last papers from New York mention the arrival of a cargo of ice from America.

From the *Morning Post*, June 8.

We understand that a great number of American bills have been protested within the last two weeks. This arises, we suppose, principally from the stagnant state of the cotton market at Liverpool, and the difficulty in the present condition of the money market, of realizing American securities. The agency houses cannot be expected to stand the existing circumstances, to come under the influence for their American principals beyond a limited amount. Many of them have, we dare say, already gone further than they were at all warranted in doing.

A host of persons have come over from New York by the late arrivals, charged with other transatlantic investments for the purpose of raising money, but many of them are, from what we can learn, a description of property that capitalists would do well to avoid.

State of trade at Manchester, Friday. There has been a fair extent of business done this week in both goods and yarns. Great efforts have been made both by manufacturers and spinners to obtain better prices; but for goods we have not heard of a single instance where higher prices have been obtained. For some numbers of twist it is probable that a little advance on last week's rates has been realized; but in the general trade former quotations must be repeated. Large quantities of goods are packing for America, embracing nearly every description of fabric. There have been three or four failures in the town and neighborhood, but none of any great moment.

Huddersfield, Tuesday. The attendance of buyers to-day was considerable, and in some sorts of heavy goods a large business must be noted as having taken place. Some of our export merchants are packing on a large scale, but the destination of some of the goods is not generally known. Prices, however, are not higher. There is not that demand for fancy articles that was experienced two months ago, though for some particular fabrics the production does not exceed the demand. In wool no variation in value.

Leeds, Tuesday. Things are decidedly improving so far as demand goes. We perceive a considerable stir among some of our principal warehouses, whose business is chiefly confined to the U. States, and orders from America are understood to be considerable. The depressed state of many branches of the home trade makes this department of our manufacture by no means brisk, and till we have a healthy hand demand, things cannot be expected to be satisfactory either in demand or prices. Wool is as last reported, duller if any thing.

Widelyfield wool market The wool market is becoming very dull here, and to quit stock is an event even lower rates than were taken last week must be submitted to. The wool-growing districts, and the prices are likely to be fully depressed as late this intelligence has made some dealers to be very indifferent to making sales, whilst others are willing to meet the manufacturers on a fair terms. Short fine wools are tolerable fair sale.

Bradford, Thursday. We had a better attendance of buyers at market to-day, but, as far as our information extends, it did not lead to any improvement in prices. A considerable number of pieces changed hands, and the best informed seemed to anticipate rather healthy markets for some time to come. *Yarns:* There is a continued good demand for this article, and prices remarkably steady, with a tendency upwards. The stocks in hand are said to be exceedingly limited. *Wool:* Long wools are difficult to quit at former currency, but we think that generally prices are not lower: fine short qualities ready sale, but not dearer.

FRANCE.

Paris was quiet. There are rumors of dissensions in the cabinet, but they are not fully to be depended upon. But few seem to think that the present administration is the best possible, but here are few who do not admit that if an evil, it is a necessary one. The chamber at any rate is obviously of this opinion, and seems anxious to anathematize, by all its acts, the heavy vengeance that ought to be dealt out upon such as by their intrigues attempt to throw the country into the perplexities from which it has just emerged. This feeling must be very strong, since Odilon Barrot, the venerable leader of the opposition, is lending the cabinet all the support he is able.

M. Guizot is still absent from Paris, putting the finishing hand on an essay on Washington, which is shortly to appear. It is expected to return before the debates on the credit, which the ministry demanded on the first news of a rupture in the east. This is the only political question which is likely to be brought forward during the present session. The chamber is now occupied with the plan for a reduction of duties on colonial sugar. As there are many beet root manufacturers in the chamber, there is a strong opposition on this point. One of the late ministers, Lacave Lajaplagne, advocated, in his bureau, the suppression of all the manufacturers of beet root sugar, which he qualified as essentially injurious to the country.

Considerable activity prevails at Toulon; and the French squadron in the Mediterranean is to be increased to eleven sail of the line, six frigates and ten corvettes or brigs. The Paris journals are anxious to disclaim for the French government all responsibility for any grandizement in the east; but Guizot's speech, mentioned last week, speaks a language far different.

Cunin-Gradaive, the new minister of commerce, has introduced a bill to lessen the duties on colonial sugar, by which that commodity will be protected in the home markets to the extent of 33

frances in 100 kilogrammes. The Courier Francais says, that if this reduction of duty is made, there can be no competition with the colonies; and the result will be, not an increase of consumption, but less loss to the colonial planter and greater loss to the French producer.

Duperre, minister of marine, has announced that the French squadron on the Spanish coast is to be reinforced "in the interest of the queen of Spain's cause, to prevent the landing of supplies for Don Carlos, in an efficient manner." This announcement was held to be a sort of triumph for Thiers.

The election of M. D'Houdelot, the king's aide-camp, has been finally annulled; not so much for any real irregularity, as to marked dislike of Louis Philippe's favorite. Thus it appears that the king cannot depend upon the chamber of deputies, though he succeeded in obtaining a ministry of his own choice.

Passy is denounced as a radical by the Journal des Debats, for turning conservatives out of subordinate places in his office, to make room for some old liberal friends.

It is reported that Ripoll, a fortified town in Catalonia, has been captured, after an obstinate defence, by 8,000 Carlists, and all the inhabitants, with the garrison, massacred.

There is still no certain information respecting the Turkish and Egyptian armies in Syria. Letters from Vienna, received in Paris, allude to the reported collision between the two armies, but make light of the matter.

Proceeding on the belief that precautionary measures in the affairs of Turkey and Egypt were necessary, the French minister of the marine called for a grant of ten millions of francs; and animated debates on the affairs of the east took place in committees of the chamber of deputies. Guizot and Thiers were in different committees. The language of Guizot, who exerts a controlling influence on the French ministry, was unfriendly to England. He maintained that England had views upon Egypt which France could not sanction; and that in the approaching break-up, France must get what she could for herself—and he cared little whether it came from Russia or England. Thiers, on the other hand, declared that England had no ambitious views on Egypt; and he denied that Russia had excited collisions in the east: it was the interest of both Russia and England to preserve peace. He was opposed to the vote of ten millions for a mere naval promotion; and required a development of clear, rational views of policy, and definite alliances. To effect these necessary objects, a firm and talented cabinet was required; and he finally saw not a single individual in the existing government capable of considering the question.

The fiery large majority of 262 to 71 voted the secret-service-money demanded by the ministers. *Have, June 8, 1859.* There is a decided improvement in our cotton market both in prices and the extent of inquiry; our prices for ordinary and inferior descriptions have risen 5 a 7c. on the currency of the previous week, and the better qualities have recovered 2 a 3c. The total sales of the week reached 7,200 bales. The accounts from your side per steamer Liverpool, mentioning a falling off in shipments from our ports, have produced a feeling of confidence among holders, and the now well ascertained fact that consumers have exhausted their supplies, will induce them to hold out for enhanced prices—but still, it cannot be disputed that the accounts from the manufacturing towns bespeak no favorable change; manufactured goods continue quite unmercenary.

Have, June 10, 1859. Our cotton market has assumed a more cheering aspect, and both holders and buyers manifest a greater degree of confidence in the article. The inquiry to-day has been pretty animated, nearly 1,800 bales have been taken at a further improvement of 2 a 8; and a steady business is anticipated for the week, unless holders should hold out for higher prices.

In ashes we have the following sales; 68 bris. pots at 41f. and 48 pearls, first sort at 61f.

The following arrivals took place yesterday:—The Switzerland, Hunt, from Charleston, Lebia, Higgins, from Baltimore, (20 days); to-day, Coriolanus, Fenny, from New Orleans.

TURKEY AND EGYPT.

Accounts of the actual commencement of hostilities between the porte and the pasba of Egypt had been received. On the 5th of May, the European consuls at Alexandria were informed by Mehemet Ali, that the Turkish army under Hafiz pascha, twenty thousand strong, had crossed the Euphrates at Byr, and that instructions had been sent to Ibrahim pascha, to ascertain certainly that the Turks had first broken the peace, and in that case "to put his trust in God"—in other words, to attack them. It seems probable that Ibrahim, in obedience to these

orders, attacked the Turks; for a "collision" is positively stated to have occurred on the frontiers of Syria. However, the Turkish ambassador at Paris assured the French government that he had received no information of the event, and was not disposed to credit the report. Byr, he added, was within the Turkish territory, and therefore occupation of that city would be no breach of the peace by Hafiz.

CHINA.

From China there are accounts direct to the 19th of February. On the 8th the chamber of commerce had issued a statement, giving the total exports of tea to that date, both to Great Britain, and the United States, which were as follows:—

	Pounds.
Black tea to Great Britain	21,637,333
Green do. do.	3,587,567
Total	25,224,900
Black tea in the United States	652,400
Green do. do.	3,761,733
Total	4,414,133

Silk to Great Britain, to the same date (peculs) 1,171
As the holidays were about to commence, there was not much business doing. Some purchases had, however, been made for exportation of first quality silk, at 540 to 555—say about 150 bales.

The papers contain the long proclamation from the governor ordering the back doors of the factories to be locked up with loose bricks.

(Extract.)

"Tang, governor of Canton, &c. proclaims to the security merchants, for their full information:—
"Whereas, on the 22d day of the 12th moon, (26th January.) I received the despatch from the hoppo, setting forth the following: It appears that in reference to the foreigners' factories, they are making back doors fronting the north, I already gave forth my edict commanding that, agreeably with the memorial presented to the emperor in the time of Ceen Ling, these should be stopped up to conform exactly with the old rule, and prevent leaking (out and in); and at the same time I wrote to your excellency that your excellency should issue orders for the same being put into force, as on record; however, it appears that the hong merchants have petitioned me to the following effect:—We the hong merchants, with deep respect to all the particulars of your excellency's edict, several times implored upon them, the said foreigners, that they should take the back doors fronting the north, and have them stopped up, when it appears they all said with one voice that they had not opened these back doors for the intention of smuggling, but as a precaution in case of fire."

From Singapore. We have by the Liverpool a Singapore Free Press, of February 14, in which there is a full record of the movements of the U. S. frigates Columbia and John Adams on the west coast of Sumatra.

There were no American vessels in port:—

From the Free Press.

We omitted last week to make any mention of the gaieties that had just taken place in commemoration of the twentieth anniversary of the settlement. The ball on the 5th, was of course attended by all the beauty of Singapore; while the presence of commodore Read, and several officers of the American frigate, made an important and agreeable addition to the chivalry present, Terpsichore asserting her dominion over all until a late hour. The public dinner on the following day, which was the anniversary, was a very first rate jollification, the toasting, speechifying and singing, being all most appropriate and in the best taste—and it was agreed by all that the exertions of Mr. Connelly in the chair contributed in no small degree to the hilarity of the evening.

While on this subject we may mention that colonel Cooke and the officers of the 8th, entertain commodore Read and the officers of the United States squadron at a ball and supper to-morrow evening.

SOUTH AMERICA.

We are indebted, says the New York American, of the 2d inst. to the kindness of Mr. Hobbs, secretary to commodore Ballard, for the annexed translations and extracts from Rio papers.

Extracts from the Rio circular.

Rio de Janeiro, May 10th, 1859. The political occurrences of the last month were of considerable and unusual interest, but, before we proceed to take a retrospect of the most important, we must present our readers with a translation of the speech delivered yesterday by the regent in person, on opening the session of the legislative assembly; it is as follows:

"His majesty the emperor, and his august sisters, continue to be blessed by the Most High with perfect health.

"The marriage of her imperial highness is one of the great objects which engages my attention, and I recommend to you in the name of the emperor, that you take the most essential consideration, in order that it may be carried into effect in a manner worthy of Brazil and the throne.

"Our friendly relations with other nations remain unaltered; we continue to receive the most satisfactory demonstrations of the interest which all nations take in the consolidation of the Brazilian monarchy, and in the glory and prosperity of the empire. The motives, which for a moment existed, for doubting a continuance of a good understanding between the imperial cabinet and that of the holy see, are removed.

"In the province of Rio Grande South, the conflict occasioned by the delusion of a part of its inhabitants unhappily continues; but the perseverance and moderation of the imperial government, aided by the example of constancy and firmness of those Brazilians who are faithful to their duty of allegiance will, (this I hope from the Omnipotent), re-establish the imperial sway, and cement concord between children of the same family.

"The other provinces of the empire manifest generally (I state it with pleasure) a spirit of order, accompanied by a devotedness to the principles of liberty rightly understood, which promises us a long continuance of tranquillity.

"The interpretation of the law of the 12th Aug. 1834, which reformed the constitution of the empire; the improvement of the circulating medium; a revision of the penal code; and a settled system of public instruction, such as may duly capacitate the youths of Brazil for the important offices of social life, whether civil or military: these, gentlemen, are the objects which will most especially continue to offer you useful matter for your labors.

"The session is opened.
(Signed.) PEDRO DE ARANJO LIMA."

"It is with the most painful feelings that we have to notice a melancholy occurrence which took place on the 21st ult. and which in its consequences might have seriously affected the personal safety of the British residents. The circumstances of the case, according to the best information we have been able to obtain, were as follows: The steamboat *Esperaladora*, (belonging to the Nietheroly company), on its return from an excursion up the bay, about 9 o'clock in the evening, unnecessarily and imprudently passed between his majesty's ship *Stag* and the brig *Ganges*, one of the captured slavers, and so closely to the latter as to excite suspicions, after what had happened on previous occasions, that an attempt was intended to bring away some of the slaves, or to afford the means of escape to the prisoners confined on board, and the more so as when alongside the engine was suddenly stopped. Commodore Sullivan, who was on the frigate's deck, on seeing this, gave orders on board the *Ganges*, to be prepared to fire, in case of any such attempt being made, but the sentinel, amidst the noise and confusion, hearing only the word *fire*, unhappily discharged his musket loaded with ball, and mortally wounded a Brazilian gentleman named Bulhoes, who was seated on the aft part of the steamer's deck, and who died on shore of the wound early on the following day."

"It will be easily believed that this sad accident caused a very great sensation, and that this was aggravated by persons who exerted themselves to fan the flame of popular excitement, by representing the act as a wanton aggression on the part of the British navy, as a gratuitous insult offered to the Brazilian nation, and as an act of barbarous revenge for the outrage committed the previous evening on a British boat's crew, whilst taking off the captain of one of the captured slavers, who had been landed for the purpose of being interrogated by the mixed commission, and as one that would be followed up by the execution as pirates of the persons in command of the slavers when captured.

"These efforts were but too successful in irritating the feelings of the populace against the British, and especially so against the emperor and the navy, which led to several acts of violence, and which might have proceeded to a frightful extent, had not the effervescent state of public feeling been in a great degree allayed by the publication of the following judicious letter addressed by the British minister to commodore Sullivan:

"It is with extreme pain that I have to address you on the occurrence of a most lamentable event, of which I have been officially informed by his excellency, the minister of foreign affairs, Senhor Candido Baptista de Oliveira.

"From the representations that have been made to me on the part of the imperial government, and

from other sources. I learn that on the 21st inst. on its return from the island of Paqueta, the steamboat *Esperaladora* was fired into on passing the *Ganges*, one of the prize vessels lately captured with Africans on board, and that a respectable and industrious Brazilian gentleman was, by that shot, mortally wounded.

"I do not appear from the communication of his excellency, Senhor Candido Baptista de Oliveira, that there was the slightest provocation for this fatal act, nor is it represented as accidental; under such impressions, which, until I receive further explanation of the origin of this sad event, I am bound to entertain, terms are not strong enough to express the indignation and just reprobation with which such an outrage must be regarded: not alone must the feelings of an esteemed and friendly nation be roused in the highest degree by such a wanton act of barbarity, but I am certain, sir, that, as commodore and senior officer in command of his majesty's naval forces, at present in this harbor, you will fully share with me the feelings which cause me, not only as his majesty's charge d'affaires, but personally as an Englishman, deeply to deplore this event, and earnestly to desire to bring to justice the parties, whoever they may be, who, if I am rightly informed, have been guilty of an unprovoked crime.

"It is in the conviction, sir, that I shall meet on your part with every co-operation in bringing to light every the most minute circumstances and evidence calculated to obtain the ends of justice in this affair, that I now officially request that you will receive on board your frigate, whatever legal or competent authority, or whomsoever the imperial government may direct to examine into this lamentable affair; and afford every assistance in your power in furnishing evidence and investigating the true circumstances of the case—waiving on an occasion like this, any strict observance of legal or military forms or privileges.

"I make this request simultaneously with the application, which it is also my duty now to forward for every explanation, the result of the examination, which you will doubtless institute on this sad occasion, and which you will please furnish to myself—that may enable me to forward to the imperial government an early answer to the communication which I have had the honor to receive from his excellency Senhor Candido Baptista de Oliveira. I act thus, in order to avoid any possible delay in affording every assistance in your power, and being ready to receive on board your ship, the officers or others appointed by the imperial government, to examine into the truth of this melancholy affair—and bring the offender to such punishment as the award of justice may require.

"I am informed that at half past four this day, the judicial officer appointed for this purpose by the imperial government will proceed on board his majesty's ship *Stag*, in order to obtain the necessary information.

"Entirely relying on the proper feelings with which you will gladly second my efforts on this melancholy occasion, I have the honor to be, &c. &c.
(Signed.) WILLIAM G. OUSELEY.

Rio de Janeiro, April 23, 1839.

This letter was looked upon by the Brazilian public as the spontaneous effusion of a generous and sympathizing heart, written in the true spirit of British feeling no less prompt in redressing wrong than ready and determined to defend a right—equally yielding and conciliatory towards minor powers, as firm and undimching towards equals, or superiors, if, under heaven, any such there be.

Commodore Sullivan having signified, as was to be expected from him, his readiness to afford every facility in obtaining the necessary evidence of the facts of the case, in addition to the investigation, which he had himself previously and immediately instituted, the judge conservator for the British nation, the senator Senhor Catano Maria Lopez Gama, went on board H. M. ship *Stag*, to enter upon the examination of the circumstances of the case, but as no foreign authorities could proceed to a judicial inquiry on board a ship of war, which would be analogous to their admission into the courts of justice of the country, whose flag she bore, the inquiry took place on board the *Ganges*, and we understand that the evidence obtained from a variety of witnesses, (including the captain and major officers on board of the latter vessel), substantiated the facts as we have related them, in the commencement of the article; and that the sentinel, the marine Joseph Hain, having been found guilty of firing the fatal shot in question, the said judge demanded his being given up, but which demand the commodore stated he could not comply with, until he had communicated with the board of admiralty upon the subject; and that the said marine should be kept prisoner on board H. M. ship *Stag*, until the pleasure

of the board be known. We understand further, that the judge requested commodore Sullivan to furnish him with a copy of the minutes of inquiry instituted by himself on board of H. M. ship *Stag*; and that the request was immediately complied with.

The minutes of the whole proceedings will of course be submitted to the consideration of the Brazilian government, and then probably become the subject of further communication with the British minister.

We should be guilty of an act of manifest injustice towards the Brazilian government, if we closed this article without recording the praiseworthy and energetic conduct of the competent authorities, in taking every precaution to prevent the acts of violence against the British, which it was justly apprehended the excited state of public feeling might occasion. The government was well informed, and knew that several individuals had made arrangements, and hired persons to molest the British, which information induced the minister of foreign affairs, Senhor Candido Baptista de Oliveira, to act the noble part of calling upon the Portuguese charge d'affaires, Senhor Joao Baptista Moreira; and intimating to him, that as the parties were all known to the police, it would be desirable that his excellency should use his influence to prevent unpleasant consequences. This intimation led to the following communication from the charge d'affaires of Portugal, of which, we understand the Brazilian minister had the first intimation by reading it in a public newspaper, namely:

"The undersigned, charge d'affaires of H. M. F. M. at the court of his majesty the emperor of Brazil, has the honor to address his excellency Senhor Candido Baptista de Oliveira, minister and secretary of state for foreign affairs, in order to afford an exact solution to the object for which his excellency called upon him at his residence. The undersigned, trusting his excellency that the supposition of the number of Portuguese subjects having been considerable among the assemblage of the populace in various parts of the city, with hostile demonstration towards British subjects belonging to the navy, must be exaggerated, stating at the same time that he gave it due attention, in order to take the necessary precautions, did no more than manifest his conviction of the love of good order, which is characteristic of the subjects of H. M. F. M. who resides in this metropolis; and, at the same time, that the undersigned took the necessary steps to prevent the Portuguese name from being involved in the late delinquent occurrence, he feels himself called upon to declare that such measures were unnecessary, as the Portuguese have continued from the commencement to conduct themselves in this matter of offending Brazilian national honor, with the utmost neutrality, thereby negating the incident, which occasioned a misunderstanding between the subjects of two friendly nations, and suppressing, as they ought to do, any expressions that might destroy the political indifference, which it is their duty to observe. The undersigned, in making this communication to his excellency, and of which the imperial government ought to be assured by the connection of the facts, must reiterate his assurance to his excellency that the Portuguese subjects, resident in Rio de Janeiro, will be, as they always have been, obedient to the laws of the country, and zealous observers of neutrality in questions which ought not to concern them.

"The undersigned avails himself of this occasion to reiterate his assurances to his excellency Senhor Candido Baptista de Oliveira of his particular respect and esteem."

(Signed.) JOAO BAPTISTA MOREIRA.
On Saturday, the 27th of April, his excellency the minister for foreign affairs, Senhor Candido Baptista, transmitted the following circular communication to the foreign ministers resident at his court:

"The undersigned, of the council of his majesty the emperor, minister and secretary of state for foreign affairs, has the honor to intimate to Sr. Rouen, envoy extraordinary and minister plenipotentiary of his majesty the king of the French, that the regent, in the name of the emperor, considering the continuance of diplomatic relations with Senhor Joao Baptista Moreira, charge d'affaires and consul general of H. M. F. M. incompatible with the dignity of the imperial government, has ordered the undersigned to cancel the exequatur of his patent as consul general in this empire.

"The undersigned reiterates his sentiments of esteem."
(Signed.)

"CANDIDO BAPTISTA DE OLIVEIRA."
Rio de Janeiro, 27th April, 1839.

TO THE WHIGS OF VIRGINIA.
The central committee, appointed by the whig members of the last general assembly of Virginia, deem it a duty which that appointment has imposed

upon them, to suggest and recommend to the numerous body of their fellow-citizens of this state who are opposed to the re-election of Mr. Van Buren to the presidency proper measures for producing concert of action among themselves at home, and concert also between them and their political friends in the other states of the Union.

As we now address ourselves only to those who concur in the opinion that Mr. Van Buren is wholly unworthy to fill the office of chief magistrate of this great people, it is therefore no part of our present purpose to enter into an examination of his official character and conduct, or those of his immediate predecessor, whose principles of government had policy he professes to follow, with a view to expose the dangerous faults and equally pernicious follies they have committed. The hollowness of all their professions—the dishonest arts they have practised or countenanced—their wild and mischievous experiments—their daring pretensions to powers never before claimed or heard of—their corrupt and corrupting abuse of the executive patronage—the baleful principles they have introduced into the administration, and the yet more baleful principles, absolutely incompatible with a government of laws, which they have promulgated, or sought to promulgate, by their unjust and fearful changes, which, by all these means, they have wrought in the character, the morals, and even the manners of the federal government, and, by consequence, in its probable destinies—these are topics which may be the theme of future discussions addressed to the good men of all parties.

Neither is it our purpose here to recommend the nomination of any particular citizen to be supported by the whig party as their candidate for the presidency. Our own strong and decided preference, indeed, points to the statesman whose benign influence this nation stands already indebted for the healing of the two most fearful dissensions that have ever distracted its councils; from whose practical wisdom, the result of great experience in public affairs, ability and virtue, we may expect a prudent prosperity, as well as just administration; whose large and liberal views, his high and noble, whose generous ambition will prompt him, whose patriotism will impel him, and whose firmness will enable him, to be the president of a nation, and not the president of a faction; and from whose moderation and magnanimity we may hope that the executive patronage, in his hands, will no longer be an instrument of favor, of revenge, or of ambition—no longer be degraded to the vile purposes of rewarding the selfish zeal of furious partisans and punishing the independence of honest opponents—of continuing power in the hands that hold it and perpetuating the domination of a party. But the great object we have at heart, far more than the nomination of the gentleman whom we prefer, is that concert and co-operation in effecting a nomination which will secure an undivided and strenuous support to the candidate, and that all our energies be united to forego our individual preferences, if it shall be required of us, in deference to the opinions and wishes of the party with whom we must act in order to make our strength effectual.

The propriety, or rather the indispensable necessity, of such concert, seems so obvious, that it is hoped hardly any thing but the suggestion can be wanting to produce a general, hearty, and prompt co-operation in any measures fair in themselves, and adapted to the accomplishment of the end, without embarrassing the cause with inquiries whether other measures might not be devised equally, and even perhaps more convenient than those proposed.

It is right, in this case, to learn prudence from our political adversaries. They have been indebted for the successes they have hitherto achieved, we are convinced, not so much to the strength and concert of design, combining of means, and concert of action, of all our energies to the execution of their plans. They resort to a regular party organization upon all occasions on which it can promise them any advantage. We have seen them holding a general convention in this city during the last spring, and organizing their whole party in Virginia, with the avowed purpose of affecting and controlling our then, approaching elections by force of party management—uniting, directing and stimulating their exertions. No attempt of the same kind was ever before made in the state. Strong as the temptation was to follow the example, and fair as would have been our excuse if we had followed it, we rejoice that it was not followed; for we think, contrary to the opinion of the exclusive democratic republicans, that it is a point of honor, and a respect for the intelligence or pride of the people to suppose them incapable of choosing their immediate representatives, without the aid of conventions and committees of vigilance to incite, instruct, and direct them. But the election of president and vice president, in its very na-

ture, requires the agency of some assembly for the purpose of nomination and concert; and such assemblies have accordingly always been held, and, while the election shall be conducted in the manner it now is, always must be held for the purpose.

We are sensible that the partisans of the administration have peculiar facilities for party organization in the numerous regular army of office-holders enlisted in their service, and dispersed throughout the land, and in the party discipline they have established, which tolerate no individuality of character—no independence of thought or action; discipline founded in, and upheld by, a regular system of rewards and punishments, which the president, in the exercise of the executive patronage, administers without scruple, without shame and without moderation. Of these advantages they will doubtless avail themselves to the utmost; nor can we deprive them of them. But, as they themselves avow, they rest their hopes of success not so much on their own strength, or the judicious combination and direction of their strength, as upon the divisions and dissensions which they fondly believe to exist among us, their opponents, and which they labor by all means to inflame. This ground of hope it is in our power to take away from them, if we only true to ourselves and our cause. If the maintainers of presidential domination are right in the opinion they entertain; if nothing short of the executive patronage, actively and steadily employed, is of sufficient force to combine and hold together any party in this country in reference to the presidential election, then it is obvious that the president will always have the power of dictating his own re-appointment, and of appointing his successor, so long as the appointment to the office shall continue to be made in the form of an election.

We recommend, 1. That a convention of the whig party of Virginia be held at Staunton, on the 30th day of September next; to form which convention, the people of each county, town and election district of the state entitled to representation in the house of delegates, shall appoint two or more delegates as they may think proper to elect to that house. 2. That the people empower their delegates in the said convention, or such of them as shall attend, to determine, among other things, whether a separate state nomination of president and vice president should be made, or whether delegates should be appointed to the national convention proposed to be held at Harrisburg, in December next; if the convention determine on a separate state nomination, then to make or indicate the manner of making it; and if they determine to send delegates to the proposed convention at Harrisburg, then to appoint one delegate for each congressional district and two for the state at large, and to give them proper instructions. And, 3. We recommend to the whigs of the state, when they assemble to appoint delegates to the convention at Staunton, to appoint also a committee of vigilance in each county and town, and to communicate the names of the committees to the central committee.

B. W. LEIGH,

WM. H. MACFARLAND,

JAMES LYONS,

B. PEYTON,

JOHN H. PLEASANTS,

HOLDEN RHODES,

W. ROBERTSON,

JAMES M. WICKHAM,

H. L. BROOKE,

S. S. BAXTER,

L. W. CHAMBERLAYNE,

PEACHY R. GRATAN.

Richmond, July 4, 1839.

THE PRESIDENT.

From the Harrisburg (Pa.) Reporter.

Mr. Van Buren left Washington on the 20th inst. and passed through Baltimore without the good people of that city being aware of his presence. The following day he reached York, and was waited upon by the population, old and young. On Saturday, about 4 o'clock, he reached Harrisburg, where he took lodgings at Mr. Nagle's Union Hotel. He was shortly waited on by a committee from the senate, and also from the public, headed by their speaker. He declined all public honors. The president, whilst here, was visited by the members of both houses of the legislature, by the governor, heads of departments, and by as many of the people as he could conveniently shake hands with, from Saturday until Monday. Every one appeared pleased with the urbanity of his demeanor, and the propriety of his conduct.

On Monday he left for Lebanon, and whilst there, was visited by persons of every party denomination. On Tuesday he reached Reading, the political centre of "Old Berks." The warmth of his reception, there, may be gathered from the following letter, written by a friend, who never voted

a democratic ticket in his life, and therefore cannot be charged with political partiality:

"Reading, Wednesday morning, June 26.

"On my arrival last evening, I found the president elegantly quartered at Herr's hotel, still receiving visitors of distinction of all parties, cordially welcoming him to 'Old Berks.' In the night, the court house was brilliantly illuminated, and a large bonfire built at each extremity of Penn square. I was told that his arrival was announced by the ringing of all the bells in town. He was escorted to his lodgings by a large escort of horse and foot. He was entertained last night with unusual splendor at the mansion of Samuel Bell, jr. esq. where a large party of ladies (looking as Pennsylvania's daughters always do, peerless), and gentlemen had previously assembled to receive him. He appeared delighted throughout the evening. In short, my dear sir, Reading fully sustained her character for genuine hospitality.

"He departs hence at about 11 o'clock, for Easton."

The unostentatious manner in which Mr. Van Buren travels, has put to rest in this region, the "terrific" stories we used to hear about English servants, horses and carriages. They were ratiocated with such pertinacity, as to make some people really believe there was truth mixed with all this fiction—now we know 'it's all a fiction.'

We annex the following correspondence, between the democratic members of the senate and house, and the president, in which it will be seen he declines the hospitality tendered to him by the representatives of the people.

The democratic members of the senate and house of representatives, having learned that president Van Buren would pass through Harrisburg in a few days, assembled in the east committee room, June 21, 1839.

General William T. Rogers, of Bucks, was called to the chair, and R. Broadhead, jr. of Northampton, appointed secretary.

On motion of Mr. Senator Myers, it was

Resolved, That a committee of thirteen be appointed to make suitable arrangements for the reception and entertainment of Martin Van Buren, president of the United States, if he should visit Harrisburg on his way to the north, and that the chairman and secretary be placed upon the committee.

William T. Rogers, Henry Myers, A. V. Parsons, Charles Brown, S. L. Carpenter, Wm. Hopkins, R. P. Flenkinn, W. P. Wilcox, Henry Longaker, T. B. McElwee, F. Smith, J. Woodburn and R. Broadhead, jr. were appointed the committee.

WM. T. ROGERS, chairman.

R. BROADHEAD, jr. secretary.

State capitol, Harrisburg, June 22, 1839.

SIR: The undersigned have been appointed a committee by the democratic members of the senate and house of representatives, to express the gratification they feel, in welcoming you to the capital of Pennsylvania, and to request that you will afford them an opportunity to express the high sense they entertain for your public character and moral worth, by dining with them at such time and place as may be most agreeable to you, or in such time and manner as may best suit your wishes and convenience.

W. T. ROGERS,

HENRY MYERS,

A. V. PARSONS,

CHARLES BROWN,

WM. HOPKINS,

R. BROADHEAD, JR

W. P. WILCOX,

HENRY LONGAKER,

T. B. McELWEE,

FRED. SMITH,

JAMES WOODBURN,

R. P. FLENNIKIN.

To his excellency, Martin Van Buren.

Harrisburg, June 24, 1839.

GENTLEMEN: Your letter, informing me that you have been appointed a committee by the democratic members of the senate and house of representatives, to express the gratification they feel in welcoming me to the capital of Pennsylvania, and inviting me to a public dinner at such time and place as may be most agreeable to myself, was placed in my hands on Saturday. Having explained to the members of the committee by whom it was presented, the reasons which put it out of my power to avail myself of that invitation so kindly given, it only remains for me to return to you, and to those whom you represent, my grateful acknowledgments, as well for the particular mark of their respect which you were deputed to offer me, as for the very gratifying and friendly manner in which they have been pleased to receive me. Such attention could not have proceeded from a source pos-

assing in a higher degree my confidence and regard, than the democratic members of the legislature of this great and patriotic state.

Be pleased, gentlemen, to convey to those whom you represent, and to accept for yourself, assurances of the respect and esteem with which I am

Your friend and obedient servant.

M. VAN BUREN.

To the honorable Messrs. Rogers, Myers, Parsons, Carpenter, Brown, of the senate, and Hopkins, Smith, Longaker, Broadhead, Wilcox, McElwee, Woodburn, and Flenniken, of the house.

From the *Easton Democrat*, July 4.

On Wednesday evening, the committee of escort assembled at Heckman's hotel, and organized by choosing John Davis, esq. chief marshal, and on Thursday at about eleven o'clock, Mr. Van Buren arrived at Bethlehem, to which place he was escorted by our friends from Lehigh county, and where he was received with every demonstration of respect by the Bethlehem committee, and citizens of all parties.

Having dined at Bethlehem, he was delivered over to the Northampton committee at 2 o'clock, and proceeded to Easton in colonel Porter's carriage, accompanied by the committee of reception.—His son rode in the president's own carriage, accompanied by colonel Irlie. The escort on horseback, under command of marshal Davis, preceded the president and the residue of the citizens followed in upwards of fifty carriages. Having halted at Butzown, and at Dietrich's, for a few minutes, the procession proceeded to Easton, and arrived at about half past 4 o'clock, P. M. where the president was received with a national salute from mount Jefferson, (under directions of Mr. John J. Hester) the ringing of bells, and the continued cheers of our citizens, who lined the streets from the outlets to the hotel.

On arriving at the American hotel, (kept by Mr. A. D. Olmstead) the president's parlor was immediately so crowded that it was found necessary to remove to the lower floor in order to permit the introduction of the hundreds of citizens who awaited his arrival, and desired to grasp the hand of "the man whom they had delighted to honor." We presume that nearly one thousand persons were introduced to him in the course of the afternoon, and it was particularly pleasing to see how he detained, to converse with them, the few surviving veterans of the revolution whom we have still left lingering among us.

During the afternoon the faculty of Lafayette college, in a body, waited upon and were introduced to the president, as were also the students of the institution generally. In the evening, pursuant to invitation he attended the concert of vocal and instrumental music, at the German Reformed church, and was much pleased with the performance of the ladies and gentlemen, which was highly creditable to them.

In the course of the evening and the next morning he visited three or four private families, and precisely at ten o'clock on the 28th he left us, escorted over the Delaware bridge in the same manner in which he had arrived, and was delivered over to the hands of the Greenwich (New Jersey) committee at the eastern end of the bridge, and thence proceeded to Belvidere.

On taking leave Mr. Reeder on behalf of the Northampton committee bade him a neat and appropriate adieu, to which the president replied with promptness and ease, and major C. Sitgreaves then, on behalf of our New Jersey friends, welcomed him to the soil of that patriotic state, in a speech of some length and great beauty, to which the president responded with his wonted aptness and felicity of expression.

LETTER OF THE COMMITTEE.

His excellency, Martin Van Buren, president of the United States.

HONORED SIR: On behalf of the people of Northampton county, we welcome you to her borders. It is the first time since the establishment of our government, that we have had the pleasure of meeting upon our own soil the president of the United States. That pleasure is greatly enhanced upon the present occasion, in being able to greet in your person the candidate of our choice, whose conduct in the executive chair has justified every hope of his friends, and who, by an able, independent, firm and republican exercise of the executive functions, has commanded the respect of nations abroad, and maintained the confidence of the people of the union at home.

We tender to you a hearty welcome to "old Northampton," which for near half a century has stood forth firm and fearless in her undeviating support of democratic men and democratic measures; and on behalf of her citizens, we respectfully re-

quest that you will partake of a public dinner with them at such time as may best suit your convenience.

Wm. Kenedy,
Thos. McKeen,
D. D. Wagueur,
J. M. Porter,
Gen. Hess, jr.

A. H. Reeder,
Wm. Hackett,
Washⁿ McCartney,
D. W. Davis,

THE PRESIDENT'S REPLY.

Easton, June 23, 1839.

GENTLEMEN: For the cordial welcome expressed in your letter, and which has been so enthusiastically confirmed by those whom you represent, I return my grateful acknowledgements. That I have had the good fortune, under circumstances of peculiar difficulty and responsibility, to retain the confidence originally reposed in me by them and by yourselves, and to elicit by my presence a display of personal regard like that which has greeted my arrival, will be counted the most agreeable reflections of my future life.

The invitation to a public dinner with which you have honored me, you must permit me respectfully to decline. Although frequently complimented by my fellow citizens with similar invitations, I have never, in the course of my public life, availed myself of them in a single instance. If an exception were to be made to this course, I could not desire an occasion more appropriate than that of an invitation proceeding from the people of "old Northampton," who have, as you truly say, "for nearly half a century, stood forth, firm and fearless, in their undeviating support of democratic men and measures." But considerations affecting my official position being added to a long cherished preference for a less ceremonious interchange of salutations with my political friends, and having already in the course of my journey, declined similar invitations from other highly esteemed portions of them, I am confident that the democracy of Northampton will indulge me in the adoption of a similar course in respect to themselves.

I cannot, gentlemen, in justice to my own feelings refrain from embracing this opportunity to express the high satisfaction from which I have derived from my visit, for the first time to the interior of your great and prosperous commonwealth.—From the county of York, where I entered it, "for nearly half a century, stood forth, firm and fearless, in their undeviating support of democratic men and measures." But considerations affecting my official position being added to a long cherished preference for a less ceremonious interchange of salutations with my political friends, and having already in the course of my journey, declined similar invitations from other highly esteemed portions of them, I am confident that the democracy of Northampton will indulge me in the adoption of a similar course in respect to themselves.

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Do me the favor, gentlemen, to convey to those whom you represent, and to accept for yourselves assurances of the sincere regard and respect with which, I am, your friend and obedient servant.

M. VAN BUREN.

Messrs. A. H. Reeder, W. Kenedy, W. Hackett, Th. McKeen, W. McCartney, D. D. Wagueur, D. W. Davis, J. M. Porter, and G. Hess, jr. committee.

THE PRESIDENT AT NEW YORK.

We publish below the address delivered on the occasion of the reception of Mr. Van Buren by the committee of his democratic fellow citizens.

Mr. J. W. Edmonds, chairman of the committee of citizens, spoke as follows:

We have been chosen Mr. President, by your democratic fellow citizens, to convey to you, on this, your first visit to this city as chief magistrate of the union, their united congratulation and welcome.

On an occasion like this, it is not within the scope of our duty, to discuss the topics which divide the political world, however interesting they may be; but as free citizens, acknowledging a deep interest in all that concerns the common weal, it is not less due to ourselves, than demanded by truth and justice, that we should remember the events which

have marked our history during your administration.

It is seldom that the energies of a nation are tried by convulsions like those which we have recently witnessed. It is seldom that questions of such vital importance to constitutional freedom, involving so deeply the existence and nature of republican government, and opinions so deeply interwoven in the prejudices and passions of human nature, combine to embitter political contests. Surely then the friends of popular institutions—all who have advocated a strict adherence to the provisions of our constitution, and all who wish our government to preserve the free and equal spirit infused into it by our fathers, have reason to be grateful. The storm which darkens the horizon, purifies the atmosphere, and the reverses which have tried, have also proved the resources, the energies, and the patriotism of the people.

We are not at this day to learn that long and continued prosperity is dangerous to the simplicity of free institutions. Errors, invited by temporary convenience, abuses, more to be dreaded from their very insignificance, identify themselves with legislation, and assume a pernicious importance from the frequency of their recurrence, and accumulation, and arrested by the vigilance of an intelligent people, undermine surely and unseen the fabric of constitutional liberty.

Deeply sensible of these reflections, and aware that a period had arrived when the public welfare—the purity of legislation—and the whole system of trade upon which our commercial prosperity rested, would depend upon the integrity and firmness of our representatives, the democracy of this state awaited, with solicitude, your first communication to congress, and have anxiously and approvingly observed your subsequent course.

It was not to be expected that the great reform which you recommended could be immediate, or that measures affecting widely every amplified relation of life, would pass without opposition.

The step of improvement is over the attachment of our interests to a system, by which, however evil—all who attain power by legislation, however unjust—those who govern, and those who fear a large and influential class, unite against the reformer, and deny the utility of any plan which works temporary loss to themselves. Time, however, is ever disappointing the expectations which are founded on the instability of popular opinion; and recent events have conclusively shown, that there is abundant virtue in the people—that there is in them a barrier adequate of resisting the influence of wealth—a feeling adequate to contend with the passion of covetousness, and principles impassable to temptation—and that opinions drawn from annals of the ignorant, debased and servile communities, have no applicability to a nation where the mind as well as the body is free, and where man is born to an inheritance of thought and education.

You, sir, upon whom, in vindicating our laws and constitution, the weight of executive responsibility has devolved, the approbation of your countrymen, no less than your own reflections, will be a sufficient return for the sacrifice of personal feelings involved in the fearless discharge of your high duties.

To us, who have supported the measures of your administration, time has added conviction as to the justice of our cause and determination to our purpose of maintaining it. And we are convinced that with you as our chief magistrate, neither the spirit of party, nor the workings of ambition, can retard that equal legislation which knows no favorites and sanctions no preferences.

We congratulate you upon the peace and prosperity which overpread our common country. In the full enjoyment of civil and religious liberty—with energies developing themselves in endless progression—with resources defying the limit of imagination—with territory uniting the advantages of every soil and climate—our future destinies justify the most sanguine hopes, and offer a theme of grateful contemplation. The cultivation of peace with all the world, and the preservation of our national honor unimpeached, are necessary to the attainment of this high estate, and devolve upon the executive duties of an important character. Twice, since your election, has the discharge of these duties demanded the exercise of great firmness and wisdom.

The difficulty of maintaining the just neutral relations of a frontier so extended as our own, is appreciated by few. The wild passions and restless actions engendered by constant collision and protected by an unsettled country and a disaffected neighborhood—the local jealousies incident to disputed questions of territorial jurisdiction are only understood by those who are witnesses of their

magnitude. There was a period when those difficulties appeared insurmountable, and when the peaceful relations of two great nations seemed an inevitable sacrifice to circumstances beyond the reach of human foresight and firmness. Happily, those clouds have been dispersed, and with the satisfaction which such an issue must afford to the true patriot, you can enjoy the added consciousness of having mainly contributed to its accomplishment, and of having earned for yourself a signal mark of the confidence of the representatives of the whole people. We are not regardless of the protection and encouragement which, during your administration, have been afforded to the interests of literature, science and education, and we rejoice that those who elevate our national character by their erudition, have been so frequently selected by you to protect and represent our public interests.

With these views of your claim to the confidence of the American people, we look forward to the period when the measures of your administration shall receive their unbiased and united approbation, and in the name of those who are now the supporters of your principles and policy, and with every assurance of individual regard, we render you our cordial welcome to your native state.

To which the president replied:

GENTLEMEN: I am deeply and gratefully affected by this cordial reception on the part of my democratic fellow citizens of the city and county of New York. Long, very long, the recipient of their favor, and thoroughly impressed with a conviction of their unvarying patriotism, I can never be insensible to their good opinion. It is, therefore, with the liveliest satisfaction that I learn from you that my official conduct as president of the United States, has met the approbation of those who for their behalf you have addressed me. I estimate that approval the more highly from a belief that they have not overrated either the difficulties of my position, or the importance of the subjects upon which it has been my duty to act.

Your observations upon an important question in regard to our domestic policy—that of an independent treasury—shows a very mature and just consideration of the subject in all its bearings; tested by the principle which has been opposed to it—that of giving a temporary use of the public money, and a consequent control over it, to private corporations irresponsible to the people—it may well be regarded as a question involving the nature, and to some extent, the existence of republican institutions, as well as a consideration of the main purposes for which our government was established; whether for the safety of the nation, or the grandeur of the few—whether or not to secure the greatest good to the greatest number, in our view the only legitimate object of the institution of government among men. It is, to my mind, certain that under a system like ours, and in communities like those which compose the population of these states, the solution of the question embracing these considerations cannot long remain in doubt. Private interest and individual efforts under mistaken impressions as to its tendency, may indeed obstruct and delay, but they cannot control its final adjustment. On the contrary, we cannot be deceived in believing that the period is rapidly approaching when those efforts will be discontinued—when personal considerations will, unavoidably, be merged in the general current of public sentiment, and when a common interest in this respect will be placed on its only true and solid foundation, by the adoption of the measure referred to with the approbation of the people.

The views which you have taken of particular points in our foreign relations, which recently presented a very unfavorable aspect, are conceived in the same just and enlightened spirit. The long contested question between Great Britain and ourselves, in relation to the northeastern boundary, there is reason to hope, is in a fair way for a speedy and amicable settlement, and the troubles on the Canadian border, have, I am persuaded, passed their most dangerous crisis.

To cultivate a spirit of liberal concession in our public relations, and at the same time, to maintain with every power of our arms, the unimpaired and properly regarded by not all trusts of the highest nature. Experience has shown that these can be best discharged by invariably demanding justice ourselves, and as invariably pursuing the same line of conduct towards others. A momentary forgetfulness of the latter and great duty by a small number of our citizens on the northern frontier, had well nigh broken the peaceful relations of two great nations, and exposed to irreparable injury the dearest interests of millions of people, impelled to the most antibiotic intercourse by the strong ties of reciprocal interests, a common origin and a common language. The injurious consequences of a

war between them, not only to the particular interests of each, but to those also of mankind, could not be exaggerated. It may, indeed, be safely affirmed, that there are not two other nations in the world, a war between whom would sever so many ties, or who are capable of inflicting upon each other such complicated and diversified evils. Although these considerations have no weight, and would probably receive from neither more than a passing regret in respect to the prosecution of a war rendered indispensable by a due regard to the national character, they could not be contemplated without the deepest sorrow as the result of a contest brought upon the two countries without necessity.

That the steps which were taken to preserve the public faith, and to suppress disorder in that quarter produced, in the then state of public feeling on the frontier, dissatisfaction even in persons entitled to no disappointment me. Trusting, however, to the good sense and ultimate just feeling of my countrymen, I was persuaded that those unfavorable impressions would be of short duration, and if I had even thought otherwise, I could not, I humbly hope, have been deterred from the performance of an obvious duty by personal considerations. All well disposed persons now see the matter in its true light; all feel that the obligations which public law imposes on civilized nations, and of which republican governments should be most rigidly observant, were for a moment lost sight of, and that to an extent which, if persisted in, would have rendered war inevitable. It affords me pleasure to learn that the course taken was, in your opinion, the best that could, under the circumstances of the case, have been pursued, and that the country has been saved from the calamity, by its adoption. The danger of a hostile collision arising from this source having, as I hope, passed away, the aspirations of the moment in a great degree having been allayed, and an opportunity for cool reflection afforded, may, I am sure, count with confidence upon a vigilant support by our citizens, of those great principles of international justice, the maintenance of which is alike indispensable to the preservation of social order and the peace of the world. In doing so, it does not follow that we are either to surrender the right of opinion, to suppress a solicitude for the spread of free government, or to withhold our best wishes for the success of all who are in good faith laboring for their establishment.

Allow me, gentlemen, once more to thank you for the highly gratifying manner in which you have been pleased to welcome my return to my native state, after an absence of unusual duration, and to assure you that your kindness will be long remembered.

MACKENZIE'S TRIAL.

JUDGE THOMPSON'S CHARGE.

Gentlemen of the jury.—The course which has been taken in this case by the defendant, makes it necessary for the court to be more elaborate in its charge to the jury than if the cause had been tried in the ordinary mode. The defendant has resorted to what was his right, and defended his own cause. Notwithstanding that, the court would have had the right to have confined him to the same limits and rules which would have been applied had his case been managed by counsel. But they have observed that there was a good deal of feeling, and probably many sympathies felt for the defendant, and they therefore thought proper to give him great latitude in the defence of his case—that latitude which would not have been given to legal counsel. But although the court have indulged the defendant in the wide range of observation which he has taken, they feel bound to instruct you, gentlemen, what you should and what you should not, admit in evidence, or take into your consideration, in arriving at a verdict in this case.

The observations which the defendant made, should have been confined to the testimony. But he has taken the design of a detour, and accounts the revolt in a neighboring province, their grievances, complaints and sufferings, and has brought almost every thing which he could collect together, to show that that revolt, or whatever it may be called, was justifiable and proper. He has also called your attention to various other parts of the world—to Texas, South America, Greece, &c.—to show that what he has done, has been done by others, with impunity and approval. But admitting all this, that there is oppression in Canada, and that the people of that province are justifiable in any attempt which they may make to free themselves from such oppression—it has no bearing upon the question which you are to try. Nor does it make any difference with you, or, in this case, although this defen-

dant may have placed himself in a like position with the patriots of other countries. In regard to his zeal merely for the freedom of the Canadas, while there, or even here, we have no right to complain, nor do our laws interfere. No—there may be feelings and sympathies felt by every one who chooses to exercise such sympathy for the oppressions, if you please to call them so, of the Canadians, or any other people, without the violation of any law. And there have been such sympathies felt. It was natural that, with our people, there should be such sympathies; for we enjoy and appreciate all the benefits of free government. It is therefore natural that we should sympathise with those who are deprived of these blessings, and are struggling to secure them. But, with the affairs of the Canadas, so far as interference is concerned, we have nothing to do. Those who govern those provinces, may govern them as they please, and those who live under that government may find fault with their people. It is a family quarrel with which we have nothing to do. Any interference on our part, would be improper, and lead to interdicted war. It was to prevent any such interference in the affairs of neighboring nations that the neutrality act was passed. We are bound, by treaty, to other nations; and it is a matter of justice as well as policy, that we should confine ourselves to our own national affairs. If there be any citizen among us who may wish to embark in any attempt to liberate other countries, we do not prevent him, nor does the law. Every man may shoulder his musket alone, expatriate himself, and go into the service of any body of men or of any nation he pleases. He may embark in the Quixotic enterprises of any part of the world he may choose. It is his right, if he pleases to exercise it. Under the 6th section of the neutrality act, nothing of this kind is prohibited. It only prohibits the assisting in fitting out, or the providing means for, or aiding in, carrying on an expedition from the U. States against a power with which we are at peace.

A decision has been alluded to by the defendant, made by this court in the city of New York. The question was put to the court, by a public meeting, whether it would be a violation of the neutrality act, to furnish supplies, money and munitions of war, to enable Texas to carry on a war against Mexico—a nation with which we were at peace. The answer was given, that the mere meeting together of individuals, or the raising of money, or the collection of arms, to send to Texas, was no violation of this law; because it contemplates the fitting out an expedition in this country, and sending such expedition to another country. The sending of munitions of war to a band of men gathered together in another country, is not, in the eye of the law, an expedition. Nor does the law prohibit our citizens from sympathizing with the oppressed, nor does it prevent the personally carrying to them money or supplies. Any person has a right to do so. To do so is no violation of the law. But it is a violation of the law to go farther, and to fit out expeditions from our own country; and a violation of treaties also. Unless, therefore, the violation of these laws and treaties is prevented by the vigilance of the officers of the government, and the punishment of those guilty of their violation, it will be impossible for the country to continue at peace with other nations.

You are not, therefore, gentlemen, to take into consideration the internal condition of other countries, in bringing in your verdict in this case—although I have no reason to doubt but that the oppressions detailed here by the defendant really existed or do exist, and that all the zeal which he has displayed has been the zeal of a patriot; and as far as I have a right to express my individual opinion, I might give to the cause which he advocates my sympathies; but you are to try this case by the law of congress, and if the evidence brings him within the law, you are to bring him in guilty. But if there is any reasonable ground of doubt in the minds of the jury, they are to acquit him.

By these observations, gentlemen, you will see which has been made here, and which is often made, to which I would call your attention, and that is the remark that you are the judges of the law as well as the fact. But the law gives you no such power. It is true, you may assume the responsibility if you please, and if it be exercised by you, there is no remedy. But in exercising it, it is to be apprehended that more would depend upon the passions than upon the judgment of the jury. It is therefore the duty of the court to give you their opinion of the law, and it is left for you to decide whether you will accede to their opinion, or assume the responsibility of the construction of the law upon yourselves.

With these remarks, gentlemen, we are prepared to examine the question which you are now to try.

The indictment which has been found against the defendant is based upon the 6th section of the law of 1815, and which is as follows:—

§ 6. That if any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or prepare the means for, any military expedition or enterprise to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district or people, within the United States or [at] peace, every person so offending, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years.

This law contemplates an expedition to be commenced or to be set on foot, within the United States, and to operate upon or against, some power with which we are at peace. That is the general object of this section. The district attorney has, therefore, laid the charge which he has brought against the defendant in different ways in the indictment; but in every count of the indictment, it is affirmed that Canada is the territory of the British crown—a nation with which we are at peace. It is essential, therefore, to prove this latter fact; because if there is a state of war between the two countries, the fitting out of an expedition is no violation of the act. To show that we are now at peace with Great Britain, the district attorney has produced the treaty of 1815, by which treaty peace was declared. In that treaty Canada is recognised as one of the British provinces, and the boundary line between that country and this, in the Niagara river, is stated as being between Grand and Navy islands. Therefore, as by this treaty, the general government have recognised Canada as belonging to the crown, this court must, for with the executive department of the general government rests the power of recognising nations.—Since that treaty there has been nothing done to impair it. We must therefore now deem it to be still in full force. There has been no act recognised which would justify the opinion that a severance has ensued between the Canadas and the crown, and no authority quoted. A few opinions of men have been read, and the defendant has started the idea that the mal-administration of the government by those who hold the power has released the people from all allegiance to the crown of England. But none of these opinions can the court recognise.—We must look at the acts of the general government.—It would present a strange state of things to the world, if it was, in all courts, left with the jury to decide whether this or that province belonged to this or that nation.

Reference has been made to the destruction of the Caroline, to show that a war is being carried on between Canada and this government. But we have no right to draw such an inference from that act.—That department of our government which is alone empowered to declare war, or to declare where war exists, has made no such proclamation. Until there is some act on the part of such department of the government, a jury has no right to declare where war exists, or to determine what shall constitute war.

Then, gentlemen, you are to assume that Canada is a province of Great Britain, and that Great Britain is a nation with which we are at peace. This must properly assumed you are to examine the testimony, and from it to judge whether the expedition which has been brought to light, is an expedition of the character recognised by the law.

The provision is, that if any person, within the territory of the United States, shall begin, or set on foot, or provide for, any expedition from this country, &c. Now, gentlemen, what is the fair construction to be given to this provision of law? It has been argued that the person who organizes the expedition, and who is considered the commander of the expedition, is the only responsible person.—But this is not correct. If so be that an individual participates in the getting up of an expedition, it matters not whether he is at the head of such an expedition or not. If it is connected in any way whatever with the expedition—whether as an officer, or private, or a mere co-operator—each and every one, each are equally culpable. If the defendant, therefore, has had any thing to do with the expedition in question—no matter whether he carried a sword or was in command or not—in the eye of the law he is guilty.

Then, gentlemen, what has he done? The first we hear is, that, on the 12th of December, a meeting was held at the theatre in the city of Buffalo, which this defendant attended and addressed. He has endeavored to excuse himself from any responsibility by saying that he was invited to address that meeting. But this is a matter of no consequence whatever. If the proceedings of that meeting, and what followed were illegal, and the defendant was consenting to, and participating in, such proceedings, no matter how he came there, he is guilty by the

law. It is no excuse that he was invited there, or that many others were there. His guilt depends upon what he has done himself, and not what he has done by others, or upon what others have done for themselves. He may complain that others have not been prosecuted; but that is no excuse for him. If he did any thing in violation of this law, he is responsible for himself, and they for themselves.

But, gentlemen, there was nothing which he did in the meeting wrong. If he had stopped with what he said in the meeting, nothing would be found against him. The citizens of Buffalo had a right to meet, to say and to sympathize as much as they pleased. It is not for speaking that this defendant is arraigned here. It is for his acts and not for his speeches. His speeches can only be alluded to, here, to show the intent of what followed. In his speech, he alluded to the affairs of Canada, and the wants of those who were there in arms. Among these wants were enumerated munitions of war. In this there was nothing wrong. But after the meeting, we find him joining himself with Sutherland, who asked for volunteers, and begged men to join him, in the presence and near by the defendant. Sutherland volunteered himself to carry out the views of the defendant, and goes out. There is music at the door, and a party follows that music with Sutherland and me. It is therefore, gentlemen, for you to say whether defendant did or did not, that night, accompany Sutherland, although there appears nothing to show that defendant was with him until next day at Black Rock.

Was there, at Black Rock, a military expedition? When the witnesses Brace and Barton arrived there, what did they find? Was there a military expedition fitting out there? We are told that there was the array of a military force—that sentinels were stationed, who threatened violence to any person who attempted to interfere with their military arrangements.—There was no law which authorised this array or these threats. The array was a military one—a preparation for a military movement of some sort. Was the defendant there, countenancing this array? It has been shown that he was there, and that he made a speech to the people which was calculated to excite them to resist any attempt which might be made to take away the arms held by those in a military array. This, gentlemen, seems to identify the defendant with the expedition; and the sheriff tells us, that he was the only one who made any objection to his taking away the arms. This fact is only important to show that he was aiding in carrying out the expedition. Whether he was one of those who started the expedition, or a leader in the expedition, does not appear, nor is it material; for these acts to have been all, the regulation of officers, &c. which is usual in military arrays.

Then, gentlemen, it appears that Sutherland was there—Sutherland who had been at the theatre—Sutherland who had aided in raising these forces, and who appeared to be the chief officer carrying on the expedition. In what way was the defendant connected with him? The answer of this question depends, in part, upon the proclamation which has been brought into court. You are to decide whether that proclamation has been proven upon the defendant. From the testimony it appears that he went to a printing office in Buffalo, and ordered one thousand copies printed.—That the proof sheet was sent to him while he was in Buffalo—that some copies of the paper were circulated in this country, but not by defendant—that the residue were sent to Navy Island—and that defendant there gave copies to Smith and others. If you have any doubt whether the defendant is identified with this proclamation, he will, of course, have the benefit of that doubt. But for my own part I cannot see any ground to doubt. But this proclamation is only important, because it shows that the defendant recognises Sutherland and Van Rensselaer as co-operators with him in the expedition. Thus recognising these men, he becomes identified with them. If it is shown that there is a combination, each of those in the combination, must be responsible for the acts of all his co-operators. If it is proven that Sutherland was a co-operator with defendant, then defendant is responsible for the act of Sutherland. That defendant did co-operate with Sutherland is evident from the testimony.

There is no evidence to show, gentlemen, that Navy Island was occupied by an armed force previous to the military congregation at Black Rock. It is therefore proper to suppose that this military array was the force which first entered upon Navy Island, particularly as we have no evidence that it was disbanded, and as we find Sutherland, defendant and others who were at Black Rock, on the Island.

These, gentlemen, are all the points which it will be necessary for me to notice. In deciding upon

your verdict, you will undoubtedly act in view of the obligation you have taken, and the evidence which has been adduced in the case.—You will not allow your feelings to warp your judgments, although those feelings may be strong in favor of the defendant, and the people of Canada who are not in the enjoyment of those blessings which you deem essential to the perfection of human government. You are not called to decide according to your sympathies, but according to the law. You must not say, by your verdict, that all men may come to this country when they please, and aid in fitting out expeditions against other countries with which we are at peace. This is prohibited by the law. As, although this 6th section of the law has not often been put in force, other sections of the law have, so that it cannot be denominated a dead letter. So far, therefore, as this plea is concerned, the defendant stands before you without excuse. If you are satisfied that the array at Black Rock, was a military expedition, got up to invade Canada, you are bound, by your oath, to pronounce the defendant guilty. But, on the other hand, if you can discover any reasonable doubt of the character of that expedition, or the defendant's identity with it, then you should acquit him. But that doubt must be a doubt resting upon the judgment, and not upon any collateral feeling of the jury. If, in your judgment, you have any reasonable doubt of the guilt of the defendant, you must certainly acquit him.

There is one remark, gentlemen, which has been made over and over again, by the defendant, which I feel called upon to notice, that is, as to the consequences of a conviction. He has again and again remarked that, if convicted, he must be sent to the state prison for three years, and be obliged to pay a fine of three thousand dollars. This may have been said from ignorance, or it may have been said to excite your sympathies. But with this you have no concern. It is proper, however, for the court to remark, that if convicted he will not be sent to Auburn. The court has no authority to send him to the state's prison. His imprisonment must be in a county jail. The court is not authorised to send an individual to the state prison unless the law annexes hard labor to the imprisonment. I only mention this, because it has been so often reiterated that, if convicted by you, the defendant would necessarily be sent to the Auburn prison for three years. The extent of the imprisonment and the fine also, is with the court, and they will exercise their judgment if your verdict be against the defendant: You may now retire.

RAIL ROADS.

From the Leeburg (Va.) *Genius of Liberty.*

We with pleasure give place to-day to the brief history of rail roads which will be found in another column. It was drawn up by a very intelligent young gentleman of this county, who has devoted many hours of careful study to improving himself in the science of civil engineering—and has recently presented to Mr. Geo. Carter, the president of the Gouse Creek and Little River Navigation company, a very handsome drawing of a steam engine, designed for propelling boats on canals. In the construction of this machine the principle is the same as that in general use and may be made from 2 to 6 horse power. The machinery is very simple and all attached to the boiler and will require but little fuel. It is intended to work on the stern of the boat and can with ease be removed from one boat to another—the wheel being placed in the stern, causes but little motion in the water and thus saves the banks of the canal from injury. The drawing and explanations of this machine are very creditable to the genius and industry of Mr. B. and we doubt not but the talents he is cultivating with so much assiduity instead of wasting his leisure in idleness or dissipation, will in good time be appreciated and amply rewarded by a discerning public.

At the commencement of the 17th century, the mode of conveying coals from the mine was, by means of carts and very frequently by mules or horseback. This was of course attended with very great expense and inconvenience, as very little of so heavy a material could be carried at one time.—This inconvenience led to the construction of a train road, which consisted of parallel flat wooden rails, laid along the ground, which had been previously made tolerably level. Upon the roads were used large rough wooden boxes upon wooden rollers made to fit the rails. The advantage gained by this contrivance, was nearly treble, as one horse could draw near 42 cwt. No great improvement upon this was made until the middle of the 18th century when iron wheels were adopted, in place of wooden rollers—and wooden rails laid aside for those of cast iron—these rails were made with a flange to

prevent the wheel from running off the rail. In 1759 the edge rail was introduced, the principle of which has been retained up to the present time—this consists of a narrow rail, elevated several inches above the surface of the ground, and firmly fixed to sleepers or blocks—this rail was without a flange, it being transferred to the wheels of the wagons. At this period the only power used or indeed thought of, was the horse, and whenever the declivity was sufficient—the horse was detached and the wagon allowed to descend by its own gravity, by this the assistance of the horse became only necessary upon the level portions of the line and in returning with the empty wagons to the summit of the plain; the railway was so contrived that the loaded wagons should have to descend, this made a break or check requisite—which acted by the pressure between the fore and hind wheels, and being attached to a lever it could be regulated by the attendant according to the speed at which he wished the wagon to descend. It was, however, found that owing to the influence of the atmospheric changes on the rails—the gravitating force and consequently the action of the break was very irregular—and accidents were continually occurring, and many of them attended with serious results. About this time we find the self-acting plane, in very general use upon railways. The action of this kind of motive power is gravity, and the object of its thus being brought into practical use, was to regulate the velocity of the descending train, by making it draw up the empty one; this was done by means of a rope passing over a pulley at the top of the plane, having its separate ends attached to the two trains. Thus we see that the necessary endeavor to remedy a serious disadvantage gave an unsought for economy of power. At length the discovery of the active properties of steam led to a mighty revolution in our estimate of power, and enterprising the genius of Watt threw aside many obstacles—and to him we are indebted for the mighty invention of the rotary motion which gave to the steam engine, its present superiority over every other kind of power.

The idea of employing steam as a moving power to wheel carriages seems to have been first entertained by Mr. Watt about the year 1759. The design was however relinquished until the year 1802, when a patent was obtained expressly for the application of locomotive steam engines upon railways. This patent was afterwards acted upon at Merthyr Tydvil in Wales.

A want of proper information on the subject of adhesion, appears to have been the chief obstacle to the introduction of these engines: as it was imagined they would be powerless upon a level or ascending plane.

When two smooth surfaces subjected to pressure are in contact, a certain force is requisite to cause them to slide upon each other; and this resistance to motion is called "adhesion" and different substances and indeed like substances under different circumstances, possess the property in different degrees; if, for example, we take wrought iron wheels on wrought iron rails, we find the surface of the rails presenting a greater or less adhesion, in proportion as they are more or less affected by the weather—the adhesion being the greatest, when they are most free from extraneous matter—but when the rails are wet or muddy the adhesion is then the least. The greater the pressure upon the surfaces, the greater is the force required to give them opposite motion or sliding force, it necessarily follows that the two properties must be equal, hence the adhesive force bears some proportion to the weight or pressure applied. It is certain that the point of adhesion in a locomotive engine is the periphery of the wheels—and the wheels form the point of action, or receive the action of the impulsive force. If then we suppose a locomotive engine of just sufficient power to impel itself at a given speed—the adhesive property by preventing the sliding motion, forces the wheels round upon their axis. But if the ascent of the plane is great, the impulsive force is also resisted by gravity; and if we endeavor to overcome that resistance by decreasing the speed; the wheels will slide round upon the rails while the body remains stationary. Experience has likewise proved, that a body upon two wheels possesses only half the amount of adhesion to one upon four wheels. Thus suppose an engine with four iron wheels, upon wrought iron rails, weigh 5 tons; the adhesion would be upon four wheels 5 cwt. and if upon two wheels only 2½ cwt.

because 5 tons=100 cwt.—8— } 6=5 cwt.
 allowing one-eighth the weight of the machine to each wheel. } 2=2½ cwt.

Many contrivances were adopted to procure a progressive motion to the engine—one was—a rack

reaching the whole distance of the rail, along which toothed wheels, worked by the engine, travelled and thus produced a progressive motion—many other plans were tried—but each had some great disadvantage, that prevented its general adoption—and it was not until 1815 that it was proved, that the adhesive power of wheels was at all times sufficient to produce a progressive motion to the engine—with a train of loaded carriages, not only upon a level—but also with a slight inclination.

The first public railway was opened between Stockton and Darlington in the year 1825, and in 1826 the railway between Liverpool and Manchester commenced; and in September 1830 it was publicly opened in the presence of thousands of spectators.

This railway is 30 miles long, and is as nearly as possible a level line, the greatest ascent, if we except the tunnels and one ascending, and one descending plane near Rainhill—being about one in nine hundred, and the roundest curve not exceeding a deviation of more than one in two hundred from a straight line.

This railway consists of a double line of parallel rails—four feet eight inches apart—one of these is used in going and the other in returning. The line has occasional slidings to allow a free passage in case of any obstruction arising from the stoppage of a preceding train. Branch railways communicate with some of the intermediate towns lying north and south of the road.

The rails are of rolled iron two inches broad and one inch thick and 23 feet long. These are firmly fitted together, and placed upon cast iron chairs 3 feet apart—the chairs are supported on stone blocks or sleepers 12 inches deep, and 20 inches square, into each of which two holes are drilled, and filled up with oak plugs; to these the chairs bearing the rail are spiked down. In some places where the foundation may be expected to subside, oak-sleepers are used instead of stone. Station houses are kept at intervals of about a mile along the road, for the accommodation of the railway police. These stations form also depots for passengers, and from or to any of the intervening places. The duties assigned to the police are to guard the road, &c. In case of any accident their signal to the engineer is by means of a blue flag, by day and a swinging light at night. When a passenger is waiting at the station, a red flag is hoisted. In travelling in the dark the last carriage of every train carries "astern" a revolving lamp, one side of which is red and the other is blue. As long as the train is in motion, the red light presents itself to whatever follows—but at the instant of stopping, the blue light is turned outward. The engineer of the next train instantly sees the change, and avoids the collision, by throwing off the steam.

The detail of the whole of the line would be too long for insertion, but if any person wishes to know further particulars, the writer of this will take great pleasure in giving him any information he may desire. B. H. B.

Loudoun county, Virginia.

CHARLOTTESVILLE—MONTICELLO—MR. JEFFERSON—UNIVERSITY OF VA.

From the letters from a Valetudinarian.

Charlottesville contains about a thousand inhabitants, and is the shire town of Albemarle. It seems to be a great thoroughfare for travellers, who pass through it from the four points of the compass—there are three mentionable things which contribute to render a 480 days' visit agreeable, that might otherwise have been dull and intolerable, viz. a great number of conservatives—a visit to Monticello, and a call at the university. It seemed to us that two-thirds of the people living in a neighborhood which is distinguished for having long enjoyed the society of Jefferson, of Madison, and of Monroe, are of that political class denominated conservative Republicans.

MONTICELLO, (pronounced Monticello, and signifying "beautiful mountain.") is in sight of Charlottesville, about a mile distant in a straight line, but a mile and a half by the road, which descends into the little valley of the Ravenna and then ascends and winds among the hills, and along the skirts of the mountain woods. Monticello is elevated, perhaps 400 or 500 feet, above the little stream that meanders at its base. It seems to be a secondary eminence of what is called the southern mountain, to which it bears a relation similar to that which the lesser husband of the dromedary's back bears to the larger one. Soon after passing the outside enclosure, and approaching the summit of the hill through a growth of oaks, we reach by the roadside the humble resting place of THOMAS JEFFERSON. Consecrated, as it is, by the choice and arrangement of the "sage" himself, we are not disposed to question its taste. We may wonder,

however, that while the remains of many men of less worth have been honored by sculptured marble and splendid mausoleums, all that was mortal of the author of the Declaration of American Independence lies entombed in a rude and uninviting enclosure of a few yards square, without even a sod to check the drifting of its barren dust, and distinguished only by a plain, unsculptured, mutilated granite obelisk. The few rods of rough wall by which it is surrounded is crumbling to the level of its parent earth; the gate that once guarded the entrance is swung from its hinges, the gnarled shrub oak is growing by the wall; the dead leaves are gathered in the sunken grave; the skeleton of the body of Mrs. Jefferson is mutilated and broken, and the whole scene is one of singular rudeness and desolation, unrelieved by any visible testimony that the memories of those who lay buried there, are held in more than the ordinary esteem, cherished by the careless millions of the living for the innumerable dead.

The area of this little cemetery is but a few square yards, and contains about 15 graves, a few of which are of the family of Mr. Jefferson, and the rest of some of their friends.

The granite obelisk over Mr. Jefferson's remains has been shamefully desecrated, the corners having been broken off for the sake of gratifying the vanity of exhibiting a relic from the "tomb of the prophet." The piece of white marble which has been let into the granite, and bearing the principal inscription, has fallen out, and is preserved at the house. The inscription, which was prepared by Mr. Jefferson before his death, is as follows:

"Here was buried
 THOMAS JEFFERSON,
 AUTHOR,
 Of the Declaration of
 AMERICAN INDEPENDENCE,
 OF
 The Statute of Virginia
 FOR RELIGIOUS FREEDOM, AND
 FATHER OF THE UNIVERSITY
 OF VIRGINIA."

The word "FATHER" seems to have been dwelt upon with peculiar pride and emphasis. Below is this:

"Born April 2d,
 1743, O. S.
 Died July 4th, 1826."

Immediately by the side of the obelisk repose the remains of Mr. Jefferson's wife. A plain white marble slab, much broken, lies upon the grave, bearing the following inscription:

"To the memory of
 Martha Jefferson,
 daughter of John Wayles,
 Born Oct. 19, 1748, O. S.
 Internaried with Thomas Jefferson
 Jan. 1, 1772,
 torn from him by death
 Sept. 6, 1782,
 this monument of his love
 is inscribed."

Then follows a Greek inscription from Homer, signifying, we believe, substantially, that, it is said we go after death to "Hades" where we meet those we loved and remember their faces.

Near by, are also buried two daughters of Mr. Jefferson, viz. Mrs. Randolph, who was the wife of Thomas Manly Randolph, once governor of Virginia, and mother of Thomas J. Randolph; and, Mrs. Eppes, whose husband was formerly in congress from this state. A grand-daughter of Mr. Jefferson the daughter of Gov. Randolph, is also buried by the side of her grand-parents, her grave being distinguished by a marble table bearing the following inscription:

"Mrs. A. C. Bankhead
 Born Jan. 23, 1791,—Died Feb. 11, 1826.
 Mourned, fill on earth,
 Meek piety cease to dwell,
 With angel goodness,
 From thine heaven forgive,
 The sorrowing heart,
 That would still hold thee here."

In another part of the enclosure, a marble slab lies upon the grave of a lad who was drowned in 1812. It bears the following epitaph:

"This slab
 is placed over the body
 of
 William Morrison
 by his weeping and afflicted parents,
 a monument of bereaved affection
 and blighted hope."

A few feet beyond,
 "Two whitened flint-stones mark the feet and head,"
 of "Mrs. Mary Stewart." To the others who lie here "in cold obstruction," "low in the ground,"

there is no tribute paid; they "grovel in indistinct decay;" they are not even distinguished by

"A low green hillock, two small gray stones
Rising o'er the plains, which hold their bones,"
but the winds and rains and the equally rude feet of strangers have scattered the little heaps of dust by which another earth, honoring them more than the living, once acknowledged the space they filled in her bosom.

"How grave!
"How powerful is thy silent eloquence,
Which never flatters! Thou instruct'st the proud
That their vain pomp is but an empty cloud,
Slave to each wind. The fair, the flowers they have
Fresh in their cheek, are strewn upon a grave.
Thou tel'st the rich, their idols is but a vain show,
The vainly pleased, that, syren-like, their mirth
Betrays to mischief!"

"Tyrant o'er tyrants," and over empires "whose graves heave but like the passing waves!" I live, only, despoils thee of thy trophies—the foot passenger and the chariot-wheel trample thy monuments unheeded—religion, only, robs thee of thy victory, and tells thee that the dead is not thy prisoner.

Passing on from this scene, we reach, after a few rods further ascent, the summit of Monticello, whose open lawn spreads before us like a table. We pass along a well beaten road under the shade of a row of oamburries, by the tottering remains of Mr. Jefferson's workshop, by one of the terraces appropriated to servants, around to the northeastern front of the principal mansion. A line, passing through this building and its terraces, would describe three sides of a parallelogram, the main building occupying the centre of the longest line. The terraces are used for all the purposes usually answered by out-buildings, and each extremity is terminated by small brick edifices, one serving for offices.

The main building is a curiosity—a monument of ingenious extravagance. It is a heterogeneous pile of brick and mortar, without unity or uniformity, upon which architecture seems to have exerted, if not exhausted, the versatility of her genius. It has, to all intents and purposes, four fronts: two of which lead to the walks along the tops of the terraces; another, with a portico, to an open lawn, once a flower garden, and the other, which is the northeastern, and probably main front by first intention, introduces you to a shaded lawn and an interesting prospect. This northeastern front is endowed with the larger and more finished portico, the roof of which sports a weather-cock, whose indications are made known upon a dial on the ceiling of the portico, which may be observed by the inmates without encountering the air. Directly over the door is the huge dial of a clock which is fastened on the wall inside, presenting a face there also, and announcing its tally of the hours upon a gong which may be heard, it is said, two or three miles. This clock requires winding once a week. The door over which it rests, introduces you to a spacious ante-room, on the rear side of which is a gallery or balcony high over the doors, employed once as a depository of curiosities. To this gallery, and also to the clock, Mr. Jefferson was wont to ascend by an ingenious ladder, so contrived as to close itself, like the parallel rules of a mathematician, into a single straight piece, the making and occupying a small space, and convenient for moving. The ponderous weights of the clock could not of course descend perpendicularly on account of the door. Mr. Jefferson, therefore, extended the cords each side to the wall, where he had painted in large letters, the several days of the week, in such distances above and below each other as would be daily described by the descent of the weights. When the week had passed, the weights indicated "Saturday;" then the clock was again wound up, and the weights ran up to "Sunday," and renewed their weekly downward career. In one corner of this ante-room stands a well executed bust of Voltaire, just as it was placed there, we believe, by Mr. Jefferson. The present proprietor has also supplied several curiosities.

Doors on the right and left lead to the opposite wings of the building, and a gallery opposite the front, opens into a fine "saloon." Here we behold again the mechanical genius of Mr. Jefferson's mechanical ingenuity and singular taste. The doors are large glasses set in mahogany frames, attached by hinges to each side, and opening through their centres. Each hall opens and shuts with the other, by means of some concealed spring or attachment which unites their movements. The saloon, or principal room where Mr. Jefferson was accustomed to receive his guests, is an octagonal apartment with high ceiling and tessellated floor, which last is literally of black walnut squares set in frames of white oak, and certainly of rich appearance. Two glass doors lead out of this drawing room, one into the southwestern portico, and the other into a dining room in the northwestern wing. This dining

room is lighted by an awkward window in the top of the house, and there are several contrivances in the wall to bring up the viands and wine from the kitchen and cellar. Adjoining is a small round tea-room, lighted by glass doors, and once decorated with a variety of small statuary. This room, as well as a hall adjoining, leads to the terrace looking towards Charlottesville, on the angle of which Mr. Jefferson was accustomed to sit at twilight, and the superintendent at other times, with his glass, to the building of the university some two or three miles distant. The opposite or northern wing has several apartments, one of which was occupied as a bed room, another as a library, and a sort of vestibule leading to the southeastern terrace was used as a mechanical laboratory. The house appears, from the outside, to be only of one story—it is really of three. There are three flights of stairs painfully narrow, steep and dark. Over the drawing room, is a corresponding apartment intended for billiards; this game having been prohibited by law, the room was devoted to fiddling and dancing, of which Mr. Jefferson seemed to be fond. The rooms adjoining are contracted and ill-shaped dormitories, in which the bedsteads were supported by hooks in the wall. These rooms of this unaccommodated description in consequence of having been accommodated to the various shapes and dips of the roof, like the crooked roads in Dutch villages, which, after the houses are built are accommodated to each proprietor. We will venture to say that, Mr. Jefferson had no distinct conception of any design, when he commenced building, but enlarged, added and modified as his ingenuity contrived, until this incomprehensible pile reached this acme of its destiny in which it stands at present, still indeed unfinished.

Mr. Jefferson, apart from his distinguished political character, which all the world knows and feels, and half of it adores, was a remarkable man. He was tall, of rather a lean and hungry look, with sharp features, freckled face and red hair. He was fond of music, and performed very well on the violin; fond of statuary, architecture, mechanics, mathematics, the languages; addicted to the study of political and natural philosophy, and, with all, a courteous gentleman, an affable, generous, and a benevolent and patriotic citizen.

We have heard it said, that he wore red "brevities." This is not surprising, if it be considered that his hair was red, his face was red, and the very soil on which he lived was also red!

Monticello is worth climbing, for the sake of the fine prospect it commands. On both sides you behold, beneath you, farm houses, fields of green corn and of yellow wheat, pretty groves, an undulating surface, and streaks of the red and grey soil, the fat and lean of madam earth. The view extends on south until the plains meet the horizon, and on the north until the lofty peaks and unequal swells of the Blue Ridge are lost in their "azure blue." Charlottesville and the university dot the scene on the 200 acres, is capt. Levy, of the United States navy, a gentleman of Jewish descent, and a man of competence. Mr. Jefferson leaving his estate involuntarily, it was sold to a gentleman from whom captain Levy purchased it, as is said, for \$2,500! We have heard it mentioned that, Mr. Jefferson expended on Monticello \$70,000. The buildings are considerably decayed, and there is very little indcement to keep such an establishment in complete repair. Capt. Levy is at sea; but we were politely received and hospitably entertained, although the small family had just been afflicted by the death of one of its members—capt. Levy's mother.

It is estimated that about 1,000 persons visit Monticello in the course of each year.

The university of Virginia is a mile or two west of Charlottesville, on the road to the springs. Its plan is unique. Its buildings are situated on three sides of a grassy parallelogram, and consists of a large and prominent rotunda at its northern extremity, and of ten dwellings for professors, connected by low colonades, with single rooms for students, extending along on the east and west. From each building, therefore, the front of every other may be seen, and almost every one is distinguished by columns of different architecture. There are nine professors, one of whom is periodically chosen chairman of the faculty. To each professor is assigned distinct departments, an inducement to their exertion is presented by their emoluments being somewhat dependent upon the number of students they attract. Each student is required to graduate in a certain number of branches before he can receive the degree of master of arts. The stimulus to study is very great—the requirements being almost perfect in each branch. The capacity of the young men are thus thoroughly tested, and there are many who seem to be organically incap-

able of reaching a degree. Of a class of 80 in one branch, only nine received a diploma. There are at present about 250 students. The rotunda contains a laboratory, lecture rooms, and a commodious library of 16,000 vols. The university receives an annuity from the state of \$15,000, and other sources of income increase its annual revenue to upwards of \$21,000. In most of our American colleges a chapter of the Bible is read, and prayers are offered before the congregated students, morning and evening—this is not practised in this university except on Sundays. Near the university are, an observatory and the former residence of Mr. Monroe.

Here we will close our tedious descriptions for the present. The next attempt will be the "Letters of a Convesalee," and before the writer's journey in the mountains is ended, he hopes to commence "the grateful notes of a well man." The next topics are, the Blue Ridge—the Alleghanias, and the Warm Springs.

In the mountains, Va. July, 1839.

THE FIRST MOTION IN CONGRESS TO DECLARE THIS COUNTRY INDEPENDENT.

From the Philadelphia National Gazette.

The anniversary of our national independence suggests the propriety of recurring to the manner in which the declaration was introduced into the congress of 1776. We have recently been looking over files of colonial newspapers, of one especially published in this city, from 1767 to the commencement of the revolution, and find in them constant notes of preparation for the great issue which was finally decided against the parent country. The members of the first congress, wise and daring as they were, were conscious of the general opinions and spirit, which would sustain them in a legislative avowal of the absolute freedom of the states. It may be remembered that the first assembling of the revolutionary congress took place in this city on the 5th of September, 1774. Subsequently, the progress of the war continued to ripen the public mind and feelings for a total separation from Great Britain. We do not, however, until the 7th day of June, 1776, that any special action was had for that purpose.—On that day Richard Henry Lee, a delegate from Virginia, made the following motion, which was seconded by John Adams:

"—To declare these United Colonies free and independent states, that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is and ought to be totally dissolved; that measures should be immediately taken for procuring assistance of foreign powers, and a confederation be formed to bind the colonies more closely together."

On the following day the subject was debated, and on the 1st of July, a committee consisting of five delegates, Messrs. Jefferson, Adams, Franklin, R. Sherman and R. Lawrence, were selected by ballot to draw up a Declaration of Independence. Acceding to parliamentary usage, Mr. Lee would have been the chairman of this committee, but he was absent in Virginia on account of the illness of a member of his family. Mr. Jefferson, however, having the greatest number of votes was selected by the other members of the committee to act as chairman, and the draft prepared by him was first read in committee. Some verbal alterations were made by Dr. Franklin and Mr. Adams, and it was not thought necessary to read the drafts prepared by the others.

The declaration thus prepared and amended, was finally adopted in congress on the 4th, and was read to a meeting of the citizens of Philadelphia, assembled in the State House yard, from the steps of the building. It is generally supposed that the names which are signed to this charter of American liberties, were all signed on the 4th of July. This is an error, explained in a letter of Thomas McKean, one of the Pennsylvania delegation. The delegates affixed their signatures to the engrossed copy of the declaration, now preserved in the state department at Washington, at different times; some indeed, several months after it had passed in congress and was published to the world.

The house in which Mr. Jefferson wrote the declaration is still standing, at the southwest corner of Seventh and Market streets, and is now occupied as a store by the Messrs. Gratz. Mr. Jefferson had rooms in it as a lodger, when a member of the congress of '76. The original draft with the interlineations and erasures, is now deposited in the hall of the American Philosophical society in this city.

After this little history, with which we have ventured to refresh our readers' memories, we may be indulged in a brief comment. The celebration of the day on which our national independence was first declared, is important in its effects upon the popular character, and especially upon the patriotic sentiments of the young. The mere idea of na-

tional independence is of minor moment. The time has long past, when the most visionary of our enemies could imagine that any foreign government would ever again be ascendant in this country. We feel the foundations of our common rights to be so deep, and the superstructure of freedom and prosperity so broad and firm, that in the lapse of another age we may clearly foresee the United States, by every test of national power, in advance of every rival. But the sentiments which it is truly important to cherish, and most appropriately when celebrating the birthday of our country, are those of political equality and the inalienable rights of all men, proclaimed in the Declaration of Independence, and made the basis of our democratic institutions. The list of grievances made by our ancestors may be no farther scanned than as they involve the assertion of the great principles of all free governments. It is the popular sovereignty, the legitimate might of intelligence and virtue existing in each member of the republican family, which should ever be presented as a novel and dearly bought heritage; the greatest ever enjoyed by any people, and one which the spirit of posterity requires at our hands, in absolute purity and integrity.

No philosophic student of the history of Europe for the last sixty years, no observer of her present condition, can fail to perceive that the elements of change borne from our shores, are rapidly filling her whole political atmosphere.

On the good sense of those, who may influence the conduct of the mass, will depend the tranquil operation of the causes already set in motion. Few deny that ameliorations of its condition are necessary, and peaceable concessions gradually made, will on the one hand abate no just privilege of the few, while they will elevate a majority to the exercise of higher civil rights and the enjoyment of greater social comforts. It therefore becomes a duty as well to the world as to ourselves, to perpetuate the example now exhibited in the United States, of a people educated, moral, industrious and prosperous, under a republican constitution and laws framed and administered by themselves.

JOHN ADAMS—GEORGE III.

The account that Mr. Adams gave, in a letter to a friend, of his introduction to George III, at the court of St. James, as the first minister from the rebel colonies, is very interesting.

"At one o'clock on Wednesday, the 1st of June, 1755, the master of ceremonies called at my house, and went with me to the secretary of state's office, in Cleaveland row, where the marquis of Carmarthen received and introduced me to Mr. Frazier, his under secretary, who had been as his lordship said, uninterruptedly in that office through all the changes of administration for thirty years. After a short conversation, lord Carmarthen invited me to go with him in his coach to court. When we arrived in the antechamber, the master of ceremonies introduced him, and attended me while the secretary of state went to take the commands of the king.—

While I stood in this place, where it seems all ministers stand upon such occasions, always attended by the master of ceremonies, the court was very full of ministers of state, bishops and all other sorts of courtiers, as well as the next room, which is the king's bed chamber. You may well suppose I was the focus of all eyes. I was relieved, however, from the embarrassment of it by the Swedish and Dutch ministers, who came to me and entertained me with a very agreeable conversation during the whole time. Some other gentlemen whom I had seen before came to make their compliments to me, until the marquis of Carmarthen returned and desired me to go with him to his majesty. I went with his lordship through the levee room into the king's closet. The door was shut, and I was left with his majesty and the secretary of state alone.—

I made the three reverences: one at the door, another about half way, and another before the presence, according to the usages established at this and the northern courts of Europe, and then I addressed myself to his majesty in the following words:

"SIR: The United States have appointed me minister plenipotentiary to your majesty, and have directed me to deliver to your majesty this letter, which contains the evidence of it. It is in obedience to their express commands that I have the honor to assure your majesty of their unanimous disposition and desire to cultivate the most friendly and liberal intercourse between your majesty's subjects and their citizens, and of their best wishes for your majesty's health and happiness, and for that of your family.

"The appointment of a minister from the United States to your majesty's court will form an epoch in the history of England and America. I think myself more fortunate than all my fellow citizens,

in having the distinguished honor to be the first to stand in your majesty's royal presence in a diplomatic character; and I shall esteem myself the happiest of men if I can be instrumental in recommending my country more and more to your majesty's royal benevolence, and of restoring an entire esteem, confidence and affection; or, in better words, 'the old good nature, and the good old humor,' between people who, though separated by an ocean and under different governments, have the same language, a similar religion, a kindred blood. I beg your majesty's permission to add, that although I have sometimes before been instructed by my country, it was never in my whole life in a matter so agreeable to myself."

"The king listened to every word I said with dignity, it is true, but with apparent emotion.—Whether it was my visible agitation, for I felt more than I could express, that touched him, I cannot say; but he was much affected, and answered me with more tenderness than I had spoken with, and said—

"SIR: The circumstance of this audience are so extraordinary, the language you have now held is so extremely proper, and the feelings you have discovered so justly adapted to the occasion, that I not only receive with pleasure the assurance of the friendly disposition of the United States, but I am glad the choice has fallen upon you to be their minister. I wish you, sir, to believe, that it may be understood in America, that I have done nothing in the late contest but what I thought myself indispensably bound to do, by the duty which I owed my people. I will be frank with you. I was the last to conform to the separation; but the separation having become inevitable, I have always said, as I now say, that I would be the first to meet the friendship of the United States as an independent power. The moment I see such sentiments and language as yours prevail, and a disposition to give this country the preference, that moment I shall say let the circumstances of language, religion and blood have their natural, full effect."

"I dare not say that these were the king's precise words; and it is even possible that I may have in some particulars, mistaken his meaning; for although his pronunciation is as distinct as I ever heard, he hesitated sometimes between members of the same period. He was, indeed, much affected, and I was not less so; and therefore I cannot be certain that I was so attentive, heard so clearly and understood so perfectly, as to be confident of all his words or sense. This I do say, that the foregoing is his majesty's meaning, as I then understood it, and his own words, as nearly as I can recollect them.

"The king then asked me whether I came last from France, and, upon my answering in the affirmative, he put on an air of familiarity, and smiling, or rather laughing, said, 'there is an opinion among some people that you are not the most attached of all your countrymen to the manners of France.' I was surprised at this, because I thought it an indelicacy, and a descent from his dignity. I was a little embarrassed; but, determined not to deny the truth on the one hand, nor lead him to infer from it any attachment to England on the other, I threw off as much gravity as I could, and assumed an air of gaiety and a tone of decision, as far as was decent, and said, 'that opinion, sir, is not mistaken; I must avow to your majesty I have no attachment but to my own country.' The king replied as quick as lightning, 'an honest man will have no other.'

"The king then said a word or two to the secretary of state, which, being between them, I did not hear, and then turned round and bowed to me, as is customary with all kings and princes when they give the signal to retire. I retreated, stepping backwards as is the etiquette; and making my last reverence at the door of the chamber, I went to my carriage."

ON BRADDOCK'S DEATH.

From the *Baltimore Chronicle*.

To the Editors of the *Chronicle*:

Seeing in your paper of yesterday morning an article copied from the National Intelligencer, relating to the manner in which general Braddock lost his life, and as it is at variance with the generally received opinion derived from official accounts of the battle in which he fell, I have thought of the publication of a letter from his aid-de-camp, captain Orme, in my possession, addressed to governor Sharpe, and bearing a semi-official character, might prove interesting to your readers, and suggest a doubt of his having fallen by assassination. The circumstance of having had five horses shot under him shows his situation perilous enough to lead to the supposition that the wound which killed him was from the fire of the enemy by which his little army was surrounded.

A. SUBSCRIBER.

Fort Cumberland, July 13, 1755.

MY DEAR SIR: I am so extremely ill in bed with the wound I have received in my thigh, that I am under the necessity of employing my friend, capt. Dobson, to write for me.

I conclude you have had some account of the action near the banks of the Monongahela, about seven miles from the French fort, as the reports spread are very imperfect, what you have heard must be so too. You should have had more early accounts of it, but every officer whose business it was to have informed you was either killed or wounded, and our distressful situation puts it out of our power to attend to it so much as we would otherwise have done.

The 9th instant we passed and repassed the Monongahela by advancing first a party of 300 men, which was immediately followed by another of 200. The general, with the column of artillery, baggage and the main body of the army, passed the river the last time about one o'clock. As soon as the whole had got on the fort side of the Monongahela, we heard a very heavy and quick fire in our front; we immediately advanced in order to sustain them; but the detachment of the 200 and 300 men gave way and fell back on us, which caused such confusion and struck so great a panic among our men, that afterwards no military expedient could be made use of that had any effect on them; the men were so extremely deaf to the exhortations of the general and the officers that they fired away in the most irregular manner all their ammunition, and then ran off, leaving to the enemy the artillery, ammunition, provisions and baggage; nor could they be persuaded to stop till they got as far as Guest's plantation, nor there only a part, many of them proceeding as far as colonel Dunbar's party, who lay six miles on this side. The officers were absolutely sacrificed by their unparalleled good behaviour, advancing sometimes in bodies and sometimes separately, hoping by such example to engage the soldiers to follow them, but to no purpose.

The general had five horses shot under him, and at last received a wound through his right arm into his lungs, of which he died the 13th instant. Poor Shirley was shot through the head, captain Morris wounded. Mr. Washington had two horses shot under him, and his clothes shot through in several places, behaving the whole time with the greatest courage and resolution. Sir Peter Hacket was killed on the spot, colonel Burton and sir John St. Clair wounded, and enclosed I have sent you a list of the killed and wounded according to as exact an account as we are able to get.

Upon our proceeding with the whole convoy to the Little Meadows, it was found impracticable to advance in that manner; the general therefore advanced with twelve hundred men, with the necessary artillery, ammunition and provision, leaving the main body of the convoy under the command of colonel Dunbar, with orders to join him as soon as possible. In this manner we proceeded with safety and expedition till the fatal day I have just related, and happy it was that this disposition was made; otherwise the whole must have either starved or fallen into the hands of the enemy, as numbers would have been of no service to us, and our provision was all lost.

As our number of horses was so much reduced, and those extremely weak, and many carriages being wanted for the wounded men, occasioned our destroying the ammunition and superfluous part of the provisions left in colonel Dunbar's convoy, to prevent its falling into the hands of the enemy.

As the whole of the artillery is lost, and the troops are so extremely weakened by death, wounds and sickness, it is judged impossible to make any further attempts; therefore colonel Dunbar is returning to Fort Cumberland, with every thing he is able to bring with him.

I propose remaining here until my wound will suffer me to remove to Philadelphia; from thence I shall make all possible despatch to England.—Whatever commands you may have for me you will do me the favor to direct to me here.

I am, with the greatest sincerity, your most obedient and most humble servant,

ROBERT ORME.

By the particular disposition of the French and Indians, it is impossible to judge of the numbers they had that day in the field.

As the general's chariot is to be disposed of, I should be glad to know if you would have it again. It has been at this place since our departure from hence. If you propose taking it again, I will send it to you, and bring the general's coach back.—Captain Winn's compliments attend you, with Mr. Washington's.

P. S. Writing to you as a friend, I flatter myself you will excuse the hurry in which this is written. To the honorable governor Sharpe.

CHRONICLE.

Breadstuffs in the west. At Cincinnati, on the 18th, ult. flour had fallen to \$5 03, and but little doing. Wheat had fallen 20 cents per bushel, and was then plenty and dull at 90 cents, with the expectation of a still further decline. Although large supplies of flour had been received from Illinois, prices ranged from 70 to 80 cents, with a demand equal to the receipts—the disillers buying it as fast as received and sending it back to Illinois in the shape of whiskey.

The Buffalo Commercial Advertiser announces, under its marine head, the arrival at that port of the ship Milwaukee, captain Dickson, from St. Josephs, with nine thousand bushels wheat and eight hundred barrels flour.

This (remarks the New York American) is but a foretaste of the riches of the bountiful and boundless west. That vast granary is just beginning to unfold itself. The fertile soil has just yielded itself to the harrow and the cradle. Hereafter Ohio has been required to furnish Michigan with breadstuffs. Now, Michigan is not only supplied from her own broad wheat fields, but is sending vast surpluses to New York.

Flour and wheat. The Albany Journal states that the quantity of flour and wheat brought to the markets and left at the wharves below during the first two weeks in June, is as follows:

	Barrels flour.	Bushels wheat.
Schenectady,	7,750	1,000
West Troy,	14,433	14,350
Albany,	50,342	1,639
Total,	72,615	17,019

Harvest. During the ensuing week, there will be a general commencement made of the harvest in the Frederick and Middletown valleys, and we are happy to say that up to the present time, nothing has occurred, so far as we have heard, to mar the fine prospect which has heretofore existed of a most luxuriant and full crop. The golden fields have thus far escaped the influence of the mildew and the rust, (which the frequent rains of late gave some occasion to fear), and also the storms and a few more days of propitious weather, it is hoped, will enable the husbandmen heartily to rejoice over their well-filled garner, and heaped storehouses, and to celebrate such another "harvest home" as has not taken place for many years. Let them gratefully return thanks to him who has declared that, while the year remains, the seed time and the harvest shall not cease. [Frederick (Md.) Herald.]

The Trenton encampment continues to be visited by the citizens of neighboring towns and states in great numbers. The United States Gazette states that on Saturday last the United States troops at the camp paraded together, and were reviewed by general Estess, who is now in command at the encampment.—This is the first time that all the different arms have been brought to get together in a light infantry, as a regular unit. The whole force consisted of about seven hundred men, and their appearance was quite martial and imposing. It is understood that major general Scott will assume the command about the middle of August.

Bad economy. The engineers on the central line of rail road, in Michigan, have all thrown up their employ—ing to the reduction of compensation. The Detroit Advertiser says, very justly, that "scientific engineers cannot be employed at \$500 per annum, while an unscientific engineer, by a single mistake, may cost the state its thousands."

A loud signature. Most of our readers will recollect Paddy's reason for writing so large that a sheet of paper would contain but a few words, viz: That he was "writing a loud letter" to his grandmother who was deaf. We are reminded of it by the following passage in a late letter of the Boston Post's English correspondent. After stating that he had seen the death warrant of Charles I. he proceeds to describe it thus: "Scientific as it is much more, and has quite an antique appearance. The signatures of all the regicide judges are on it, with their seals attached. Cromwell's is the third on the list. It is about twelve inches in length and eighteen or twenty in width."

This, we think, may well be pronounced a loud signature; and it appears to have the somewhat rare property of being broader than it is long. [Argus Revived.]

Consul. The president has officially recognized Albert Schumacher as "consul of the free and Hanseatic town of Bremen, for the part of Baltimore."

The army worm is committing great havoc in some sections of Illinois.

A constitution and state government lost for the want of eleven votes. The Tallahassee Star of the 19th ult. states that the official returns from the Alabama territory are received, and that the new plan of a constitution for the state of Florida has been rejected by eleven votes.

Diminution of cattle in Vermont. By a report made to the legislature of Vermont, it appears that there was a great diminution of the number of cattle in that state, and a corresponding increase of sheep, between the years 1832 and 1837. The diminution of value of oxen in the five years between the two periods mentioned, was 13,000; of cows 13,000; and of two year old cattle

15,000. The increase of sheep, in the same time, was one million.

Silk in Tennessee. A gentleman in Nashville has raised from half an ounce of eggs which cost \$15 twenty-seven pounds of fine cocoons, after selling one quarter of the worms for \$150. The market is now well stocked with eggs.

Expensive exercise. The sum of £70,000 has been voted by parliament for the erection of stables, at Windsor palace. It was voted to reduce the sum to £50,000, but did not succeed. The reason assigned for asking this large grant of money, was, that it was required to provide a riding house at Windsor, frequent exercise on horseback being necessary for her majesty's health.

The town of Quincy, in Illinois, has only been established some half dozen years, and yet has a large and rapidly increasing population. It was principally settled by New England men, one of whom, Mr. Tinsley, has put up a splendid hotel, which cost \$100,000.

Crops in Texas. The Houston Telegraph says: "All accounts from the country continue to give us most cheering nature in regard to the coming crops. The seasonable rains which we had last week makes every thing look encouraging. The corn looks better than at any previous year."

Wheat and flour. The Albany Argus says that the wheat and flour arrived at the Hudson river in this and the preceding year during the week ending the 30th June, is as follows:

	Wheat.	Dcls. flour.
1883,	21,217	39,506
1889,	10,105	29,330
Showing a falling off of 11,112 and 10,176 being together equal to a falling off of 12,402 barrels of flour.		
The total arrivals at the Hudson river in this and the preceding year, up to the 1st July, is as follows, viz:		
1388	295,613 bbls.	
1839	292,440 "	

Showing a falling off of 3,173 bbls. in the arrival at the Hudson river, notwithstanding there was up to the 1st June, an increase of 98,577 barrels in the quantity of wheat and flour coming in at Buffalo from Ohio, Michigan and Illinois over the former.

Richmond flour inspection. The Whig of Tuesday says: "We learn from the inspector that the extraordinary number of 233,149 barrels and half barrels of all qualities were inspected during the year ending 30th of June last. This is the largest number inspected for many years, and we believe has only been once exceeded."

The Catholics of Illinois are erecting two churches, one at Juliet, Will county, the other at Prairie du Rocher, in Jackson county. The Catholic missionaries fortified their lives in exploring, for the sake of their religion, all that vast country beyond the Alleghanies, and on the lake shores and head waters of the Mississippi, long before the cupidity of gold hunting adventurers, had courage to penetrate among the hordes of savages from whom the Jesuit priests suffered death and torture. [New York Star.]

Benefits of speculation. The Long Island Star says of agricultural resources of Long Island: "That vast amount of unimproved land on Long Island might very well excite the surprise of any person who knows the very high price of all kinds of agricultural productions in our market. Brooklyn alone has 3,394 acres lying without improvement, and Kings county, which in no part exceeds 8 or 9 miles from N. York, has 24,394 acres of unimproved land. Speculation is put down as the principal cause of this fact."

Strawberries. One day, or rather night, of last week, seventy-eight one and two horse wagons, loaded with strawberry canes from the country round Hackensack, in the English meadow, near the foot of the hawken hill, to the Hoboken ferry. Some of the wagons had over 700 baskets, and came a distance of twenty-three miles. Three times a week during the strawberry season, they leave home in the evening and are at the ferry by sunrise. One man has raised this year, two hundred and fifty dollars' worth of strawberries from one acre of ground. [New York City of Commerce.]

The drought and the heat in the south. Middleburgville, Geo. June 18. "The heat during the last week has been exceedingly oppressive. The thermometer ranging between 93 and 95. The surrounding country too, as well as our city, is suffering under a drought of several weeks. In the city, garden vegetables are literally parched and dried up, and in the surrounding country, corn is almost in the same situation, and yet there are no prospects of rain. We understand that some ten or twelve miles north of this place, on Friday night last, there was a severe hail storm, which like the one that fell in the same direction a few weeks past, has done a great deal of damage. Without there is an early rain, the planters in this vicinity will lose their crop of corn, and the cotton will be materially injured."

Tullahoma, June 15. The weather in this section is excessively dry. In fact, throughout Middle Florida, so great a drought has not been experienced for several years. In many sections not half a crop will be

made, and unless we have rain in a day or two, the corn will be entirely ruined. Many of our planters will not make their bread. The cotton and generally looks well, although, if the drought continues it must soon feel the effects of the dry weather and heat. On some plantations, we learn it is even difficult to obtain sufficient water for horses and cattle.

Adams county (Pa.) election. Mr. Steven's majority over McDivitt, according to the official returns, is 465. For Stevens, 1,961, for McDivitt, 1,096.

Dreadful hail storm. A letter from Mr. Thomas H. Daniel, in the Petersburg Intelligencer, gives an account of a most destructive hail storm which passed over the southwestern part of Prince George and a portion of Sussex county, on Friday evening the 21st ult. It seems the crops of corn and wheat within its range were entirely destroyed. Mr. D. says:

"This evening I saw in Mr. Gee's lane large quantities of hail, some which were more than an inch in diameter, and that too, after having laid unprotected by any shade for about 27 hours. In another place, where it was protected from the sun, a gentleman of undoubted veracity informed me it was lying then on the ground six inches deep. The cloud commenced rising in the northwest a little after three o'clock, lowering in its appearance and portions of damage. It soon fell over, and the wind blew, the rain poured, the hail rattled, as if the 'rage and war of elements' was at its height. An old gentleman of the highest respectability, who numbers 75, informed me that he had never before witnessed such violent weather."

A correspondent of the Alton, Ill. Telegraph, gives the following account of a hail storm. "In the afternoon of Saturday, the 25th ult. the village of New Greenfield and the vicinity were visited by a hail storm of the most appalling character. The reader will hardly believe that, such was the extraordinary size of the hail stones, which at that occasion, that six of them weighed no less than seven pounds three ounces—that many of them were at least double the size of goose eggs; and that one actually measured seventeen inches in circumference. Pigs, sheep and other animals were killed by the enormous missiles, and a woman, who happened to be out of door at the time, was seriously injured. According to the usual mode of recovery." The editor of the Telegraph has full belief in the account, and says he knows his informant to be a man of strict veracity.

Newfoundland. The editor of the New York Courier and Enquirer has received the special appointment of lieutenant governor of this island, to the legislature at its recent adjournment of its session. From the following paragraph which it contains, there can be no doubt the British government is determined to establish a steam communication with her North American colonies.

"I am commanded to bring under the consideration of the legislature the intention of her majesty's government to establish a steam communication between the mother country and Nova Scotia, for the conveyance of mails and to and from the British North American possessions, with a view to ascertain in what degree Newfoundland can contribute to, or be benefited by, such an arrangement. I am directed to request the correspondence on this subject shall be sent down."

Curious case. When Dr. Theller, the patriot, was taken prisoner near Malden, by the British, he had money and a watch about him to the value of \$85. Of this, according to the tradition, he was completely and immediately robbed by the captors. Dr. Reynolds, of Malden, was one of the capturing party, and he happening to be in Detroit, was arrested at the suit of Theller, for the debt. The case has since been tried before a justice at Detroit, and the jury returned a verdict in favor of Dr. Theller, for \$85 and costs. Reynolds, according to the order of the court, was sent to the penitentiary. It did not appear in evidence that there was law, even in Great Britain, which refused to respect the private property of an invading foe, nor any testimony that the defendant had any commanding officer to be recognised in our courts. [Pennsylvania.]

New invention. We learn from a foreign paper that a surgeon of Guatresay, Mr. Le Mesurier, has recently invented a new pump for ships and mines, on a principle infinitely superior for all practical purposes, to any yet discovered. In this pump, the piston is dispensed with, and a vast jet is produced by means of a India rubber bulb stretched in rings. Some of its peculiarities are the total absence of friction, the impossibility of getting choked by sand, wheat, or even small stones, and a capability in a small sized one, worked by one man, of deluging a hog-head of water in a minute and a half. Mr. Le Mesurier has been offered 12,000 pounds for the patent.

It is stated in the Pittsburg Gazette, that captain Pepin—who, in conjunction with lieutenant Shoroborn, both of the Russian naval engineer service, is visiting the cities of Ohio and Mississippi, in order to make themselves acquainted with the navigation of these waters—has reached that city in the prosecution of the duty confided to him. Among other matters which engaged his attention at Pittsburg was the United States snag boat, for the removal of snags from the rivers, of which he has made a drawing, with an explanation of similar boats may be found elsewhere on the Don and Wolga, and other Russian rivers.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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MILITARY CONVENTION. *Monday, July 8th, 1839.* Pursuant to public notice the delegates appointed to meet in convention for the purpose of maturing plans for erecting a monument on the battle ground at North Point, met at the City Hall, the following companies represented:

1st Balt. light infantry, Mechanical volunteers,
Independent blues, Baltimore city guards,
Junior artists, Independent grays,
Maryland cadets, Eutaw infantry,
German guards, Independent German
Junior guards, Yeager guards.

General Medart was called to the chair and Wm. Hope, appointed secretary.

On motion, a committee of one from each company was appointed to nominate permanent officers of the convention, who reported the following which was unanimously adopted:

Brig. Gen. MEDART, *president.*
Gen. C. O'DONNELL, *1st vice president.*
Col. HICKMAN, *2d do. do.*

Wm. Hope, of the cadets, } *secretaries.*
IV. H. Shipley, of the Indep't blues, }

On motion, a committee to consist of the president, the two vice presidents, and one delegate from each company was appointed for the purpose of reporting to the next meeting, such plans as they may deem expedient to carry into effect the object of this convention. It was

Resolved, That all companies not represented, be especially requested to appoint delegates to meet this convention.

The convention then adjourned to meet at the City Hall, on Tuesday evening, the 10th inst. at 8 o'clock.

NAVY DEPARTMENT, July 11, 1839. The board of the examination of midshipmen, convened at the naval asylum, Philadelphia, on the 24th ultimo, has closed its proceedings, a report of which was received at the department, and approved on the 8th inst.

The following is a list of the midshipmen in the order in which they passed:

- | | |
|--------------------------|--------------------------|
| 1 John Cassin Henry, | 15 A. G. Clary, |
| 2 Wm. A. Wayne, | 17 Henry L. Chipman, |
| 3 James S. Biddle, | 18 George W. Doly, |
| 4 C. B. P. Rodgers, | 19 George Wells, |
| 5 Henry Cadwalader, | 20 John S. Neville, |
| 6 James Withers Read, | 21 Peter U. Murphey, |
| 7 Wash'ton A. Bartlett, | 22 John B. Randolph, |
| 8 Robert Burts, | 23 Johnston B. Carter, |
| 9 Albert S. Whittier, | 24 Wm. H. Adams, |
| 10 Richard M. Tiltonson, | 25 John Smith Patterson, |
| 11 Francis Winslow, | 26 Francis E. Baker, |
| 12 T. M. Mix, | 27 Samuel Pearce, |
| 13 J. C. Williamson, | 28 Henry P. Robertson, |
| 14 Gough W. Grant, | 29 Benjamin R. Nichols, |
| 15 C. Vanalstine, | |

FLORIDA. The following from our attentive correspondent we received yesterday, by the steamer *Charleston*, capt. Love:

Garey's Ferry, July 3, 1839.

My dear sir: The object for which Gen. Macomb's treaty was made, seems about to be accomplished. The Indians have been in large numbers to Fort Mellon and Fort King, and all report their entire willingness and determination to go within the designated boundaries, and there remain. Every means will be tried to secure them the peaceful possession of the alluded territory; and if nothing uncommon takes place, the wise ones say that the great, the everlasting Florida war is at length closed. The people of the United States, though, seem to place but little confidence in the report. They've heard that the "Florida war is at length concluded!" so often, that they have become quite incredulous; still I say all that can with perfect safety be said, "Nous verrons." Doctor Clark and col. Davenport were, by the last advices, very ill at Fort Fanning; they had drank from a well into which white lead had been thrown. Surgeon Tippler has been ordered from this post on temporary duty to Fort Fanning. I've just heard that col. Davenport is recovering, and is now on his way to this post, the head quarters of his district.

[*Savannah Georgian.*]

A letter from Dr. Byrne, of the army, dated Fort King, June 13, 1839, says: "Lieut. Ransom and my-

self, on our way here from Pilatka, met four Indians in a hammock about 10 miles from the latter place, and were much gratified and somewhat relieved on finding that they behaved like gentlemen. On our way from Payne's Landing this morning we met two others, and they also departed themselves properly, shaking hands with us, &c. There have been altogether between three and four hundred of them at this post, and there are at present about 160 encamped in this vicinity.—No body here doubts that they will comply with our gen. Macomb's arrangement. Tigertail has not yet appeared, but the Indians inform us that he will shortly come in."

TEXAS. A proclamation of president Lamar advises all civil and military authorities of Texas not to exercise jurisdiction within the territory claimed by the United States until the boundary line between the two republics is definitively drawn.

We are gratified to announce the arrival in our city of Mr. William Kennedy, a gentleman of distinction and high reputation, both as a literary and political writer. He was attached to the suite of Lord Durham, and is now on a tour of pleasure and observation to our republic. Mr. Kennedy is the first Englishman of any celebrity that has been among us, and many advantages may be expected from the reports he may make of our progress and condition as a nation.

A reconnoiter took place on the 25th ult. at Quintana, between Wm. H. Butler and E. S. Kirby, in which the latter was killed with a bowie knife.—Butler surrendered himself to the civil authorities.

Near Lynchburg, on Monday last, four persons were drowned in the bayou. Their names we have been unable to learn, but we understand that they were attempting to proceed down the bayou in an overcharged progue, which soon filled and hastened the whole four to an untimely grave. The steamboat Correo picked up one of the bodies, which was interred in this city.

A severe battle was fought on the 26th ult. between the company of militia, consisting of about 35 men, under the command of capt. Bird, and a large body of Indians. The engagement took place on Little River, about 13 miles above Fort Smith.

On the afternoon of that day, several Indians were discovered by the scouts, and were immediately pursued by the whole company. The Indians at length disappeared in a thicket, and the company on approaching it, found that it was literally filled with Indians, who opened upon them a destructive fire. Nothing daunted, however, they fearlessly charged upon the enemy, and in a few moments completely routed them, and gained possession of the ground which they had occupied. The Indians soon after rallied again, and made repeated attacks upon them, but in vain. They were repeatedly repulsed with great loss. This heroic band sustained their position for more than two hours against four times their own number of the enemy. Towards sunset the Indian chief, apparently enraged to be thus held at bay by a force so greatly inferior to his own, conducted all his warriors and made one desperate charge, but fell when he had arrived within about 20 steps at the head of his men, and the remainder of the enemy seeing him fall, raised a hideous yell and fled, leaving him and about forty of their companions dead upon the field.

This victory will undoubtedly be of immense benefit to the citizens of the frontier settlements in that section, as these hordes of savages have infested that region for many months, and have hitherto held complete possession of the country. They will now be compelled to retire further northward, and leave those settlers in the undisturbed possession of their improvements. [*Houston paper.*]

FROM MEXICO. An arrival at New Orleans brings dates four days later from Metamoros. The New Orleans papers publish a letter received at the Merchants' Exchange, of which the following is an extract: "Things are not yet settled in Mexico."

Another fight at Sattilo—the federalists attacked that place with about 500 men under the command of gen. Lemas, and after an obstinate engagement of five hours, succeed in carrying the town. The commander of the government troops were shot dead, and the report goes, that there was an American with general Lemas, who used a rifle, and has

the credit of sending a Texas visiting card, which took him under the eye.

It is also reported that general Canaliza has been defeated in an attempt to retake Monterey. If the report should prove true of his defeat, Metamoros will fall, and Bustamante will have to leave Tampico. It is their intention to march into Texas next September, with 5,000 men; and 2,000 Indians are to join them. We have an old fellow here who has returned from being the president a visit, (from Nacogoches), and is now on his return to keep note of the times. Gen. Santa Ana will do every thing in his power to have Bustamante put out of the way, consequently he will push him off to Texas; as he well knows that there is but one chance in a hundred of his ever returning.

LATE FROM GIBRALTAR. By the fast sailing bark *Empress*, capt. Townsend, from Palermo, the Journal of Commerce has a Gibraltar paper of June 6th. We annex a few extracts. The dates from Madrid by the steam ship *Liverpool* were to the 3d.

Gibraltar, June 6. Gen. Espartero has at length published a detailed account of his late operations against Ramales and Guardamino, to which is annexed a return of the prisoners taken from the enemy—318, including 25 superior and other officers. Of their killed or wounded the general does not speak; but states his own loss at 99 of the former, and 687 of the latter, besides 54 missing. Maroto swells it, in his official report, to upwards of 6,000 *hors de combat.*

Although the Madrid papers, received on Monday, mentioned a rising in favor of Don Carlos at Alcazar, but a few leagues to the south east of Guadajajara, we took no notice of it; seeing that the number of the disaffected was represented as insignificant, and it was affirmed that they had been crushed. To-day we find it stated, that the example of Alcocer has been followed in two neighboring places—Buendia and Viller del Ladrón; nor is it added, as in the first instance, that the contents have been put down. Far from it; a body of 3,000 men are said to have marched through the territory of Cuena on the 27th, who, it was suspected, were hastening to support their newly declared friends.—Notwithstanding Cabrera's retreat, the whole of that part of the country continued infested by bands at the last mentioned date; and the natives loudly complained of their being left wholly unprotected by both the Central government and the local authority.

Similar complaints were uttered from Requena at precisely the same time. That district was likewise overrun and laid waste by some rebel detachments on the one hand, while others were fortifying several points from which they would before long, completely command all the country round Moya, and the Cuena mountains, and thence might safely invade Upper Mancha at will, even with the most inconsiderable bodies of men. And, while all this was occurring, a division of the queen's troops (Aznar's) had come up; ascertained, that the enemy were within one day's march; drawn a quantity of rations from the magazine in the place; and instead of marching upon the rebels, had marched back in the direction of Liria, alleging that they had no orders.

According to a report current in Madrid, general Espartero, having been informed that Louis Philippe's commissioner at the head-quarters was corresponding with the Carlists, has ordered him to withdraw.

FROM LIBERIA, AFRICA. We received through the post office last evening, a file of the *Liberia Herald*, for March, April and May; they are, however, but little later than previous files in our possession, but contain some interesting items that we have not yet seen published in this country. We shall refer to them hereafter.

Some account is given of a recent attack on Bassa, by the natives, and the defence by what is termed the Americans. Some of the farms were plundered. The farms attached to the settlement of Edina are secured. This settlement has not been the scene of actual contest. Notwithstanding this drawback upon the agricultural operations of the year, the quantity of land at present under cultivation, far exceeds that of any former period—300 acres are said to be cleared and planted. In con-

sequence of the destruction of farms, and the partial suspension of trade, a scarcity of provisions had prevailed, but by no means to an alarming or pressing degree.

From the Monrovia Herald.

We have heard with deep regret that Jenkins has again raised the whoop of war.

Prince, of Trade town, and Grand, of New Seas, are preparing for war. Each is threatening the other with an invasion of his territory.

We have just heard, by an arrival from Little Bassa, that the natives have made one attack on the Sinoe settlement. Three Americans are reported killed, and seven wounded.

Captain Murray, of the English brig —, is landing goods at Little Bassa, and advancing the price of every article of trade one hundred per cent. Captain Murray should be officially informed of his trespass on the territory of this colony, and warned to desist. The territory of Little Bassa is fairly and honorably the property of this colony, and he has no right to the commerce, unless under the regulations established by our commercial laws.

News has just arrived, that his excellency, governor Buchanan, is just recovering from an alarming illness. This accounts for the detention of the Saluda, captain Waters, who left this fifteen days ago to bring his excellency up to this place.

Died, in this town, on the 14th instant, after a severe illness of seven days, Joshua Stewart, esq. aged 69 years. Mr. Stewart was a native of Petersburg, Va. emigrated to this country in the ship Cyrus in 1824, and arrived here on the 12th of February. Mr. Stewart has successfully filled many important offices in the colony, having been at a former period a member of the legislature, and for many years one of the justices of the colony.

We were informed when at Cape Palmas, that while the Emperor, captain Lawlin, was lying at St. Andrews bay, a plot was concocted among some of the seamen to seize the ship and run off with her. This act of base treachery was detected on the day previously designated for its perpetration. The captain, immediately the fact was communicated to him, proceeded a short distance down the coast, where a number of friendly natives very opportunely coming on board, he was enabled to secure the villains. They are in prison at Cape Coast, to be sent to America for trial.

FROM THE FRONTIER. We regret that another disgraceful scene has been enacted on the frontier, by a party of refugees from Canada. The affair was most probably magnified by the Montreal papers into "another Yankee invasion," we give the following extract of a letter we have received from Holland, Vt. the town on this side adjoining Barnston, L. C. the place upon which the attack was made.

"The party, which consisted from ten to twenty men, all armed, arrived within half a mile of the line without being discovered, on Sunday night 22d inst. Here they remained concealed in the woods till Monday night, when after dark they emerged, and came to an opening on the premises of Mr. Mosier, about fifty rods this side the lines, and were discovered by his wife near his barn. One of the party followed the woman to the house, and met the husband, shook hands, and stated their object to be, to take the fire arms in the possession of Mr. Burroughs, captain of militia of Barnston. Mosier remonstrated against their proceeding further, and told him, that if his party committed any excesses in Canada, he himself would most probably be the victim of retaliation; that he should be ruined, his property destroyed, and buildings burnt.

"This had no effect on the gang which then proceeded to Burroughs, about three miles from Mosier's, and commenced their attack, by demanding a surrender of the arms. It was at midnight. The demand was resisted by Mr. B. another man, and a boy, all the force that was in the house at the time, except the women, and not a musket loaded, out of the twenty or thirty stand which this valiant band had come to capture. Finding they could not obtain the arms, without at least the chance of taking ball with them, the party fled, after setting fire to one of the hay in the barn, leaving two dirks, and one of their party, Switzer, a prisoner. This fellow, a fit companion for such patriots, had been a tenant in our state prison. Switzer is the only one who has claim to being an American citizen, if indeed he has not forfeited this by his residence in Canada. I need not add there is a strong feeling of indignation pervading in this section among all classes, against the authors of this outrage."

[Burlington Sentinel.]

UPPER CANADA. The Brookville Recorder says that "it is now ascertained that the persons who robbed the mail were three in number, and not

twelve as first reported. Their names are Robert Smith, otherwise Washington Mills (one of the late Robert Peel pirates), Decatur Johnson, (son to the celebrated Bill Johnson), and John Farrow, another of the Peel gang."

THE PRESIDENCY. *The Southern Recorder*, (a state rights paper in Georgia), announces the name of George M. Troup as a candidate for this station, and says, in doing so, it is in anticipation of gov. Troup being nominated by the next legislature of Georgia.

The Columbus (Geo.) *Sentinel* remarks on this nomination, that the editors of the Recorder know full well that Mr. Clay cannot, in any event get the vote of Georgia; therefore, the only manner in which he can be served, if served at all, is by this ruse, which, if it succeeds, neutralizes the state, otherwise it must assuredly go for Mr. Van Buren.

The *Charleston Mercury* (a Calhoun paper) speaks of governor Troup as "the distinguished and renowned Georgian," but thinks he stands no chance of being elected, and that the nomination is clearly playing into Mr. Clay's hand. "If however," (says the Mercury), the states rights party of Georgia believe that there is no manner of choice between Mr. Clay and Mr. Van Buren, and that they are equally bad, then they are perfectly justifiable in eschewing the contest, and using their electoral vote for the purpose of paying a harmless compliment to a distinguished fellow citizen.

[American Sentinel.]

MR. CLAY. We learn that it is the intention of this distinguished statesman of the west to visit, in the course of this month, the lakes, Niagara and Saratoga Springs, which places he is marked, he has never yet seen, but which he has long desired to visit. It is his intention, we understand, to avoid being the occasion of any public demonstrations, and to pass as quietly through the country as possible. — Undoubtedly his warm-hearted friends will be desirous of doing him honor; but if they consult his wishes, they will not press him to accept of any public demonstration of their confidence and esteem, however strong may be their desire to manifest their feelings towards him. *[U. S. Gazette.]*

MR. WEBSTER. in consequence of his absence from this country, has authorized the publication of the following address:

To the people of Massachusetts. It is known that my name has been presented to the public, by a meeting of members of the legislature of the state, as a candidate for the office of president of the U. States, at the ensuing election. As it has been expected that a convention would be held in the autumn of this year, composed of delegates from the several states, I have hitherto thought proper not to anticipate, in any way, the results of that convention. But I am now out of the country, not to return, probably, much earlier than the period fixed for the meeting of the convention, and do not know what events may occur, in the meantime, which, if I were at home, might demand immediate attention from me. I desire, moreover, to act no part, which may tend to prevent a cordial and effective union among those, whose object I trust, is to maintain, unimpaired, the constitution of the country, and to uphold all its great interests, by a wise, prudent and patriotic administration of the government. These considerations have induced me to withdraw my name as a candidate for the office of president, at the next election.

DANIEL WEBSTER.

London, June 12, 1839.

The Philadelphia National Gazette, whig paper, in publishing this letter says:

"It must be observed that Mr. Webster is silent respecting the vice presidency, and the inference is fair that the nomination made by the anti-masonic convention of this state is not unacceptable."

JOHN C. CALHOUN. We have received a copy of the reply of Mr. Calhoun, to an invitation from the committee of arrangements, to deliver the fourth of July oration in this city. *[N. Y. New Era, Fort Hill, June 12, 1839.]*

GENTLEMEN: I have been honored by your note of the 25th of May (received the 9th instant) informing me that delegates of the democratic republican party, from the several wards of your city, had selected me to deliver the oration at the approaching anniversary of independence.

I acknowledge with gratitude the honor of being selected by so numerous and respectable a portion of my fellow citizens in a distant section of the union on such an occasion, and am duly sensible of the obligation which it imposes; but the great distance and my numerous and indispensable engagements render it utterly impossible for me to accept.

Among other grounds to which you have alluded, you have referred to the part I have recently taken in the senate, as one of the causes of that favorable opinion towards me which had led to the intended honor that I am reluctantly compelled to decline.— Permit me to say, in taking the resolution to which you refer, there were difficulties of the most formidable character in the way, but had they been far greater, they could not have deterred me from the course I took, so imperious was the sense of duty under which I acted. The currency was no new question with me. For many years it had been the subject of my reflection, and the source of deep solicitude, and I had made up my mind when the time arrived, that would force it on the attention of the country and government, as to the part I would take if then on the stage of action.

The derangement to which our country is subjected is not accidental. It is inherent in the system itself, and in spite of every effort to correct it, will grow from bad to worse, until some great and radical change is effected. In the meantime, the community is destined to pass through scenes of difficulty and danger greater than any heretofore experienced, unless the people should be timely aroused to apply an efficient remedy to the growing disorders. I hold it almost impossible that there should be any state of things more corrupting to morals, more dangerous to free institutions, or more paralyzing to industry, than an uncertain, vascillating currency, under the control of private cupidity, such as ours is; and I am amazed, that the wealthy capitalists, whose property exists in stocks and securities, are not the first to see it and take the alarm. They ought to see that the gains from the irregular working of such a system must be but momentary and fallacious; and must be followed by a storm, if permitted to progress, which will sweep away such a system as leaves before a tornado. In taking my stand against the system, no partial or local considerations governed me. I stood up for what I honestly and sincerely believed to be the morality, the freedom and prosperity of the country, actuated by enmity to no class or section, but believing that I was acting the part of a true friend of all those who for the time were its victims.

Whether in this I was mistaken, I am content to leave to time and experience to decide. Thus far I have seen nothing to shake my opinion, but much to confirm it, much to animate me to perseverance in the course I have taken, till an effectual remedy is applied to this among the most dangerous evils that can befall the country.

For the very kind manner in which you have communicated the wishes of those you represent, you will please accept my sincere acknowledgments. I cannot but be highly gratified to learn that many of my old friends in your great metropolis have not forgotten me, and I do assure you that few things would afford me more pleasure than would an opportunity to renew my acquaintance with them, as well as to form it with those more recent friends whose approbation I have been so fortunate as to gain, in the trying scenes through which I have more recently passed.

Though circumstances will not permit me to accept the honor proffered, and to be present at your celebration, it will not I trust be considered an intrusion to offer the following sentiment:

"Equally, in its broadest sense, of rights and privileges between citizen and citizen, pursuit and pursuit, and one portion of the country and another, the deep and solid foundation of our political fabric; preserve that, and all is safe—destroy it, and the whole will rush to dust."

To Richard J. Smith, Steven R. Harris, and C. H. Dougherty, esqrs.

MESSRS. WISE AND PLEASANTS. We take pleasure in complying with the request to publish the following arrangement of a personal difficulty, the existence of which must have been a source of regret to the friends of the parties involved:

[Norfolk Herald.]

Richmond, June 24, 1839.

To the editors of the Norfolk Herald:

Gentlemen: The enclosed paper gives the best explanation of itself. As the letter to which it refers was published in your paper, it has been thought most appropriate by the friends of Messrs. Wise and Pleasants, that the paper now sent should be published there also. Will you have the goodness to publish it? I am, very respectfully, your obedient servant,

JAMES LYONS.

We have seen, with great regret, the personal collision that has occurred between Mr. Wise and Mr. Pleasants; and being entirely convinced from communication with them both, that it has grown out of a misapprehension on Mr. Wise's part of the meaning of Mr. Pleasants in an editorial article published in the Whig by him, we have thought it

our duty to interpose for the purpose of bringing about an adjustment of the difference, honorable to both parties; and our mediation has been accepted by them.

Mr. Wise, as we know from his own assurance and as, indeed, his letter in the Norfolk Herald on the subject sufficiently evinces, thought that the editorial article in the Whig might be intended as a taunting and unfeeling allusion to the part which he bore in the duel between Mr. Graves and Mr. Cilley, and it was under the influence of that belief, and the excitement thereby occasioned, that he applied those personal and highly offensive remarks to Mr. Pleasants, to be found in the Herald; remarks which, we are sure, did not express Mr. Wise's deliberate opinions of Mr. Pleasants and his feelings towards him.

Now we are convinced, both from the article in the Whig itself, and from conversation with Mr. Pleasants, without his being apprised of the purpose with which we sought it, that Mr. Pleasants, in penning that article, entertained no feeling whatever of disrespect or unkindness towards Mr. Wise, and in particular, never had a thought of making any such allusion as that supposed; on the contrary he meant only a rebuke, and a sportive rebuke, of what he considered Mr. Wise's "impracticability" on the subject of the senatorial election.

Mr. Wise having used highly offensive and injurious language towards Mr. Pleasants, under an entire misapprehension (as we take upon us to assure him it was) of Mr. Pleasants' meaning—we think he ought not to hesitate to express, what we do not doubt he will feel, his regret for having used such language, and to retract it; and that thereupon the parties should be restored to the relation of mutual and cordial respect and good will toward each other.

B. W. LEIGH,
ROBERT STANARD,
JAMES LYONS.

We have seen the above, and very cheerfully adopt it as the adjustment of the misunderstanding that has arisen between us.

H. A. WISE,
JOHN H. PLEASANTS.

VICKSBURG COMMERCIAL AND RAIL ROAD BANK. The following statement of Mr. R. M. Whitney will be read with interest as throwing some light on the condition and management of the Commercial and Rail Road bank of Vicksburg; also the prospects of the fertile state of Mississippi.

Philadelphia, June 28, 1839.

To the publishers of the North American:
In your paper of yesterday, speaking of the decline that took place the day previous in the price of the stock of the Commercial and Rail Road bank of Vicksburg, you say: "This heavy fall of over \$3 per share since yesterday, is attributed to a letter said to be written by Mr. R. M. Whitney, addressed to the stockholders, and representing things in a bad condition. It certainly requires some such elucidation to account for so heavy a decline in one day."

The letter in question was principally for the purpose of repelling assaults made on me individually, in a letter addressed to Henry Toland, esq. and others signed by the cashier and two of the present directors of the bank, which I did not see or know of until after my return to this place from Vicksburg.

In the letter referred to I said in conclusion, I deem it my duty to state, that "the result of all my enquiries on the point in which the stockholders are most deeply interested, (the restoration of the bank to sound condition, to prosperity and usefulness), was this—with an entire change of the present administration of the bank, and the adoption of the proper and necessary measures, I was assured by some of those who were well acquainted with its affairs, that ultimately the losses would be very inconsiderable; but all agreed that, while the bank remains in charge of the present conductors, its affairs are getting and will continue to get worse and worse daily. From my own observations I should be inclined to confirm their opinions." I added:

"It is hardly possible for a person who does not witness it, to form any opinion whatever approaching the reality of the vast national resperative facilities which the state of Mississippi possesses. I fully believe that three crops at most will completely disenthral and regenerate it from the present pecuniary embarrasments."

I ask of you the favor to publish this in your paper of to-morrow morning, that there may be no misapprehension on the part of those interested, as to what I did say in the letter to which you have referred. Respectfully,
R. M. WHITNEY.

MARYLAND TOBACCO CROP OF 1839. The calculations on such an abundant crop of tobacco so

generally made by the planters in the beginning of the season, we are told will not likely be realized. Owing to the extreme forwardness of the planting, the tobacco will not attain its ordinary size, and such two-thirds of the growing crops is now in such advanced state that it will probably reach the house by the fifteenth or twentieth August. Tobacco we are told is a plant that will not attain half its proper growth if planted so early as to mature by the fifteenth or twentieth of August, its growth during the fall months of September and October, being nearly twice as great as at any other time. When planted early it buttons early and is ready for topping when it has attained but half its proper growth, and when that operation takes place it ceases to grow any more. The consequence will be therefore that nothing like a full crop in weight will be made in this section of the country this year, and this seems to be the opinion of many intelligent and respectable planters with whom we have recently conversed. In addition to this we have been informed that more than a usual crop in quantity has not in fact been planted this year, as scarcely an individual planter can be found who has planted more than he has been in the habit of planting for years past. We mention this fact to correct an erroneous rumor which seems to prevail among the tobacco merchants in Baltimore, in relation to the inordinate size of the crop which will likely be made this year; a result, by the way, which no human wisdom can at this time ascertain with such certainty as would justify its proclamation in the newspapers as a truth, and which, therefore, could only have been so announced for the purpose of affecting the present prices of tobacco and reducing its value in the market.

We are surprised that every rumor of this sort, unfounded or not, should be so eagerly seized on by a portion of the press and turned against the planting interest, whilst the truth is kept back, and those things which make in their favor are rarely if ever published. [Marlboro, Ga.]

PUBLIC WORKS IN ILLINOIS. The Sangamon Journal, after noticing the recent sales made in N. York, by Messrs. Rawlings & Oakley of \$300,000 of the state bonds, says: "All the immediately available means which can be realised from these sales, has been used for the payment of interest on loans previously made—consequently no funds can be derived from these sources, for carrying on the public works, until about the 15th of August next, at which time \$50,000 will be received by the Illinois bank in New York bank paper, which will be discounted in the same description of funds."

Mr. Tillson, before this time, has reached New York with a quantity of state bond. He will make an effort to raise money on them, for present purposes.

Should gov. Carlin's embassy to Europe, fail in obtaining funds, our state is likely to be embarrassed; and though the administration party are determined that there shall be no call of the legislature, they will find that public opinion cannot thus be trifled with, with impunity.

EARTHEN HOUSES AND EARTHEN FENCES. We learn from the Prairie (Illinois) Beacon, that the experiment of earthen houses has been introduced into St. Clair county, in that state, by a Mr. Potter, who has erected several buildings, (one of them a large two story dwelling house) the walls of which are composed entirely of earth, and they are said to be as handsome, and apparently as durable, as those made of brick, while the cost is much less. Mr. P. recommends the construction of fences of this kind in Illinois, the soil of the prairies being very similar to that of the plains of South America and Mexico, where such fences (called in those countries, *pisé* fences) and houses are, and have been for ages, very common. It requires but little skill to construct a house or a fence of this material. The earth is made into a kind of mortar, and planks being placed so as to form a sort of a box, as far apart as the walls are intended to be in thickness, is thrown in and pounded hard. This method of making fences and building houses must be very advantageous where as on the great western prairies, timber is scarce and earth is plenty.

GREAT FIRE AT EASTPORT, MAINE. A fire broke out on the 6th at this place, and destroyed one-half the property of the town, comprising more than forty-one places of public business. It commenced at No. 3 Water street, sweeping off every building on both sides of the street, to the store of the Messrs. Hobbs.

Every wharf in the neighborhood was cleared except the two stores of the lower end of Hayden's wharf—Central wharf, Union wharf, Steamboat

wharf and Hobbs's wharf. Two vessels, the Martha and the Abigail, were totally destroyed, having been aground in the dock, and several others took fire, but were extinguished.

The list of sufferers is numerous, chiefly merchant dealers in West India dry goods, flour and corn, hat stores, jewellers, tailors, shoemakers, and every species of mechanics. The slip of the Eastport Sentinel says:

"Nothing remains of what was yesterday the centre, and in fact nearly the circumference of the business part of the town, but a heap of ruins, above which rise the blackened chimneys of the burnt buildings,—and over which the smoke rests like a pall, as if to hide the heinous mass beneath. Since writing the above, an estimate has been made of the property destroyed, which is put at \$240,000, of which \$50,000 are supposed to be insured."

THE NEW YORK SUNDAY SCHOOL JUBILEE.

We subjoin from the New York Sun, a notice of the most interesting celebration of independence day that we have yet met with, a festival in which no less than fifteen or twenty thousand children participated. In publishing the statement, it may be as well first to give from the Journal of Commerce an account of the preparations made on the occasion. These were for the accommodation of this Lilliputian army:

- 4 steamboats.
- 9 towboats, averaging 400 tons each.
- 2,300 lbs. of corned beef, boiled.
- 200 neats' tongues.
- 6 pigs, roasted whole.
- 2,300 loaves of bread.
- 20 bbls. of sugar and butter crackers.
- 40 bbls. of pure water.

The Sabbath schools were—Undoubtedly the most interesting and pleasing of the incidents of the 4th, was the "patriotic festival" of the Sabbath schools of this city, held at Staten Island. And a glorious incident too, will it ever be, in the history of these United States. Who would credit the assertion, that fifteen thousand belonging to Sabbath schools of this city, met at the rendezvous on the island? Accompanied by delegations from some of the neighboring towns, and with the schools of the island, amounting in all, to about twenty thousand!

The following, as nearly as we can ascertain, was the order of arrangement for the day. The Sabbath schools assembled at an early hour, at their respective places of meeting; as soon as organized, they proceeded to the places of embarkation, viz: foot of Hubert street, on the North river side, and foot of Pike street, East river. At the moment the boats left the wharf, "Hail Columbia, happy land," burst forth simultaneously from many thousand voices. The effect was enchanting, and a glorious sight were those splendid steamers and barges so tastefully decorated and shaded with evergreen, and the children all decked in holiday attire, looking so joyous in anticipation of their delightful exercises.

When the song was ended, and all was hushed, the voice of prayer was heard in each boat. The jubilee hymn was then sung; and recitations by young orators, with odes prepared for the occasion, occupied the remainder of the time, till the boats reached the island. A more exciting scene can hardly be imagined, than that presented by the disembarkation of so many thousands, and the intertwining among the green hills of Staten to the rendezvous, amidst the wavings of banners, and bursts of music.

In the midst of the woods was raised a large tent, where the president of the United States and governor Seward were received, with the officers appointed for the occasion. Other large tents were erected around this principal one, and when all were seated, dinner was served up, if we may so express it. Recitations, singing, salutary speeches by the youth, and music by the two bands, occupied the time till 3 o'clock, when all re-embarked for home.—A short excursion was made down the bay; salutes were fired from ships at anchor, and returned by deafening "hurrahs" from the barges. A more enlightening scene was never witnessed. About six o'clock the Sabbath schools disembarked in safety at New York, not one accident having happened among the congregating of so many thousands.

SCHOOL. The school fund of Kentucky amounts to one million of dollars, besides the appropriations which have been made to the Transylvania university at different times, to the sum of one hundred and seventy thousand dollars. We notice the latter endowment with the more pleasure because there appears to be, in some parts of the country, a disposition on the part of legislative authorities to

neglect collegiate institutions while a very commendable attention is paid to common schools. We do not know, however, that *Maryland* has done much for either. No system of schools can be complete that does not provide for liberal education, as well as for ordinary instruction. Pennsylvania, with a truly enlightened policy, in addition to very numerous appropriations to common schools throughout the state, has granted one thousand dollars annually to every collegiate institution in the commonwealth that maintains four professors and one hundred students.—Every classical academy of a certain grade receives five hundred dollars a year, and minor schools in proportion. The state cannot fail to reap rich benefits from a system such as this, permanently established. The common schools will be supplied with able teachers from the higher institutions, and these latter will draw an increasing number of pupils from the subordinate seminaries. The state of Ohio deserves honorable mention also, on account of the attention which education has received from those in authority. Professor Stowe, who was commissioned by governor Lucas to visit Prussia for the purpose of examining the school system of that kingdom, has published a very interesting report, which, as we desire information on such subjects, will find their account in perusing.

[*Balt. American.*]

THE WESTERN LAKES. The growth of towns along the shores of our great lakes is unexampled in the history of the world. And what most surprises the stranger is the character of the results; as if swayed by the magic influence ascribed to the fabled lamp of Aladdin, the wilderness seems in a moment to change its native aspect, and literally to rise into cities. Well paved streets, long blocks of brick and stone buildings, and elegantly finished stores, supplied with all the necessaries and luxuries of life, distinguish most of these western towns from the earlier years of their infancy, and the eye of the traveller dwells with pleasure upon massive structures and specimens of architectural elegance which would do credit to old and long established communities. The following table, published in the *Cleveland Herald*, though perhaps not correct in all its details, may convey an adequate idea of the general rates of increase. The population of places in the west is apt to be over estimated—that of Cleveland, I think, is too high, while that of Detroit certainly, and probably that of Chicago, fall below the true estimate. It will serve, however, to show that the aggregate population of the towns, whose names are given, have quadrupled, or nearly so, in the short space of eight years.

Towns.	1830.	1838.
Buffalo,	8,653	20,000
Erie,	1,328	3,500
Cleveland,	1,076	8,400
Sandusky city,	400	1,500
Lower Sandusky,	150	500
Perrysburg,	182	680
Maumee,	250	2,000
Toledo,	30	2,000
Detroit,	2,122	6,500
Monroe,	500	3,500
Chicago,	100	5,000
Milwaukee,	20	3,500
Michigan city,	10	1,000
Newburyport,	10	1,580
Navarino,	100	1,500
Huron,	10	1,500
Dunkirk,	50	1,500

15,163 66,683

It should be remarked, however, that towns have been greatly depopulated from sickness or other causes, the inhabitants removing to more healthy or more eligible locations. The population of Michigan city, for instance, was once set down at 2,000, while that of Toledo does not perhaps at present equal 1,000. A feeling of state pride has rather exaggerated the condition of the Ohio towns in the above list, and underrated some of those in the other states; the aggregate, however, is not far from correct. There are said to be as many as thirty towns, not named above, that commenced their existence since 1830, which would greatly swell the ratio of increase. With regard to business during the same period, I gather from the same paper, that the number of vessels that cleared from the port of Cleveland, with cargoes, in 1830 was 827; in 1838 it was 3,028. The value of exports in 1830 was \$377,197, and in 1838 the value of exports that arrived by the canal alone exceeded five millions of dollars. The value of imports in 1830 was less than one million, and in 1838 was estimated at over nine millions. If these estimates are at all to be relied on, they exhibit an increase in population and trade unexampled in the history of the world.

[*Boston Patriot.*]

INDIAN NAMES. Whatever contrariety of opinion may exist concerning the adoption of a national title for the whole union, there ought to be no diversity of sentiment, we think, touching the propriety of retaining the Indian names, wherever they are in use throughout the country, and of restoring them wherever they have been supplanted. Words of such sonorous melody, of such exceeding good report—deserve to be treasured if it were only for their sound's sake. But how much more precious—nay how endearing do they become when the associations are called to mind which blend them with the rivers, mountains, lakes and valleys of this great country! They will soon be the only evidences that remain of a people now passing away—a people uncivilized indeed, but heroic beyond the savages of any other clime—fit associates of the majestic hills, the dark forests and floods of their primeval home, and worthy to be the tenants of a region where nature has stamped the impress of sublimity in her own ever enduring characters. There is a fitness—a justice, both moral and poetical, in continuing to every hill, stream and glen, the name which first it bore.

It would be almost impossible to find more beautiful names than those which have been retained of Indian origin, to many of our rivers and mountainous ranges. Among native tribes whose words are formed from some inward correspondence, fanciful or real, between the name and the thing denoted, there is generally found a singular appropriateness of epithets. Either the name indicates some quality of the object, or it is the echo of sounds connected therewith. *Niagara*, uttered in Indian gutturals, would be a very unfit appellation for a softly flowing stream—such for example as the *Monongahela*—a name which suits well with the "liquid lapse of waters."

The restoring of the old Indian names to places which are now designated by some mean or second hand cognomen, was dwelt upon by Mr. Irving in his essay on the subject, as a distinct matter from that of a national name. The institution of a special association for this purpose was deemed by him to be more than worthy the importance of the undertaking would justify. With a society of this kind, composed of literary and distinguished men, individuals in different parts of the country might correspond; and the efforts of each towards the recovery of ancient appellations would be made in concert and receive the sanction of respectable authority. By referring to the old land deeds and papers, lodged in the various record offices throughout the several states, as has been suggested, much might be done in the way of bringing to light long forgotten terms. It is hardly probable that any general agreement can be had on a national title. But this other matter is something upon which every man of taste in the country would unite if there were any prospect of successful action. [*Amer.*]

FRENCH AND ENGLISH. We occupy a great deal of time in eating and drinking, and sit here at table, while the French rise directly nature is satisfied and proceed to their employment. The two sexes separate with us, but the French men and women, at all times and on all subjects alike discuss together. No women have shown so much character, been so little given to fritter away their time as the French. They instituted the order of the *Soeurs de la Marie*; madame Roland de la Tour, founded an order of Recluses, who shut themselves up all their lives in a cave, to lament some irreparable affliction. The maid of Orleans, Charlotte Corday, madame Roland of the revolution, are instances of enthusiasm; madame Dacier, marquise Chatelet, madame de Staël, show a depth of scientific learning, almost confined to the industry of men. If you read some of the writings of the authoresses of the present, like madame Dunevant, you will believe we never have had a woman so female, so masculine in her character. The females exercise all the occupations and gain the emolument of men; they keep the accounts; they are at the bourse, and evening table; they are behind the counter, they act as clerks and negotiators, and often in manufacturing towns get their 1,000f. But our ladies must talk scandal, our farmer's daughters leave the dairy, and play the piano. "But," say we, "the French are a trifling nation, because they think seriously about trifes, which make up the sum of life." Says an author: They have advanced every thing to the rank of a science or an art—whether cutting your hair, tying your cravat or cooking your dinner; they have inmanuals and instructions for every thing; and every thing worth doing at all they would do well, or to use their own term, they would be perfect in it. The French, of all nations are an occupied and busy people; they must be doing something; but we show disposition to trifle away our lives; to risk them in trifles;

cockfights, boxing matches and steaple chases. We praise ourselves on being very charitable people.—What did we subscribe for the family of sir Walter Scott? Less than ten thousand pounds; the French more than forty thousand pounds for Foy, and the most splendid monument in Pere la Chaise. The English are scattered all over the continent; unable to fix their thought or their feet, running over every thing, considering nothing, and instanced for their levity; but the French can stay in their own country, and find amusement among themselves, unbidden by our mania of locomotion. Their journeys are generally undertaken for business, private and public or for education, or to make researches. They are pensioned by government or they are exiles; or they are on a tour of propaganda risking their lives in aid of their own parties or opinions, and in contentions of foreigners. The French show respect to the people of genius and learning in society, while we treat them with comparative indifference, so that a great astronomer of our country said that he never knew he was any body until he went abroad; and the way we treat the lions of one season, and forget them the next, certainly proves levity and puerile trifling in our character. We must, however, except the anniversaries of the scientific association, when all the lions are paraded about the country like other shows, and so well fed that, like the animals in the menageries, the best time for seeing them is the feeding time. [*Bentley's Mag.*]

A JOURNEYMAN PRINTER. Much has been said, and sung about the characteristics of "ramping journeyman printers," and the extraordinary vicissitudes which mark the progress of that most intelligent, though thriftless, race of mortals; but we believe the following extract of a letter, received from an old acquaintance of one of the editors of the *Courier*, indicates of versatility of accomplishments rarely equalled in these days:

—, 24th June, 1839.

"Look at the signature of this, and you will remember the person who addresses you. I met you together, who sat here about half an hour ago, and was informed by him that you will start to your place in half an hour. I have, of course, no time to say much. I am here by chance—met your brother by chance—and had a host of reminiscences awakened in my mind in a moment.

"Since I saw you last, I have experienced all the vicissitudes of fortune—at a moment a colonel of Texan cavalry—the next a prisoner among the Cumanches; at another, lieutenant aboard a Texan sloop of war—the next a prisoner among the Mexicans of Matamoros—finally a typo in —, under the weather! Can I serve you at Terre house, or can you serve me? If you have forgotten my qualifications, here they are: A practical printer—an experienced stenographer—a good English writer—a perfect French scholar, vocalist, and player on a Spanish guitar. If I can be of no use to you, write and say whether I can get a school in your neighborhood.

"When we last saw the writer of the above, in 1834, he was acting in the capacity of a reporter in congress, and the next time we heard of him was through an *obituary notice* in a New Orleans paper, detailing the circumstances of his sudden death.—Our readers may therefore imagine our surprise on receiving the *post mortem* evidence of remembrance from a gentleman whom the newspapers, 10 or 12 months since, had consigned to mother earth!

If the services of a gentleman so gifted, can be profitably employed by any of our contemporaries, we shall cheerfully communicate to them his address; for, we regret to say, we have no room for him in our own establishment. [*Wash. Courier.*]

FIFTY YEARS AGO. In these degenerate days it is sometimes useful to review the past, and compare the present with our former state. A friend has handed us a file of the "*New Haven Gazette*, and Connecticut Magazine," for the year 1787, published by Josiah Meigs, formerly professor of mathematics in Yale college, which contains a great many curious reminiscences. Among others we observe the following:

"TO BE SOLD,
"A healthy, strong and active NEGRO BOY, about 11 years of age.—Inquire of the printer."

"TO BE HANGED,
"A likely young negro, about 18 years of age. He is hanged for no fault, but for want of employ, and to preserve him from the greater evil of being sold as a slave for life. [*New Haven Herald.*]

THE REWARD OF FOLLY. A man was tried before the court in Salem, N. J. last week, for having been concerned in burgharics and robberies in Sharpstown. When brought to the bar he pleaded "guilty," and was sentenced for three cases of grand

larceny, and three cases of petty larceny, to twenty years imprisonment in the state penitentiary. After sentence was passed upon him he stated that he had only been discharged from prison last March, where he had been confined several years, and that previous to that he had been a prisoner in the state penitentiary for four years, having been convicted of stealing a horse when but twelve years of age.—When his present term shall expire, he will have served thirty-one years out of about forty-five, in state penitentiaries. He will have served rather a long apprenticeship, and no doubt be very well skilled in the "art and mystery" of picking oakum or sawing stone, by the time he gets clear again.

[*Delaware Gaz.*]

CRIME IN FRANCE.—Out of every 106 persons accused, 61 are regularly condemned. Out of the whole population, 1 in every 4,460 inhabitants is accused. In every 100 crimes, 25 are against the person, 75 against the property. Experience shows that the number of murders is annually nearly the same; and what is still more singular, that the instruments or means employed, are also in the same proportion. The inclination to crime is at its maximum in man about the age of 25, in women 5 years later. The proportion of men and women accused is 3 to 1. The seasons have an influence on crime; in summer more crimes are committed against the person—fewer against property; the reverse is the case in the winter. The development to the inclination to crime agrees very perfectly with that of the passions and physical strength; and on the other hand, the development of reason tends to restrain the inclination. The greatest physical strength of man developed between the age of 30 and 35; and the greatest mental powers between that of 45 and 50. At this is the greatest number of *chefs d'œuvre* of French theatre has been produced. It is a singular contrast that about this age we find mental alienation most frequent and difficult.

[*Revue Encyclo. et Annales d'Hygiene.*]

VERMONT STATE CONVENTION.

Pursuant to the call of the state committee, the democratic whig convention of the state of Vermont assembled at Woodstock on Thursday, the 27th day of June, 1839. The convention was composed of delegates from every county in the state except Grand Isle, and was the largest political convention ever assembled in Vermont.

A committee appointed to present a nomination for officers for the convention, reported the following, and the several persons nominated were elected to the offices annexed to their respective names, to wit:

Norman Williams, esq. of Woodstock, *president*.
Honorable Ezra Meech, of Shelburne, honorable Timothy Follett, of Burlington, honorable Lemuel Whitney, of Brattleboro', hon. Moses Strong, of Rutland, hon. Charles Marsh, of Woodstock, Abner B. W. Tenny, esq. of Newbury, Amasa Pride, esq. of Waterbury, Timothy Goodale, esq. of Jamaica, Jonathan Hager, esq. of Middlebury, Erasmus Fairbanks, esq. of St. Johnsbury, *vice-presidents*.

Leonard Sergeant, esq. of Manchester, Dr. Witt C. Clarke, esq. of Brandon, A. G. Chadwick, esq. of St. Johnsbury, *secretaries*.

The committee appointed to present nominations for state officers reported that the committee unanimously recommend the following:

For governor, SILAS H. JENISON.

For lieutenant-governor, DAVID M. CAMP.

For treasurer, HENRY F. JAMES.

Which report the convention unanimously adopted.

Mr. Hopkins, from the committee appointed to prepare and report an address to the people, submitted an address, which was read, and, on motion of Mr. Burchard, of New Fane, unanimously adopted, and ordered to be published.

The committee on resolutions reported the following, which were read and adopted by the convention, to wit:

Resolved, That the establishment of republican principles in an epoch in the history of the world, and the faithful administration of these principles were the most effectually promote the improvement and happiness of the human race.

Resolved, That the danger of abuse arises from the corruptions of selfish politicians, and the neglect of the people in the exercise of the electoral franchise.

Resolved, That the evidences of the corruption of the rulers is found in the squandering of the public moneys, the abuse of executive patronage, of the press, and the control of public opinion, until the best of governments is in danger of being perverted to the worst of purposes.

Resolved, That the remedy is to be found in the faithful exercise of the admitted powers of the

people, and that, by such exercise, all loco focism will be put down, and the nation saved.

Resolved, That no duty can be more important than the preservation of our institutions in their purity; and that at no time since the formation of the government has the call been more imperative for energy, decision and action, and that in the success of our opponents the consolidation of all power in the hands of the executive will be complete, the purse and the sword practically united, and the nation left to mourn its lost privileges, or seek to regain them by the dreadful remedy of revolution.

Resolved, That, as yet, all is safe; the people have the remedy in their own hands, and the virtue and intelligence to exercise it; and all that is requisite is, that they should be aroused to a sense of their danger. We call on the friends of liberty in Vermont to come out and help to free the nation from its threshold.

Resolved, That the great principles of human freedom and regulated liberty know no degree of latitude; and that, in the great efforts now in auspicious progress to restore the administration of the general government to the principles of the constitution, there is no north or south; nothing save the solution of the problem that "man is capable of self-government."

Resolved, That the attempt to introduce into this state political clubs or associations, the offshoots of the "bay state association," originating with the Boston custom house, and to be controlled by custom house officers and other partisan leaders, ought to excite the indignation of every citizen who has any respect for the farewell injunctions of Washington, or any just sense of the horrors produced by the jacobin clubs of France.

Resolved, That the numbers and character of the unshackled freemen of Vermont, assembled on the present occasion, afford a sufficient guaranty that the people are fully alive to the present crisis; that they will manfully and successfully resist any new demonstrations that the often discomfited forces of the administration, however aided by such associations or government officials, may make upon us.

Resolved, That the congressional elections thus far warrant confident expectations of a decisive whig majority in the next house of representatives; affording a clear indication that the public sentiment has undergone a material change within the last two years, and affording strong hopes that, by union, energy and concert, our beloved country may be rescued from the hands of the spoilers, who have never hesitated to sacrifice the best interests of the nation to promote their selfish partisan schemes.

Resolved, That this convention do concur with the late whig convention of Pennsylvania in the adoption of the following preamble and resolutions:

Whereas the great object of this assembly, and of all representative assemblies for the selection of candidates, is to ascertain which of the citizens before the public is the one believed to be the best qualified for the station to be filled, and most likely to be acceptable to the party whose representatives are thus assembled:

And whereas it is of incalculable importance to the liberty and happiness of the people of these United States that the office of president shall, at the approaching election, be conferred on some individual who will have courage and principle to remove corrupt and incompetent men from office, and appoint honest ones in their places; to prevent a repetition of the many outrageous acts of misrule and misconduct which for the last ten years have disgraced the people and the government; and thus provide effectually against the further plunder of the public treasure, and the flight and impunity of the plunderers, of such frequent occurrence under the present and late administrations of the general government; whereby the hard-earned tooney of the people has been squandered, and the character of the nation injured in the estimation of the world: And whereas, in order to secure the success of such a candidate, it is greatly to be desired, and it is indispensably necessary, that the whole strength of the opposition to the administration of Mr. Van Buren shall be united, and that all the votes be cast in favor of some one candidate:

And whereas the democratic whig party throughout the union are so thoroughly satisfied of the necessity which exists for a reformation in the principles and practices of the administration of the general government, that they have at every meeting, whether aggregate or representative, which has been held, in language the most unequivocal and unreserved, pledged themselves to give up all personal preferences, and heartily unite in support of such candidate as shall be selected by the national convention which is to assemble at Harrisburg in December next:

Resolved, That it be strenuously recommended to the national democratic whig convention which is to assemble at Harrisburg in December next, to consider no man's name before that body for nomination as a candidate for the office of president of the United States, who shall not be pledged to withdraw it, and decline a poll, if his name shall not be the name selected as that of the candidate of the party.

Resolved, That it is respectfully, yet with all earnestness, recommended to the national convention, when they shall have selected the candidate of the party for the office of president of the United States, to pledge themselves, in an address to the people of the United States, signed with the name of every member, that they will with all zeal and in good faith support the candidate selected.

Resolved, as the opinion of this convention, that, with frankness and in good faith, its members pledge themselves to support, by all honorable means, the candidate who shall be selected by the national convention.

Resolved, That the principles detailed, and the course of conduct set forth in this preamble and resolutions, will make absolutely certain the election of the candidate who shall be nominated at Harrisburg, thus fatally and signally overthrowing and ousting from office the men who have so much abused the public confidence, endeavorers to corrupt the public mind and the public press, and dishonors of the country, by the appointment of unworthy agents in foreign nations.

Resolved, That the president of this convention be, and he hereby is, requested to take the earliest opportunity of causing this preamble and resolution to be placed in the hands of the president of the national convention, with a request that he will lay them before that assembly.

Mr. Meech, from the committee on nominations, reported the names of the following gentlemen to represent the state in the approaching national convention:

Messrs. George T. Hodges and David M. Camp, as delegates at large; and

Messrs. E. N. Briggs and Eraslas Fairbanks as substitutes; and those gentlemen were thereupon appointed.

RECEPTION OF THE PRESIDENT.

New York, July 3, 1839.

DEAR SIR: Yesterday the president of the United States made his entry into our city. His reception was brilliant in the extreme, and fully equalled that of general Jackson. It far exceeded our most sanguine expectations. The concourse of people, the eloquence, and his appearance was every where hailed by loud and enthusiastic cheering.

He landed at the battery about 1 P. M. On his passage across the river, he received salutes from the North Carolina, the forts of the bay, and from the battery. At Castle Garden he was received by a committee of his fellow citizens, and was addressed by them. The address and reply you will see in the Post this afternoon. He then reviewed the military on duty, amounting to several thousands, and a long line of citizens on horseback. Here the crowd was so great, that it was almost impossible for him to move; hundreds pushed forward to take him by the hand, and thousands made the "welkin ring" with their shouts.

A procession was then formed by the military and by the citizens on horseback and in carriages. The whole line of march through the city was about two miles, and the procession reached at least half the distance.

The people in the procession, however, constituted but a very small portion of the immense concourse which filled our streets, until they seemed paved with human heads. At every step of the way the cheers were loud and continued. During the whole distance the windows and house tops, and every other spot capable of containing a human being, were full of people—men shouting and women waving their handkerchiefs.

So dense was the crowd, that the procession was compelled to move very slow, and it was not until 5 o'clock that he was able to reach our City Hall, where he was received by the mayor and common council, and remains as his guest during his stay in the city.

At the hall he was surrounded by thousands upon thousands, and it was nearly two hours before he could get away and reach his quarters.

He will remain here until next Thursday, when he will leave for the north.

The friends of Mr. Van Buren have every reason to be satisfied with his reception. It was warm, cordial and enthusiastic, and was by as immense a mass of people as ever assembled in this city on any occasion. As an opposition paper says, this

morning, "it was in every sense of the word a triumphant entry, and it would be worse than foolish to deny the fact. It was an extraordinary scene, the most so since the visit of general Jackson to this city." [Globe.]

From the New York Evening Post of July 3.

An enthusiastic and hearty welcome was given to the president of the United States on his arrival in this city about one o'clock yesterday afternoon. The people began to assemble in crowds in the neighborhood of the Park and Tammany Hall at an early hour of the day. Several companies of the military formed about 11 o'clock in front of the City Hall, whence they proceeded shortly afterwards to the Battery to join the other companies which were already stationed there.

Early in the morning the democratic young men's committee, (followed by the committee of arrangements from Tammany Hall) had gone on horseback to New Jersey for the purpose of receiving the president at Newark. Of their proceedings while there, not having been present, we copy an account from the New Era of this morning:

On arriving at Newark, we saw the whole of that charming city ardently animated with its assembled population, and in beautiful equestrian array with committees from the townships of the county, and from Jersey City. The windows and galleries of the houses were filled with women, whilst the streets were thronged with the male portion of the citizens and visitors.

"The president arrived in the railroad cars at half past 9 o'clock, A. M. and was received with a simultaneous shout of welcome from the dense multitude of people which surrounded him. On being escorted to the hotel, he was greeted with repeated cheers. Here the various committees and many hundreds of other citizens were introduced to him, after which collations prepared for the occasion, at which the mayor of Newark presided, and many complimentary and patriotic toasts, appropriate to the occasion, were drank with the most gratifying unanimity. At a quarter before eleven o'clock, the president and procession of vehicles and equestrians which extended apparently more than a mile in length, departed from Jersey City amidst cheers that were heard from afar, and clouds of waving handkerchiefs and banners. At the several villages of Bergen county in his way, Mr. Van Buren was honored with repeated salutes of cannon procured for the occasion, and by the cordial greetings of the people. The husbandmen in the fields, and the artisans from the workshops, came forth in groups and significantly welcomed him as a friend in whom they trusted."

When the president arrived at Jersey City he was received by the mayor and common council of that place, by the democratic republican general committee, and a deputation from the New York common council. After partaking of the collation prepared for the occasion, he repaired, in company with a large number of invited guests, to the steamboat Utica, to be conveyed to Castle Garden, where thousands of his fellow citizens were collected to congratulate him on his first visit for many years to his native state. The steamboat, after winding gracefully for some time among the vessels that thronged the bay, approached the North Carolina seventy-four then lying in the stream with her yards covered by rows of sailors in white uniforms, and was greeted by a double broadside salute of forty-four pound guns, followed by the repeated cheers of the crew, and re-echoed by the deafening cannon of the batteries both on the water and the land. The salute from the seventy-four was returned by the forts on Bedloe's island, Staten island, and Governor's island, and by the several artillery companies placed on the Battery; for more than half an hour the whole atmosphere was filled with the smoke and rent by the thunder of the continued discharge of cannon.

Mr. Van Buren, after landing at Castle Garden, was escorted to the spacious saloon of the building where he was received by the mayor and common council, the democratic republican general committee in full, by the committee of arrangements, and an immense concourse of citizens. He was then eloquently addressed by Mr. John W. Edmonds, chairman of the committee appointed by the convention of citizens, to which the president briefly and pertinently replied.

[The address of Mr. Edmonds and the president's reply were inserted in our last—pages 298 and 299.]

The scene from Castle Garden during these ceremonies was in the highest degree imposing. On one side was the bay spread out in a calm and beautiful sheet of water, covered with vessels of every sort gaily decorated and alive with human beings; to the north lay the shipping, with its forest of masts and the flags of all nations, surrounded

by the ensign of the American republic, waving in the breeze; on the other side was the vast area of the Battery, which seemed like one dense mass of men, with every post and every tree occupied, whilst far in the distance the long line of coach tops and house tops was covered with eager and animated spectators.

At the conclusion of the ceremonies in the garden, the president, mounted on a very graceful and spirited black horse, reviewed the six thousand troops gathered on the Battery, when they were formed into ranks, and the procession began slowly to move up Broadway, surrounded on all sides by multitudes of persons of both sexes and all ages.—The line of march was from Broadway up Chatham street and the Bowery, through Broton street into Broadway again, from whence it returned to the Park, where the assemblage was dismissed, and the president took his leave of the people for the day, amid reiterated hurrahs.

Wherever the interminable procession passed, it was hailed by the cheers of the throngs collected upon the side walks, by the waving handkerchiefs of the ladies who crowded the balconies and windows, and by the shouts and gestures of groups who hung upon the very eaves of the houses. A succession of thronged heads continued along the whole course that the vast body advanced. A more animated spectacle has not been seen in this city since the landing, in 1824, of general Lafayette.—The number of persons gathered together is variously estimated from one hundred thousand to one hundred and fifty thousand. It was the spontaneous tribute of the people to the chief magistrate of fifteen millions of freemen.

It is to be recorded as a matter worthy of note, that notwithstanding the rushing of the crowds, the jostling of carriages, and the firing of cannon, not an accident of any kind occurred during the day.—The most perfect propriety of demeanor was observed by every person on the ground without the interference or even presence of the police.

WHALE FISHERY.

From the New York Evening Post.

We publish to-day for the information of our commercial readers two documents connected with this subject. The one is a circular from the comptroller of the treasury, under date of the 22d of June, to which is appended the opinion of Mr. Justice Story, out of which the embarrassment has arisen, and the other is a copy of a letter from the secretary of the treasury to a committee of merchants at New Bedford, under date of the 29th June.

In the perusal of the papers the reader cannot fail to discover the anxious desire of the officers of the treasury to observe the law, as expounded by the judicial, and at the same time to give all the relief in their power to those who may be injuriously affected by the position referred to. When the decisions of the courts are favorable to the merchants, they are not slow in calling upon the officers of the government to follow out the decision in practical detail, but when they are adverse to the present pecuniary interests of that class, there are, to their shame be it spoken, conductors of newspapers to be found who will make this the occasion to utter the grossest abuse of all the officers of the revenue, from the secretary of the treasury down to the lowest tide waiter. This course is not the best one to vindicate the dignity of the laws, or to encourage a liberal construction of them on the part of those who are charged with their execution. All men are liable to err in the interpretation of the laws as well as in their motives, and charity, a Christian virtue, (very much out of fashion, by the by) ought to lead us to suppose, unless there is manifest proof to the contrary, that errors of this kind do not arise from bad motives.

CIRCULAR SUPPLEMENTARY TO COLLECTORS, NAVAL OFFICERS AND SURVEYORS.

Treasury department.

First comptroller's office, June 22, 1839.

Sir: Inquiries having been made of this department on the part of some of the collectors of those districts to which registered whaling vessels belong, in relation to the particular duties and penalties to be imposed on such of said vessels and their cargoes as may return to port without having the requisite papers in force it is found expedient that you should be informed:—

1. That if a whaling vessel come into port not having been enrolled and licensed, as by the recent decision of Mr. Justice Story, she cannot be considered a vessel entitled to the privileges of an American vessel employed in the fisheries, you have no alternative but to exact alien duty on the cargo, if it be subject to duty, according to the rates in force, and on the tonnage of the vessel, that is to say, one dollar per ton, being fifty cents per ton for tonnage duty and fifty cents per ton for light money; the act

of March 27, 1804, making the collection of light money consequent on the imposition of alien tonnage duty.

2. That a whaling vessel, under like circumstances, is not considered subject to the hospital tax, inasmuch as the act of July 16, 1793, imposes the tax only on the crews of vessels on the United States, and the recent decision of Mr. Justice Story determining a registered whaler not to be such a vessel in contemplation of law, she is consequently exempt from the tax.

3. That the sixth section of the act of 18th February, 1793, in relation to the enrolling and licensing of vessels to be employed in the coasting trade or fisheries, having especial reference to vessels found trading between district and district, or between different places in the same district, it is the opinion of this department, taking into view the proviso in the fourth section of the act of March 1, 1817, that a registered whaling vessel does not come within the operation of the first mentioned section as respects the forfeiture by sailing from one port of the United States to another port thereof, with the fruits of her enterprise, say oil and bone, or with such cargo as may have been taken in by her at a foreign port, for the purpose of delivering the several portions of said cargo according to its destination, but she will be liable to tonnage duties and light money at every port of arrival.

4. That although under these circumstances a registered whaling vessel may readily avoid incurring a forfeiture, the exaction of alien duties of tonnage and impost being an inevitable consequence of the recent decision of Mr. Justice Story, it is conceived that no officer of the government has a right to undertake the remission of said duties, and therefore in such cases, if relief be sought, a protest should be filed, and application being made to congress to obtain it, the collection of the duty bonds will probably be postponed till congress decides.

5. That whaling vessels enrolled and licensed, and having permission to touch and trade at a foreign port, are not on their arrival subject to the hospital tax, within the meaning of the act of 1793, if it shall appear that they have not used such permission further than to procure the necessary supplies; but if they on coming into port have foreign goods on board, as it will then be manifest that they have been engaged in trading abroad, within the fair meaning of the term, it is conceived that the tax should be collected of the crews according to the provisions of the act before cited.

6. That in view of the ancient usage at some of the ports, and until congress shall have an opportunity to legislate on the subject, the circular of the 6th instant, to which this is additional, is not to be considered as having reference to the case of any registered whaling vessel whose cargo has passed on board a house before you received it, unless such case was specially presented to the department, and decided upon.

It would be most gratifying to the department if it could feel itself authorised, under existing laws, to extend, in other respects, further immediate relief, to those engaged in the whale fisheries. But whatever may have been its opinions from time to time expressed on special cases not involving the questions now at issue, or the inferences drawn from those opinions, or however it may be presumed to have acquiesced during former years in erroneous practice, introduced and extended so silently and gradually as at no time to excite its special notice, it cannot now, when its attention is called to the subject by a judicial decision, hesitate to sustain the officers of the customs in carrying out the clear and explicit construction of the law as given by Mr. Justice Story, until congress think proper to amend it.

A copy of the opinion as furnished to this office, is hereto appended for your information.

I have only to add that the secretary of the treasury concurs in these views. I am, very respectfully, your obedient servant,

J. N. BARKER, comptroller.

United States vs. Wm. Rogers and others, June term, 1838—of Newport.

Indictment against the defendants for an endeavor to commit a revolt on the 10th of May, 1835, on board the brig Troy, belonging to Bristol, R. Island, alleged to be a registered ship, owned by certain citizens of the United States, raised in the indictment, and the defendants being seamen in and on board thereof, against the act of 3d of March, 1835, ch. 40. Plea, not guilty.

At the trial it was admitted by Greene, the district attorney, that the brig was at the time when the supposed offence was committed, (May, 1835), engaged in a whaling voyage, and her crew were, by the shipping articles, in the same year shipped for a whaling voyage. The ship's register was

lated in 1833, and the voyage was undertaken without any surrender of the register, or taking out an enrollment and license pursuant to the act of 18th February, 1793, ch. 52, for enrolling and licensing vessels employed in the coasting trade and fisheries.

Upon this statement, which was agreed to be the truth of the case, the court suggested a doubt whether the offence, if any, was, under the circumstances, within the purview of the statute; and the case was spoken to by Greene, district attorney, Randolph and Pearce being counsel for the defendants.

Story, J.—I am unable to persuade myself that the present indictment is maintainable under the circumstances. The act of 1835, ch. 40, provides that "if any one or more of the crew of an American ship or vessel on the high seas, &c. shall endeavor to make a revolt, he, she, or they, shall, on conviction, be punished as provided for in the act." To bring the case within the statute, the voyage or which the seamen are shipped must be a lawful one, and they must at the time be of the "crew" of an American ship or vessel; and, of course, there must exist a lawful relation between them and the master. The statute of 1793, ch. 52, sec. 1, enacts that such ships or vessels as are enrolled and licensed according to the provisions of that act, "and one others, shall be deemed ships or vessels of the United States, entitled to the privileges of ships engaged in the coasting trade or fisheries;" and the whale fisheries are expressly within the purview of the act, as is abundantly seen in the form of the license prescribed by the fourth section. Now, it seems plain to me that no registered ship is entitled to carry on the usual fisheries, as an American ship, or as being entitled to the privileges of an American ship, under the statute of 1793, ch. 52. The third section declares that it shall be lawful for the collectors of the several districts to enroll and license any ship or vessel which may be registered, upon such registry being given up, or to register any ship or vessel that may be enrolled, upon such enrollment and license being given up; and the sixth section treats every ship and vessel not so enrolled and licensed, and found engaged in the trade, as liable to pay the same fees and tonnage in every port of the United States as ships or vessels not belonging to a citizen or citizens of the United States; and, under certain circumstances, the ship or vessel, and its lading, becomes liable to forfeiture. My opinion, therefore, is, that this ship cannot be deemed an American ship within the sense of the third section of the act of 1835, ch. 40, in which this indictment is founded, and the crew are not the crew of such an American ship or vessel as is contemplated by the act. On this ground the indictment would fail upon the facts.

Indeed my impression is, that upon the manifest intent of the act of 1793, ch. 40, no registered ship or vessel can, while she remains registered, engage in the whale fisheries; but she must surrender her register, and be enrolled and licensed for the fisheries; and that if she should be found engaged in such fisheries without such enrollment or license, at least if she has on board any article of foreign growth or manufacture, or distilled spirits, other than her stores, she would be forfeited. The main purpose of the act would be utterly frustrated upon any other construction, and the main securities and privileges of the trade be defeated.

The district judge concurred in opinion that the facts did not support the indictment, and thereupon the district attorney entered a nolle prosequi.

COPY.

Treasury department, June 29, 1839.

GENTLEMEN: As several days will probably elapse before a reply can be received from the president on the subject of your memorial, I hasten to suggest for your consideration one circumstance connected with your relief, which does not appear to be fully understood by those you represent. The circulars which have been issued by the comptroller in consequence of the late decision of Judge Story as to vessels employed in the whale fisheries, and his applications to him by several collectors for instructions on the subject, advert to the power possessed by the secretary of the treasury to remit forfeitures and penalties in all proper cases. But the comptroller did not go into details on the extent of that power in any special case, that not being considered as properly belonging to his bureau.

I am happy to inform you, however, that should an application come before me for the remission of those forfeitures and penalties, and should it include among them specifically the *foreign duties* paid on both the vessel and cargo, I entertain little doubt but they all can be released. The only equitable condition, which now occurs to me as suitable to be attached to the remission, is, that a

sum equal to the hospital money should be deducted, if that money has not before been paid.

This would leave those interested in the same state, as to pecuniary payments to the government, in which they would have stood, had the decision by Judge Story not have been made, nor the circulars enforcing it have issued.

At the same time it will sustain the construction of the acts of congress given by the courts of law, and which, on a careful examination of the records of this department, appears in numerous cases and without exception to have been countenanced by instructions given by former comptrollers during many years immediately subsequent to the passage of those acts. The change in practice afterwards appears to have grown up in silence and from convenience.

For your further information as to the mode of procuring immediately the full relief before proposed, where parties do not prefer waiting for the action of congress, or the decision of the president whether any thing more favorable can properly be done in your behalf, I would observe that the application must be made to the secretary of the treasury in the manner prescribed by the act of the 2d of March, 1797, and should request all the powers for remitting forfeitures, penalties and duties to be exercised which is conferred both by that act and the 4th section of the act of the 2d of March, 1803. With great respect, your obedient servant.

Signed, LEVI WOODBURY,

Secretary of the treasury.
Messrs. J. A. Parker, Jas. Griswold, A. Adams, C. W. Morgan, E. W. Robinson, James Arnold, Andrew Robinson—committee at New Bedford.

THE AMERICAN CONSUL AT HAVANA.

From the Boston Atlas.

Last summer capt. Howell, commanding a Spanish vessel, outward bound, having arrived at Key West, was taken out of his station and the voyage broken up, by order of our American consul, N. P. Trist. Capt. Howell was obliged to return to his Spanish owners at Havana, and give the particulars of the outrageous proceedings of the consul. It became notorious, and reflected severely on the illegal conduct of Trist. One day, capt. Howell was publicly speaking of the matter, in the American Coffee House at Havana, when a young Frenchman, (nephew to Trist, and who is a spy upon the shipmasters and Americans there), heard the indignation of the Americans, at the base treatment capt. Howell had suffered from our consul. It went to Trist's ears, and capt. Howell was immediately seduced to the prison gates, and then incarcerated in a cell. He remained in his dungeon about six months, and was liberated last February. His owners (Catalans) commenced a suit against Trist for breaking up the voyage, stating their damages at \$20,000;—and capt. Howell commenced a suit, for damages, &c. arising from unlawful imprisonment, for \$10,000. Trist was obliged to give a statement of the case to our government at Washington, and he received the censure of Mr. Forsyth, with orders not to interfere with the regulations of Spanish maritime customs. But Trist had gone too far; he liberated capt. Howell, and hoped the matter would drop—but the suit continued; and by recent advices from Havana, we learn that the plaintiffs were successful.—The Spanish court declared that Trist had exceeded the bounds of his authority, and was liable for damages arising therefrom. Trist must sign the documents, and he will, I trust feel the odium that it must reflect upon him.

It now remains to be seen whether Trist has any funds to pay the damages. He has been unwell ever since the verdict was given—mortification at this signal defeat is the disease.

There are many instances in which Trist has abandoned his consulate interest in the welfare and protection of the Americans, and appeared against them, in the low and mean character of an enemy. There is something of so base a nature in the character of the man, that these acts are in complete harmony with his principles; and Americans who have resided some time in Havana, no longer wonder at the tricks of his villainy.

Last winter a young man came passenger in a brig to Havana, and the morning after his arrival appeared before the consul, stating that his trunk had been broken open, and he was robbed of \$400. Trist sent the Spanish soldiers after the captain, and thrust him into prison. There was no evidence of any robbery, and the captain enjoyed the highest reputation among his fellow countrymen.

On questioning the passenger, suspicions were raised regarding him, and capt. P's innocence was manifest. The Americans raised a subscription and liberated the captain. The passenger applied to captain Babbitt, of the Boston, then at Havana, for passage to the states; and in his usually geogra-

phy, he was about granting it, when his officers, getting a statement of the case, laid it before him, and capt. Babbitt turned him over to his "adviser," the consul.

The notorious case of insult, and abandonment of American protection to purser Southall, by Trist, subjects him to the severest censure of all the Americans at home and abroad.

Pursor Southall was on his way to the masquerade ball, on an evening in March last, and when near the theatre, he was charged upon by a dragon, and received a wound in his neck. He was without his arms, and had only a supplejack, or stick, for amusement. He looked upon his life as endangered by an assassin, and being without the means of defence, he nobly bared his heart to the horseman, and standing erect as a pillar, told him—"he was an American!—that he was unarmed, and if he was going to kill him, to aim at his heart—for I know," cried the pursor, "my country will avenge my death!" The horseman charged upon him again, and the pursor received a severe wound in the hand.

Many now thronged around, and the pursor was borne off his feet, by his friends to the theatre. The lieutenant of the island took his name and promised him satisfaction. In the morning captain Babbitt called upon the captain general, and demanded satisfaction. Various documents passed between them, and in two weeks the Boston sailed for Pensacola, having only the promise of indemnity.

The Boston returned to Havana in about five weeks or less, and the demand was renewed. A tribunal was held, and the pursor was summoned to give in his deposition. He demanded the presence of the American consul, and it was refused; he insisted upon it, and after great reluctance, they sent out for him—the policemen returned in two hours, saying they could not find him. The pursor stood to his rights, and refused giving in any statement without the presence of the consul; and so the court finding he must come, sent again for him.

In half an hour, Trist came in, and petulently cried, "Well, sir, and what do you want of me?"—"Your duty as a consul," answered the pursor.—"I can do nothing for you," said the consul—"you will get justice here if you want it," and then bolted out of the apartment. Comment on such conduct is unnecessary. The case has gone to Washington; and I ask has any thing been done?

AN AMERICAN.

FARMERS' WIT.

Editors have not much time for reading agricultural essays, and seldom trouble themselves thereanent, unless they happen to be fancy farmers, as citizens sometimes are. Turning over our exchange papers of yesterday, however, we found in the "New England Farmer" the reports made by the committees appointed to adjudge the merits of different objects at the last exhibition of the Worcester (Mass.) Agricultural society. The following, which happened to catch our eye in roving over the columns which contain these reports, being a little out of the regular order and style of these rural compositions, having rather amused us, may also be acceptable to our readers. [Nat. Intel.]

Committee on sheep. Joseph Mason, (Templeton), chairman. The committee appointed to award premiums on sheep respectfully submit the following report:

Like the shepherds of antiquity, your committee feel themselves honored in having charge of a flock of sheep. We have never felt any of that antipathy for this useful and inoffensive animal, which induced a distinguished southern gentleman to say that he would go a mile out of his way to kick a sheep. On the contrary, we have always entertained feelings of kindness towards this humble, though very warm friend of mankind. Nor do we feel any sheepishness in acknowledging our dependent relation to them as the receivers of their cast off garments to cover our nakedness and protect us from the cold.

In its wild or savage state, the sheep is said to be a bold, courageous and fleet animal, able to oppose and defend itself against other animals of its own size, or to escape by flight from those of superior strength. It is a problem that has not yet been solved, how the art of man should so change its nature and deprive it of its natural courage and boldness. As an explanation of this paradox, your committee will merely allude to the fact, that the ancient shepherds beguiled the hours, while tending their flocks, in performing on the harp or lyre some soft and simple strains of music; which fact affords a complete explanation, according to a principle laid down by the celebrated Montesquieu, that soft and plaintive music diminishes the ferocity and boldness of a people—unless, indeed, some good reason can be given why the same principle will not apply to sheep which that learned writer has applied to men.

It would be a matter of curious inquiry to ascertain whether, with this change which has taken place in the character of the sheep, there has been a corresponding change in its phrenological developments. This question we will refer to the phrenologists, and we hope that some of them will examine the subject, and report before the next cattle show. It is to be presumed that there will be found a great depression of the organ of destructiveness, and an unusual elevation of the organ of sheepishness.

A sheep should be judged of like a dandy, by the fineness of his coat. We beg pardon of the sheep for the comparison—but it is so apt! In both cases, the coat is the most important part of the animal. What is a sheep good for without a fleece, and what is a dandy good for without a coat?

Some of the sheep examined by your committee were of a superior quality. They were of different bloods of merino, dishley and Saxony, mixed with that of the native sheep. None, however, were presented with a golden fleece, like that which James obtained in the celebrated Argonautic expedition; and it is the opinion of your committee that that species of sheep is entirely extinct; at least, it is unknown in the county of Worcester. We think that if another should be discovered in these days, it would be kept to perpetuate the stock, instead of being sacrificed to either Jupiter or Mars; and that enough would be found to contend for the fleece, even though guarded by the bulls with brazen hoofs and horns, and the armed men and the sleepless dragon.

Your committee can express no opinion as to the best mixtures of blood for the wool grower to obtain. That must be determined by a variety of circumstances. In connexion with this subject, however, we will mention a very excellent suggestion of a good farmer's wife, somewhere in Vermont, who, having been put to some inconvenience to procure some cotton to mix with her wool for domestic manufacture, advised her husband to get a *cotton ram*, so that they might have cotton and wool ready mixed, from their own flock.

Your committee awarded to Thomas W. Ward the premium of seven dollars for the best merino ram. No other ram was presented, but by the rules of the society, could be considered as his competitor. Four Saxony bucks were presented by Rejoice Newton, esq. of Worcester; but as no premium is offered by the society for Saxony bucks, we can merely certify to all whom it may concern, that they had very fine wool and very large horns.

The best merino ewes were presented by Messrs. Francis Strong and Charles Hadwio, of Worcester; and your committee accordingly awarded to them the premium of eight dollars, which is offered by the society. The premium of four dollars for the next best merino ewes, was awarded to William Thompson, of Oakham. The wool of these ewes was of a very superior quality, and had some appearance of being a mixture of merino and Saxony.

The only mixed merino sheep presented for a premium were five ewes belonging to Thos. W. Ward, of Shrewsbury. They were a mixture of merino and Bakewell breeds, and, both on account of their size and the quality of the wool, entitled the owner, in the opinion of the committee, to the premium of five dollars, which was accordingly awarded to him.

The premium of five dollars for the best native ram was awarded to Hollon Maynard, of Northboro'. This ram is reputed to be two years old, and though he had rather a *multon headed* expression, was, on the whole, a very fine fellow, and did no discredit to the place of his nativity.

Marshall Pratt, of Oxford, presented a large and very fine looking ram, which your committee found causing *sheep's gall* at a beautiful dishley ewe in the same pen. The gall-fewer was a little disturbed by our plucking a lock of wool from his side, an examination of which satisfied the committee that, instead of being purely native, he had some mixed blood.

A native buck was presented by Daniel Tenney, esq. of Sutton, and also by Joshua Eveleth of Princeton, but, though good, they were unequal to that of Mr. Pratt.

Daniel Tenney, esq. of Sutton, presented four native ewes, and no others being presented, your committee had no hesitation in awarding to him the premium of four dollars.

There were two claimants for the premium for the best native wethers. Those presented by Cooledge Pratt, of Oxford, were very fine; but, after some debate, and a much grave consideration, the committee resolved to give the two native wethers of John Whitney, of Princeton, were the best, and therefore awarded to him the premium of three dollars.

Three rams of the dishley breed were presented for premium—two very clever ones, by Seth Blau-

chard, belonging to the society of Shakers, in Harvard; but the largest and best of the three, was the one presented by Edward Warren, of Northboro'. He had no horns, but his tail was as broad as a pillow, and would do admirably for the lambs to lay their heads on when they lay down to sleep; therefore, after due deliberation, the committee awarded to Edward Warren the premium for the best ram of the dishley breed.

Your committee did not award to any one the premium for the two best ewes of the dishley breed. Two sheep were presented for this premium by Jonathan P. Dana, of Oxford, but on examination, we were of opinion that they were a mixed breed, and had but little dishley blood in their veins.

Several other good sheep were presented for exhibition.

On the whole, the superior quality of the sheep presented for premiums and exhibition, shows the influence which our society has exerted in improving the breed of sheep, as well as the general interest among the farmers on this subject.

All which is respectfully submitted by your committee,

JOSEPH MASON, *chairman*.

MANUFACTURING.

As an illustration of the kind of labor, our manufacturers have to contend against, we copy the following article. What is said of the laborers of Saxony, is more or less true of those of the whole of Europe, indeed of the world generally.

The manufacturers of Saxony. The cotton manufacture of Saxony has already become of twice the extent that it had reached before the union; while the linen and woollen manufactures of that country have not experienced any increase. The reason for this difference is, that the persons engaged in the latter, which are more ancient branches of industry in Saxony, are so far "protected" that it is necessary to serve a regular apprenticeship, and to obtain admission into the guilds or corporations established in the manufacturing towns before any man is allowed to carry on the business; while the recent established cotton manufacture is without restriction or regulation of any kind, so that any person who can purchase or hire a loom is at liberty to become a cotton weaver.

The manufacturers are greatly encouraged by the miserably low wages in Saxony. It is stated on the best authority, that in October, 1837, a man employed on his loom, working very diligently from Monday morning till Saturday night, from five o'clock in the morning till nine in the evening, and with a lamp, his wife assisting him in finishing and taking him the work, could not possibly earn more than 20 groschen (2s. 6d. sterling) per week; and that another man who had three children aged 12 years and upwards, all working at the loom as well as himself, with his wife employed in doing up the work, could not earn in the whole more than one dollar, 40 groschen, (5s. 4d.) weekly.

The wretched manner in which the poor classes in that country subsist may be inferred from the facts exhibited by official statistical returns, that the annual consumption of meat, in the principal manufacturing districts, including the town of Zennitz, does not average more than 25 pounds for each individual of the population, and that at least one half of this quantity consists of pork. If this provision were equally divided amongst the entire number of inhabitants, it would amount to scarcely more than half a pound weekly for each individual; but, as the actual distribution is, of course, very different from this, it is very probable there are many among the laboring artisans who rarely, if ever, taste animal food. The quantity of cotton bosier made in Saxony has increased immensely of late, and from its cheapness has not only secured the monopoly of the markets afforded throughout the union, but has also been shipped largely to the United States to the exclusion, so far, of the goods made at Nottingham. It may be stated, on the respectable authority already quoted, that cotton gloves are furnished by the Saxon manufacturers as early as six groschen, or 9d. sterling per dozen. Stout cotton caps which are worn by the laboring and common people in that part of Germany, having stripes in six different colors upon black ground cost 12 groschen per dozen, or 15d. sterling each.

These low prices are not the results of the same cause which has gradually reduced the cost of production in this country. Hitherto the machinery used in Saxony has been of the commonest sort, so that the cheapness of the manufactured goods has been owing to the low rates of wages, a rate which compels the artisans to labor long and diligently, in order to ensure for their families the scantiest supply of the most common necessities of life. The capital of the English manufacturer, which em-

powered him to employ the most perfect machinery, joined to his greater experience, has hitherto enabled him to compete successfully in most branches of skilled labor, but these advantages cannot be long retained in competition with greatly reduced wages. The profits which the Saxon manufactures have thence enabled to realize will speedily lead to the introduction of improvements that will place our dearer processes at a still greater disadvantage, and as it is any thing but desirable that we should retain our present relative position through the increasing hardship of our operative weavers, there appears to be but one course open to us, in order to avert the evil—that of still further liberalizing our commercial system, and especially of lessening the cost of the prime necessities of life by abolishing all restrictions upon the important one of food.

The want of capital, which has hitherto been the chief obstacle to the still greater extension of the cotton manufacture in Saxony would, in time be remedied by the successful operation of the existing establishments; but the manufacturers in that country, unwilling to wait for so gradual a development of their resources, have had recourse to the expedient of establishing joint stock companies.—The total capital of associations of this character that have been recently formed, and which are now proceeding to the accomplishment of their various objects amounted in October, 1837, to nearly \$13,000,000, (about £2,000,000 sterling)—a large sum for that country, and the greater part of which is furnished by the bankers and other capitalists of Leipsic. [English paper.]

ISLAND OF CANDIA.

We take great pleasure in presenting to our readers the following most interesting sketch, from the pen of a distinguished fellow citizen, now minister at the court of France, the honorable Lewis Cass.

It was on the 29th July, 1837, that emerging from the beautiful group of the Cyclades, we approached the ancient kingdom of Miuos. We had run down from Constantinople with a favorite breeze and delightful weather, and had passed the various isles and islets which "crown" this glorious "deep," and which have been theatres of events that will forever render them celebrated in the annals of mankind. All of them are small specks, hardly distinguishable upon the map of the world, and some of them are mere rocks; but there is a deathless interest attached to them, which time cannot annihilate, and which will survive all the revolutions of society or political changes they are destined to undergo. The sentiment is a generous tribute to the dignity of human nature. It is not wealth, or power, nor numbers, which impose upon the imagination. It is none of these, nor the memory of these, which bring the transatlantic pilgrim, from the bustle and business and enterprise of a new world, to contemplate these scenes of former civilization and of present decay. No! he renders his homage to a nobler idol!—to the memory, genius, industry, advancement in civilization, progress in the arts and sciences, and the cultivation of whatever can best promote the interests of human nature.

We had passed by Lemnos, Teuedos, Milylene, the ancient Lesbos, Scio, Delos, Syra or Syros, Paros and the various other islands, which deck these seas, and whose names and history are familiar to the reader; and we had stopped at several of them to examine their condition and to run over their interesting remains: The compression, if we may so speak, of sciences and events within a narrow compass; and the powerful emotions which this short voyage is calculated to execute, may be appreciated by this striking fact, that at one point of our passage, we had in view at the same moment, Syra, Tinos, Andros, Delos, Mycone, Naxos, Paros, Antiparos, Siphanto and Serpho. We had passed in the distance of the island of Patmos, the residence of St. John, and, if not the scene of the revelations made to him, the place where he wrote the Apocalypse which recorded them.

Our own internal seas present masses of water large and some of them larger, than this "Egean deep," and abound with picturesque objects almost unrivalled in the world. The entrance into Lake Superior, with the shores embosomed in woods, the high lands gradually opening and receding on each side, and the water as clear as crystal, extending beyond the reach of the eye, forms one of the most striking displays of natural beauties it has ever fallen to our lot to witness. And a scene almost equally impressive, though of a different character, attends the traveller who crosses the small arm of Lake Huron between the island of Michilimackinac and the entrance of the strait of St. Marie, which communicate with Lake Superior. One bright summer morning we found ourselves

making this passage, and as the sun displayed his disk above the water which surrounded us, we were surprised by a singular interesting spectacle. We were accompanied by a fleet of three hundred Indian canoes, which had left Michilimackinac in the night, in order to make the passage, before the wind—which strengthens as the day advances—should render the voyage dangerous, for the frail birch vessels in which they navigate the rivers and lakes and furnish them with so much of their subsistence. These Indians had made their usual annual visit to Michilimackinac, to sell their peltries and procure supplies of ammunition and clothing, and to talk over their public affairs with the representative of the government stationed there, at that time Mr. Schoolcraft, to whose worth as a citizen, and to whose exemplary conduct as a public officer, we are happy to have this opportunity of bearing testimony. They were returning in high spirits, having with them all their families, as it is the usual custom of the Indians in these excursions, and having also a supply of the articles most necessary to enable them to contend with the hardships incident to their mode of life. The lake was perfectly smooth, the Indians animated paddling with their utmost energy and singing their various songs, with a strength of lungs which sent these far over the water. The whole display was full of life, and we recollect it with the most pleasant emotions. But these scenes upon our Indian border, whether still or animated, are feeble in their effects upon the human mind, when compared with the impressions produced in the theatre where we were now moving. Distance, however, no where lends enchantment to the view more than here. But the nakedness of reality comes primarily to destroy all these delusions on a near approach. All these islands are destitute of timber, naked as a vast prairie, but without one other point of resemblance. They are generally rocky, broken by ravines, and to the eye nothing can appear more sterile. The mode of culture, when they are cultivated, is slovenly, the inhabitants indolent, the houses mean and dirty, and towns and villages in a state of decay, and yet we visit them with the deepest interest. We visit them for what they have been, and in spite of what they are.

One of the most renowned is the little islet of Delos, or rather the two morsels of rock and earth known under that name, but separated by a narrow channel, furnishes the most striking illustration of these remarks and the most complete picture of desolation, which even these regions exhibit. In our lonely walk amid its ruins, we did not meet a single human being. What a contrast between this almost frightful solitude and its former condition, when it was filled up by busy crowds which inhabited it, or which continually flocked to it to worship at its temples, as the Jews went up to Jerusalem to render their devotions to the living God!

The sanctity of this chosen spot, is one of the facts best known in the history of ancient manners. It was the birth place of Apollo and Diana, and it is there, their famous temples were dedicated respectively to the brother and sisters and to their mother Latona. Their ruins yet attest the extent and splendor of these edifices; to the constructions and establishment of which the various states of Greece contributed with a generous spirit of rivalry, evincing the liberality of their disposition and the ardor of their religious faith. The island was holy ground, a place of refuge, where even enemies were friends when they met upon it. I have related an interesting anecdote upon this subject. A commission of Roman deputies going to Syria and Egypt were compelled to stop at Delos, where they found a number of galleys belonging to the kings of Macedonia and Pergamos at anchor, although these two princes were then at war. The historian adds, that the Romans, Macedonians and Pergamians, met and conversed in the temple, as though they had been friends. The sanctity of the place suspended all hostilities.

In like manner, when the victorious Persian squadrons swept the Grecian seas, and landed their tents, which ravaged the other islands, the commander of the fleet, when he approached the inhabitants for having quitted it on his approach, adding, "why have you quitted your dwellings, and thus marked the bad opinion you have of me? I am not your enemy by choice—and besides I am ordered by my king not to commit hostilities in a country where two divinities were born, and to use no violence towards those who inhabit it.—Return then, and resume possession of your houses and lands!"

And in this island, thus venerated, we saw, not the marbles actually in the process of being burnt into lime, but the pits where the lime had been made, and where, perhaps, some of the most beau-

tiful works of antiquity had been prepared to form the mortar for a miserable cottage. It is said, that heretofore the inhabitants of Mysoene rented this island from the Turkish government at the annual price of ten crowns! Such a picture admits no other trait.

As the last island of the Ægean group sunk in the horizon, Crete rose before us, extending east and west and presenting its diversified shores to our view. The aspect was rugged, and the coast precipitous and iron bound, while in the interior arose a range of mountains upon whose summits the clouds were resting. We steered for the bay of Suda, and entered it without accident, mooring our noble frigate in its quiet waters.

This bay is one of the most magnificent ports in the world, stretching inland about six miles, with a breadth of three, capacious enough to contain the most powerful navy, and with sufficient depth of water for any vessel that floats. Its entrance is narrow, and divided by two small islands, on one of which is a little fortress, completely commanding the approach. We were told that the commanding officer was a bo-viviant, who loved wine better than the Koran; and that the captain of one of our armed vessels, who was desirous of entering the harbor, but who was prevented by the new quarantine regulations, which Mehemet Ali has recently adopted, found his way to the Egyptian's heart through a bottle of champagne, who, disregarding the fear of the plague and the fear of the pasha, dispensed with sanitary precautions and admitted his new friend to *pratique* without hesitation. Whatever opinion may be formed respecting the general conduct of the Turks in the manners of the western Europeans in other respects, there is none in this, that the higher classes are fast acquiring the habit of drinking wine, and some of them a much stronger liquid. The penchant of the late sultan for this indulgence, was well known through the empire, and could not fail to produce by its example a powerful influence. Ibrahim pasha is a confirmed toper; and if we should use a harsher word, we would probably convey to our readers a still juster idea of the extent to which he carries this habit. In Damascus, we found the table of the governor general of Syria loaded with wine; and his confidential friend and physician, a French gentleman, observed, significantly and jocosely, that his patron had fifteen thousand books in his library. We did not need the arch look, which accompanied these words to enable us to correct the errata; for books read bottles of wine.

Still this practice is neither altogether general nor public and we found that much prejudice was excited against those who indulged themselves too freely and openly. A respectable French officer, high in the confidence of the pasha, has renounced Christianity and embraced the Moslem faith. We found him in command of the ancient city of Sidon, and he is at this moment the second officer in the army of Ibrahim pasha, which is defending the entrance of Syria against the Turks. His new religion must sit lightly upon him, and the devout Mussulmen do not appear to have much confidence in the faith of their proselyte. What sort of a follower of the prophet can he be? said they; he never goes to the mosque; he drinks wine and eats pork. The days of Turkish fanaticism are indeed past. The time has been and not long since, when his turban would not have protected his neck from the scimitar or the bowstring.

The entrance of the bay of Suda, is from the east and beyond is a high projecting point, which completely shelters it from the sea. To the north and the south are rugged hills, but to the west the break between the ridges continues and forms a level valley, which opens in about two miles at the city of Canea. There are two small villages upon the bay, occupying the declivity of the southern range of hills. The scenery is not uninteresting, relieved by little orchards of olive trees, that precious gift of Providence, whose production is so essential to the inhabitants of the east. The plain leading to Canea is covered with a light sandy soil, and abounds in water, which might be used for the purpose of irrigating the crops, but which is most wholly neglected. There are some villages upon the route, and traces of a considerable population.

Canea occupies the site of the ancient Cydonia, the mother city of the island, renowned for its power and opulence, and which was the theatre of many interesting events in the history of Crete. But the modern town extends over a small part only of the ancient one.

It is not the political capital of the island, but it is the place of the greatest commerce—and this pre-eminence it owes to its position in the most fertile region of its port, where vessels of three hundred tons can enter, and to its vicinity, being within

two miles of the bay of Suda, which affords safe anchorage to the largest ships.

It was formerly strongly fortified by the Venitians, but a portion of the works have been demolished, and another portion is in a state of dilapidation. This neglect is of the less importance, as it is probable the future possession of the island will depend more upon the decision of diplomacy than upon military expeditions.

The harbor is small and obstructed by ruins, and not safe in a northern gale. The buildings are old and in a state of decay, and every thing shows that the hand of oppression has weighed heavily upon the wretched population.

Mehemet Ali has established a rigid police throughout this dominions. Whoever possesses sufficient knight errantry to seek dangers, either for the sake of recording them, or from any higher motive, will find some time if he stopped in either of the provinces subjected to the sway of the Egyptian pasha. He chooses to be, through himself or his agents, the only oppressor in his government; a part, indeed, which he fulfills with admirable ability. But the traveller is safe, not only in his person, but he is generally protected from imposition and extortion. In traversing the island of Crete, he would have nothing to fear but the usual casualties of a journey and the fatigues to which he would be exposed by the state of the country and the manners of the inhabitants.

From the bay of Suda we sailed down the coast, passing Retimo, the third city in importance, after Candia and Canea, in the island. It was a place of great distinction in the time of the Venitians, and it is filled with the evidences of their power and wealth in every state of decay. It stands upon a low cape, but its harbor is not well sheltered, and the mole which formed it has been almost destroyed. The channel has been so filled up with an accumulation of sand, that no vessel drawing more than thirty tons can enter. Those of larger tonnage must remain in an open roadstead.

The population is about eight thousand, and its commerce is principally carried on with Greece and the islands of the Archipelago.

When we arrive at Candia, the capital of the island we unfortunately found Mehemet Ali there, with a part of his fleet, anchored before the town. We say unfortunately, because he had just given, in his own person, an example of submission to his quarantine regulations, which left us no hope of a relaxation in our favor, as we had visited a suspected port within the limited period. Not having, at our disposition, the time necessary to procure admission, we abandoned the island and bore up for the holy land.

The city of Candia presents rather an imposing aspect from the sea. In its rear is a range of mountains which extend through the island, and from amid which the snow covered top of Ida is prominently distinguishable from the rest of the chain. In the distance, the city is thrown with beautiful effect against this ridge, though in fact it is surrounded by a considerable plain. The mountains, however, diminish much in height and the chain is almost interrupted, so that the gaps furnish convenient routes for traversing the island from north to south. The plain extends to the base of the ridge from which Ida projects.

The city contains about twelve or fourteen thousand inhabitants. It has a mole, and a small port for vessels of light burthen; but for those of greater depth of water, it affords no protection but an open roadstead. It presents the aspect of an old Venetian town, rather than that of a Turkish one. The streets are wide and paved, but in a rough manner. There are some fountains, and occasionally rows of trees, which produce an agreeable effect. The fortifications are nearly in the state the Venitians left them, somewhat repaired, in the most necessary places, but generally dilapidated. The guns are old and apparently unserviceable, almost as dangerous to the possessors as to their enemies. The bazars are tolerably well supplied, and on the whole there is an agreeable air of business and neatness in the city, presenting a favorable contrast to the general aspect of the Turkish towns.

The island of Candia extends about one hundred and sixty miles from east to west, and about thirty from north to south in its widest part. It is divided by a ridge of mountains, running longitudinally through the island, and separating the northern from the southern part. Towards the centre, this ridge is less elevated and precipitous, and communications from one coast to the other have been easily established; but elsewhere the passage is more difficult, and the aspect of the interior more savage. The roads or rather passes, have been wholly neglected, and now tedious and dangerous. Wheel carriages are unknown, and the transportation of the productions to the coast forms an important portion of their

cost to the purchaser. Frequently the solid masonry of the old Venitian bridges has survived the roads they were intended to connect, and evince the former flourishing condition of the country. There are no rivers—the streams descending from the mountains not deserving that name—but springs and rivulets are abundant, and under happier auspices might be employed in irrigating the fields. But alas! the country presents almost one scene of desolation. It is well known that the olive is a tree of slow growth, requiring many years to reach maturity and to produce its fruit. The ruthless Turks have cut down a large portion of these trees, the work of centuries, and thus extended their vengeance to succeeding generations. We found the same result elsewhere in the east, wherever in fact man had arrayed himself against man. The first act of oppression is to cut down the olive trees around a village, and then the labor of destruction is almost complete, for the miserable hovels are not worth the trouble of demolition. The plain from Athens to the Piræus were heretofore a magnificent olive orchard, but now its superb trees have almost disappeared, leaving scattered individuals to attest its former magnificence. With a little bread and a few olives a Greek soldier performs his duties and cheerfully encounters the painful marches over the rugged paths through his country. And the Greek peasant is happy, if he can provide a scanty supply of this favorite food for his wife and children. We were told at Athens of a curious division of property by which, frequently, the ground belonged to one man, the tree to another, and the product to the third. We were also told what was the principal by which these respective rights were regulated and the rent of the owners secured. But we have no space for its development.

About twenty miles from the city of Candia, at the base of mount Ida, is the cavern so celebrated under the name of the Labyrinth. It is in the vicinity of the site of the ancient city of Gortyna, whose remains yet attest its former power and opulence. The credulity of the ancients and their predisposition to the marvelous, are in nothing more remarkable than in the fabulous, recitals concerning this "Big Cave," as it would be called in Kentucky, and the exaggeration of many modern travellers has been scarcely less marked, and is certainly much less excusable. That it was originally a natural cavern in a soft lime stone rock, there is no doubt. Many of the chambers and passages have been increased by the hand of man, and it is wonderful that this should have been done and this subterranean asylum occasionally resorted to by the inhabitants of the neighboring regions; but that in an enlightened age, doubts should have been elevated into mystery, and much learned *charlatanism* employed to develop a very plain subject with difficulties. When the proximity of the city of Gortyna is recollected, and the contests in which it was involved for ages, together with the general state of insecurity, which has often prevailed upon this island, what more natural than that the inhabitants should occasionally seek refuge for themselves and their property in this secluded cavern, so difficult to be discovered and so easy to be defended; or, that in a succession of ages, the natural fissures in the rock should have been enlarged, and the whole work rendered more capacious and more comfortable? We are persuaded that this is the natural solution of all the mystery attending this subject. As to the story of the Labyrinth, and the thousand fables connected with it, they do not merit a moment's serious consideration, except so far as they furnish materials for an interesting chapter in the history of human nature; evincing on the one hand the fertility of the imagination, and, on the other, the extent to which credulity may be carried, either in an implicit belief in a monstrous fable, or in a more chastened faith, seeking the materials in by-gone events, and gravely endeavoring to account for the violations, not only of probability, but of possibility, by combining some all-glorious mystery with traditional fables.

One cannot but be struck with the resemblance between this cavern, and those to be found in the limestone regions of Kentucky. The description of the former is absolutely applicable to the latter, leaving not the slightest doubt but that they owe their origin to the same common causes. If the traditions of the aboriginal inhabitants of Kentucky had been preserved, it may be that they would have furnished us a story quite as interesting as the adventures of Theseus and the destruction of the Minotaur. And if they had found a record as lasting and as beautiful as the Roman poet has bequeathed to posterity, we might not have envied the Cretan wonder the description of its

"Parietibus textum cæcis iter, ancipitemque
Millevisibus habuisse delum"

In the time of the Greeks.

It is estimated that Crete contained twelve hundred thousand inhabitants. In the mutation of its fortunes, these have been successively reduced, so that under the government of the Venetians, they did not reach one million; but the diminution was frightfully accelerated by the Turkish yoke, which with its accustomed destructive power, had brought this number down to about two hundred and eighty thousand before the commencement of the Greek revolution; and at present it does not exceed one hundred and seventy thousand, of whom one hundred and thirty thousand are Greeks, and forty thousand Mahometans. The state of the population in former ages is sufficiently indicated by the accounts which are given of its hundred cities

"Cæstum urbes habitant magnas"—
and the epithet even which Homer applies to it, "Creta Hecatonpolis," marks the progress it must have made at that early period in the elements of wealth and power. And though this number of one hundred may have been rather a round one than numerically exact, still no doubt can exist, but that there were a great number of important towns in this island towards the commencement of the authentic history. Pliny, after enumerating nearly twenty cities upon the coast and as many in the interior, all existing in this time adds, that the memory of sixty others was still preserved. The renown which the island enjoyed among the ancients, for its fertility and the mildness of its climate, is well born out by these evidences of its adaptation to the support of a dense population

The repulsive effects of Turkish conquest upon the countries subdued by the Mahometans, is one of the distinctive traits of their religious and social institutions. Among other nations there is a slow but gradual tendency towards amalgamation between the invaders and the invaded; and generally in a succession of ages, the peculiar characteristics of each are so softened, if not annihilated, that the original differences disappear and cease to produce any effect upon the new society.—Not so with the followers of Mahomet. Their fanaticism never slumbers, and their religious dogmas raise an impassable barrier between themselves and the inhabitants of the countries overrun by them. It is a cardinal principle, not only of their policy but of their faith, that all the people they subdue, have justly forfeited their lives; and it is a practical corollary, that whether these shall be spared or not is a simple question of expediency. The English law is not the only one which delights in fictions; the Turkish code contains at least one of these subtle contrivances, by which results are obtained not originally contemplated by the lawgiver. When the conqueror Ravah is freed from military execution, this exertion of Mussulman mercy is not a pardon but a relief. The penalty always hangs over them, and is ransomed from year to year by a tax, constituting a considerable item in the Turkish budget. Every person in the Turkish empire, not a Mahometan, pays this yearly contribution, under the pretence of its being due to the sultan for his clemency in permitting the infidel dog to live under the shadow of his throne during another year.

As to the intermarriage between the professors of Moslemism and Christianity, this mode of uniting the races is impossible, because every such union is punishable with death, and the most sedulous attention seems to have been exerted in other respects to preserve the same system of separation. The Turk adopts a peculiar costume, one, which till lately, has not changed, and which has probably been unvaried since the days of Abraham; and he prefers, if not all the costume of a part of it, which his conquered subjects shall wear. An article of justice the Christian's statement is valueless, and he has little to hope from a legal controversy with a fellow subject of the favored caste. The cardinal principle of the Turkish policy seems to have been, that a Mahometan is made to govern and a Christian to submit; and this principle has been carried out in all the various forms that complicated state of society presents. We say *has been*, because great changes have come over the Turkish institutions and greater yet seem to be in progress.

At this moment, in the island of Crete, the condition of the Mahometans, if not actually worse than that of the Greeks, promises less melioration. The former are generally all poor, with the exception of a few rich agrars. Before the revolution they were janizars, and were maintained by their privileges and by the taxes and extortion wrong from the latter. But now this redoubtable code is suppressed, and its remains, driven to their own sources, are barely able to procure the necessities of life. Their number is in a state of rapid declension; while the Greeks, relieved from some of the oppressions which weighed them down, and finding their industry better rewarded, and their acquisitions bet-

ter protected, are gradually advancing in improvement. Our intelligent informant told us, that four years ago scarcely a house was standing or a field cultivated; but that now the signs of prosperous industry began to meet the eye of the traveller in different parts of the island.

The principal agricultural product of Crete is the olive. It gives the most profitable return; though, at present from the dearth of labor, it is estimated that more than one-fifth of the olive trees are neglected; laborers not being found to gather the fruit. Wheat is also a staple article, but unfortunately the province of Messara, heretofore most devoted to its culture, was one of the districts which suffered most from the revolution; and this circumstance with the general depression of agriculture, has led to such a diminution in the supply, that large quantities of this article have been imported for consumption. However, the culture begins to revive.

The same causes have operated to depress the production of another of the staple articles of Crete—that of wine. The soil and climate are favorable to the growth of the vine, and several species of grape have been cultivated, producing different kinds of wine much esteemed, and which were formerly in demand for exportation. But the supply is now restricted to the domestic consumption; though as agriculture and manufactures revive, there is little doubt but that this branch of industry will be again cultivated with success.

Crete produces the following articles for exportation:

Oil—Which is peculiarly adapted from its quality to the manufacture of soap, though the quantity varies greatly from year to year.

Silk—Of a superior quality, but in small quantities.

Raisins.

Honey—Highly esteemed through the east.

Cheestnuts—An important article of consumption in these regions. Those of Crete are in much demand through the Archipelago.

Cheese—Formerly Crete possessed large flocks of sheep, and there was manufactured from their milk a cheese, known under the name of sphakian, esteemed through the east. The troubles in the island led necessarily to the diminution of the flocks, but they are now increasing, and cheese is again becoming an article of exportation.

Whetstones—Said to be of excellent quality.

Carobs.

Vallonea.

Almonds.

Soap—The habits of the eastern nations lead to a great consumption of soap. Their ablutions are frequent; and preferring fingers to knives and forks, they find themselves obliged, after eating, to wash with soap and water. We have often admired the dexterity with which the servants manage this ceremony. The water is always poured from the vessel with a spout, resembling one of our coffee pots, upon the hands, which are held over a basin, and the operation is a very comfortable one, while the habit itself of personal neatness is conducive to health.

Crete possesses many manufactures of soap, and this article which is of an excellent quality, is exported to all the countries in the Levant. Olive oil is used in its manufacture. The silks of Crete go to Trieste; the raisins to Tunis, Malata and Trieste; the carobs to Malata, Genoa and Constantinople; the vallonea to Trieste; and the almonds to the Black Sea. The other articles of produce principally to Turkey.

Crete imports from the Adriatic Gulf boards and nails, now much wanted for the construction and repair to houses—from Germany and England, cloths, cottons, calicoes, &c. A few articles of American manufacture find their way there indirectly. Colonial products coffee, rum, sugar, &c. are supplied by Trieste, Marseilles and Malta; leather by Leghorn and Russia; iron by Trieste; corn, when necessary, by the Black Sea, Macedonia and Anatolia; rice by Alexandria and Piedmont; butter by Africa; and codfish by France.

The commercial relations of Crete are principally with Syria and Trieste, which serve as entrepôts, whence the articles required are imported, from time to time, in small quantities.

The pre-existing commercial regulations through the Turkish empire must undergo great changes in consequence of the treaties recently negotiated by France and England at Constantinople. The principles will no doubt be extended to all other nations, faithfully executed, the odious monopoly established by Mehmet Ali in Egypt will be abolished, and that unfortunate country delivered from one of the heaviest oppressions under which it labors. But the pasha is shrewd, avaricious and unprincipled;

and he may find the means to render abortive all the efforts of the commercial interest of western Europe to open its natural channels to the trade of Egypt. This system of monopoly, the last and worst contrivance of vice regal cupidity, has not found its way into Crete. The Egyptian merchant—for the pasha is the only free merchant in his metropolitan country—has yet spared his conquered provinces this infliction. He may be waiting the firmer consolidation of his power and the final settlement of the questions pending between him and his nominal sovereign, but actually rival, the sultan. His recent victory near Aleppo, and the death of his personal enemy Mahound, and the consequent stirring events which are now before him, are writing are going on in the east, seem to insure to him the great object of his ambition—the establishment of an independent and hereditary government in his family.

The import and export trade of Crete is fettered with few impositions, and many other countries might draw a profitable lesson in political economy from Turkish and Egyptian moderation. The gnosé is allowed to lay its golden egg daily, without the fear of death to extract from it the precious deposit, and thus in the fallacious hope of immediate acquisition, to sacrifice both present and future. The duties of entrance and clearance are three per cent. without any addition for coastage transportation. There is neither tonnage nor wharfe nor light house duty, and the pilotage is in fact whatever the vessels please to pay, for the regular allowance is but three piastres, say fifteen cents. As to manifests, and all the machinery of custom house security against frauds, the Cretan regulations make short work of them. The captain or merchant interested in the importation or exportation, makes his declaration at the custom house, and the affair is finished.

The Mahometan governments meddle but little with foreigners living within their dominions. As long as these refrain from any acts compromising the public peace, they are left to the jurisdiction of their own consuls. This jurisdiction is aided, if necessary by the local police, and the consuls are vested with very extensive and summary powers over their fellow countrymen—if a foreigner commits an offence against the peace of the island, he is delivered to his proper consul, who tries and punishes him agreeable to the laws of his own country. Formerly, whenever an injury was committed by a foreigner, a tax or *awacik* was levied upon the whole body of foreigners, and a fund thus raised, by which the innocent paid for the crimes of the guilty.—But all this is changed, and not only has the tax disappeared, but the offender is referred, as we have seen, to the jurisdiction of his own consul. The subjects of the new kingdom of Greece are yet liable to some vexatious restrictions, the result of the feeling inspired by recent events, and perhaps by the relations of language, religion and manners, which connect them with the great body of the Cretan people. But these precautions will gradually disappear, and the Greeks will be admitted fully to participate in the freedom enjoyed by other foreigners; which in fact, amounts almost to immunity.

When the allied powers of Europe interfered efficaciously for the establishment of the kingdom of Greece; considerations of policy prevented the annexation of Candia to the new state; to which union it was called by the wishes of its inhabitants, whose language, associations and interests connected them with their brethren of the same stock, and the dependants and remains of the subjugated eastern empire. However the island was not restored to the Turks, but was secured to Mahomet Ali, in whose possession indeed it had been for some time. He was required to govern it without the imposition of new taxes, a condition which, if faithfully observed, would go far to defeat one of the principal objects of Mahometan government, which is to levy from a wretched population all the money that power can procure and poverty furnish. In the present constitution of the island, it is governed by a pasha, whose authority is in fact unlimited, but whom the policy of the vice roy has surrounded with some institutions having the appearance of a representative character. And though no usefully radical result, to any great extent, has yet been obtained, because the elements of administrative knowledge are sparsely scattered among the Turkish population, still the experiment is an interesting one, and it is to be hoped it will be continued, and by the foundation of a gradual melioration in the political institutions of the island. The whole country is divided into twenty cantons, each of which sends two members to their proper municipal council. There are three of these councils—one at Candia, one at Retino and one at Canea. One of the deputies from each canton is a Greek, and the other a

Turk; though this regulation has not been invariably observed, in consequence it is said of the difficulty of finding competent persons. But there is a singular difference in the application of this charge of incompetence, one of our authorities referring it to the Greeks and the other to the Turks. These councils have a legislative as well as a judicial power.—They frame the laws and try and punish the breaches of them. *But the pain of death cannot be inflicted without the approbation of the governor.—In addition to these duties, they have important administrative powers, such as the enforcement of the regulations concerning the public health, the fixing of the price of provisions, the superintendance of the public works, &c. *The deputies receive a trifling salary, and being rather nominated by the government than elected by the people, cannot be supposed to be very independent.*

We cannot close this sketch without acknowledging our obligation to Mr. Bonna, the consul of the United States at Canea. His long residence in the island, together with his general information, gives great authenticity to his statements, and he seems as eager to communicate as the traveller is to collect. He enjoys a high reputation at Canea, and deservedly so, and is a most worthy representative of our country in that remote place. We know no subject in the legislation, connected without external relations, which demands more prompt and urgent attention than the situation of our consular establishments, more particularly those placed in Mahometan countries. Almost every where, indeed, the office of American consul is little better than an eleemosynary employment. Scattered over the globe, and stationed at all the increasing commercial points, these officers are dependant upon casual fees—altogether, except in a very few instances, inadequate to their support. On the continent of Europe, at some of the consulates, these fees are principally composed of charges upon the American traveller for the *visa* of his passport; that is, for the certificate of the consul, under his official seal, that he has examined the passport—an indispensable ceremony—without which the traveller would find his journey arrested by the police. But this tax is paid with much reluctance, and in fact ought to be abolished. But a substitute, however, should be immediately provided by law in an annual fixed allowance. And, what is still worse, many indispensable expenditures made by the consuls are left without being remunerated, because there is no legal provision for their allowance.

*There is a little American mission at Canea; at the head of which is Mr. Benton—a worthy man—devoting himself zealously to the task he has undertaken, principally the education of youth. He has met with some difficulties from the local authorities, but we understand, these are yielding to a better knowledge and a more correct appreciation of his motives and objects, and we could scarcely invoke for the island a more interesting institution than the firm establishment of this missionary undertaking.

No American can meet these little bands of pilgrims, which his country now sends forth to every benighted portion of the world, without a just notion of pride and patriotism as pure as it is profound. With a devotion to alone ardent and enlightened, these generous apostles of religion, morality and education, gird themselves up to their task, and abandoning their native land with all it offers, go forth to regions, marked by ignorance, intolerance and misery as their own. They go indeed under the star spangled banner, but is neither to gather riches nor to carry war. Higher and holier sentiments impel them to the journey, and support them in the trials they are called upon to encounter. It was our good fortune to visit several of these establishments in the east, and we found that their inmates had conciliated the respect of the native inhabitants and were laying the foundation of future usefulness. These green spots in the moral desert are indeed refreshing, and doubly so to an American, as tributes of the generous zeal of his country to these regions of early civilization. We sincerely hope they may continue to multiply and flourish, and that the fruitful streams from the western continent which give them nourishment, may not fail in their supplies.

REMINISCENCES OF BOSTON FROM 1784 TO 1795.

From the Cincinnati Evening Post.

Our first visit to Boston was in 1784. There was no bridge then, and at very high spring tides, the neck, by which the peninsula on which the town is built, is connected with the main land, was sometimes overflowed, making the town an island. The north end of the town was entered by a ferry from Charlestown. At this period very little improvement had been made in it since the revolution, and there was much talk about the possibility of build-

ing a bridge to Charlestown, many believing it impossible, from the great depth of water in the channel of Charles river; others insisted, that it would be greatly injurious to the navigation; but by far the greater number disbelieved in the possibility of building one. There was then living at Mystic (now Medford) about three miles from Boston, an ingenious shipwright by the name of Cox,* he insisted upon the practicability of building the bridge; was anxious to undertake it, and willing to stake his all upon the result. He succeeded in bringing the enterprising and influential to his views; a charter was obtained, and the bridge built, and was opened on the 17th of June, 1786, the anniversary of the battle of Bunker's Hill, when Boston poured forth her thousands in grand procession over it to celebrate the event. We have been thus particular upon this subject, because it was the building of this bridge that first gave an impetus to the improvement in Boston. It was the longest bridge in the world, and with the exception of the abutments built entirely of wood; it yielded a profit from \$20 to 40 per annum, until West Boston bridge was built in 1793. This far surpassed in length, and beauty of architecture, the other, add to which, it was connected with a causeway on the Cambridge side, about the same length as the bridge—the two forming a beautiful promenade of about two miles in length, splendidly illuminated every evening with a profusion of lamps. A little incident occurred when the two ends of the bridge were being brought to a close in the middle, which we have good reason to remember. There were present the master builder and a number of persons interested in the undertaking, waiting for the connecting plank to be laid down, that they might first cross the bridge; it was just at the close of day; we with a number of others were looking on; the first connecting plank was laid, and before the workmen were aware of our intention, we had crossed; a hot pursuit commenced, with the intention of catching and punishing us for our temerity; but we were not to be caught, and we were amply punished in being compelled to walk round through Cambridge and Charlestown, and pass into Boston over Charlestown bridge, a distance of six or seven miles.

The prominent political men of Boston, at the period alluded to, were John Hancock, Samuel Adams, Robert Treat Parke, James Sullivan, Oliver Wendell, Charles Jarvis, Benjamin Austin and Benjamin Russell, editor of the Centinel, who backed by the Essex Junto, in his press swayed the political destinies of Massachusetts, and through her, New England, a great portion of the time for nearly half a century. Hancock, Adams, Sullivan, Jarvis and Austin, were of the republican party. The most conspicuous among her commercial men, who also had great political influence, were Thos. Russell, Joseph Barrel, David Sears, John Coffin Jones, John Codman, Frazier & Son, Nathaniel Fellows, Joseph Parsons, Frederick W. Gayer, Jonathan Harris, S. & S. Salisbury and Stephen Higginson, the latter a man of talent, and a distinguished political writer; he wrote "*Læocæ*," against the administration of Hancock, by which he became very obnoxious to the republican party. Mr. Higginson done business upon Long wharf, and passed down State street on his way to his counting house. The truck-

*The complete success of Mr. Cox, in the construction of this bridge, occasioned his being sent for to go to Ireland, to build one over the Boyne, at Londonderry. He took his Yankee workmen with him; built the bridge to the satisfaction of his employers, and opened it on the fourth of July, 1788, when a battle took place between his workmen and the Irish, which, but for the prompt interference of the magistracy, aided by the military, would have been a very bloody affair. He was afterwards applied to by the corporation of London to take down the monument, which was built to commemorate the great fire of 1666, and which was supposed to threaten destruction by a fall, as it leans a little, but they would not give him his price, and he declined the undertaking. We lost sight of him after this entirely.

There is a hiatus in the political history of New England, which, no man, that we know of, can fill up but the venerable ex-editor of the Boston Centinel, the hon. Benjamin Russell; it is the want of the history of the Essex Junto. The vast influence exercised by the few individuals composing the Junto, aided by Mr. Russell and his press, was not confined to New England even, but was felt through all the ramifications of the federal party, from Maine to Georgia. They were controlled by hands and heads unseen. If Mr. Russell could be induced to undertake such a task, a blank in our political history would be filled up, which never can be done without him.—We doubt if the history of parties affords a parallel to this, a party who once possessed themselves of the whole power of the country, under the administration of the elder Adams, yet never knew the springs by which they were moved.

men who stood in State street took great pains to teach a parrot (that was in a cage at the corner of Commercial row) to know "Laro" and to curse him, and so completely successful were they, that "pretty poll" no sooner saw Mr. Higginson approach; than she began to "hurra for Hancock; damn Laro," and continued to do so while he continued in sight.

The merchants carried on a very extensive commerce with Russia and Sweden; from the former of which they imported immense quantities of iron, hemp, canvass and sheetings; from the latter, iron only. There was also an extensive commerce with France, Spain and Portugal carried on through the ports of Bordeaux, Lisbon and Barcelona. The trade with Great Britain at the time here spoken of was very limited; there was but five or six houses engaged in importing her manufactures; at the head of them was Frost & Son. The trade with China commenced about this time, not in specie but in seal skins taken on the northwest coast of America, carried to Canton and exchanged for teas, silks and nankeens. This business for many years was immensely lucrative, and large fortunes were made by it. Instances occurred where vessels that took out nothing but their provisions and some trilling articles to trade with the natives, brought back return cargoes that paid nearly a hundred thousand dollars duties. The trade to France, Spain and Portugal, consisted principally in the export of fish, and the import of their wines, brandies and fruit, with some silks from the two former.

There were a few, and but a few elegant mansions in Boston at this time, and they were all built before the revolution. Among the first modern improvements was that of Jonathan Harris, near Fort Hill, which was said to have cost nearly two hundred thousand dollars; it was followed by numerous others, and elegance, which far surpassed that in expense and elegance, until Boston, the last time we saw it, in eighteen hundred and sixteen, could boast more splendid private dwellings than any city, (of four times its then population) we ever saw, even in Europe.

In 1792 there was but one four story building in Boston, and that was on Union street, not far from Wing's lane. In 1816 there was a number of ranges of four and five stories high. There was not if our memory serves, a solitary brick warehouse on any wharf in the town. Long wharf stretched out into the harbor, with its seventy-four frame stores that did not appear to have been painted since the revolution. Then there was Minot's T projecting from the back of Long wharf, Sears' wharf, and at the north end of Hancock's wharf, with others of minor importance.

In 1792 or '3, the first vessels of war, carrying the tri-color of the French republic, arrived at Boston. They were the Concorde, of 44 guns, capt. Van Dongan, and the Marsailles, of 20 guns, capt. Van Dongan.

Van Dongan was afterwards at the battle of the Nile, Ville de Paris, of 120 guns, at the blown up in the bay. Their arrival created a great excitement, and the opposite political parties for a while forgot their differences; to unite in doing honor to their country's allies.

French victories followed each other in such rapid succession on the continent, that the enthusiasm in their behalf became extreme, and the Bostonians determined to celebrate them in the most splendid manner. The celebration took place in mid-winter, when the cold was intense. An ox was roasted whole, in State street, and then placed upon a car drawn by thirteen pair of white horses, preceded and followed by music, with an immense multitude carrying banners of various descriptions, and all wearing the tri-colored cockade, paraded through the streets, marshaled by col. Waters.

They then returned to State street, and the hard frozen roast beef was cut up with axes and distributed among the multitude. In the evening, the state house, the French consul's office, and a few other buildings, were splendidly illuminated. The old state house made a most beautiful appearance. Our old friend Russet, of the Centinel, tuned his harp to the Marsailles hymn at this time, and after giving a broadside at John Bull one day, he wound up with the following distich:

"Tis the boast of Briton to bluster and threaten,
But hangs his tail like a puppy when handsomely beaten."

His harp was new strung in 1793, to a very different tune, and Britons and black cockades were all the fashion. But to proceed: the principal ship yard then was at the foot of Milk street, intersecting with Kilby street, and there Nathaniel Fellows had built a ship, which he called the *Gennett*, in compliment to the French ministers. She was launched, ready rigged, from the stocks. She proved unfortunate. He then built the *Robespierre*; that prince of bloodhounds being then at the height of

his power. She was loaded and sent to Bordeaux, but did not arrive there until her namesake had rendered up his forfeited life upon the scaffold, when her *figure head*, which was the statue of the tyrant, was dealt with a la Jackson on the Constitution. But nothing could damp the ardor of Mr. Fellows in the cause of the new republic, he built another, and called her the "Ca Ira," it will go on.

Bulfinch's pasture, at West Boston, was a large, open space of ground in 1792, west of which, to the water, there extended a range of hills unoccupied by any building but the "pest house," a great part of it if not the whole, has since been built up with splendid mansions; while at the north end, particularly from the entrance of North square down to where the Constitution frigate was built, very little improvement had been made, in 1816. There were the same old fashioned frame houses, with the upper story projecting over the lower one, that had occupied the ground more than a century, and gave an appearance of antiquity equal to the oldest towns in Europe. Most of the old streets in Boston are, as Freneau says of ancient New York, "moored on the horns of a ram," crooked and narrow, giving the town a very odd appearance to those accustomed to modern New York, Philadelphia, Baltimore or Cincinnati. In 1790, her population was but seventeen or eighteen thousand, but then, as now, that, with the population of the towns around her, within a distance of a dozen miles, constituted the most densely populated district in the United States, of its size. At the time we speak of, with the exception of the old state house and the churches, her public buildings were few and ordinary. There were few manufacturers in those days, except those connected with ship building, which was carried on rather extensively. Hats also were made in quantities by Boardmen at the north end, and Balch on Cornhill. Very few other articles were made in larger quantities than were wanted for home consumption.

Literature and the fine arts had already "a local habitation and a name" among the Bostonians. Her clergy were remarkable for their talents, piety and devout and holy life, practising what they preached. Among the Presbyterians, were Belknap, the historian and biographer; Elliot, a man of science and literature; Thatcher, a splendid orator; and Clarke, the profound scholar and most amiable of men. Among the Episcopal clergy, were Parker, (afterwards bishop); Lathrop, and soon afterwards Gardner, son of the old Sachem from the east, (as his father was called); he was a man of great talent, but more of a politician than a religionist. He wrote a poem called *the Zulu Cabotinaid*, which was very severe upon the republican party and its leaders. We never saw it but once, and that was nearly forty-five years ago, but we recollect that, in alluding to Dr. Charles Jarvis, who was a most splendid orator, and file leader of the republican party, (with Benj. Austin), he had the following couplet:

"Behold the demagogue, from whose smooth tongue
"Deception flows, as rivulets glide along."

Of the Baptist church, there were Stillman and Baldwin, the former a man of vast power and eloquence, such as we never heard surpassed in the pulpit; he was, indeed, a most splendid orator. The next and last that we shall notice, were the Universalists; at the head of whom was the great founder of that sect in the United States, John Murray; he was a host; cool, deliberate and powerful. He had for an assistant a Mr. Richards, the best poet America ever produced; he wrote the "*Visions of Glory*," extracts from which were frequently published in Thomas & Andrews Massachusetts Magazine in 1789 and '90.

There was a small society of Methodists, and also of Roman Catholics; the latter occupied a small chapel on School street, and were under the spiritual direction of the rev. Mr. Thayer.

The bench and bar were powerful in those days, on the former were Dana, himself a host; Paine, Sumner, afterwards governor, and Sewell. At the bar was the "giant Parsons," not from his size, reader, although he was a large man, but from his mighty mind; there were G. R. Minot, "the American Sallust," who wrote the history of "Slavery's Rebellion;" Samuel Dexter, one of the most profound reasoners that ever stood up in a court of justice; Fisher Ames, whose speech in congress, upon Jay's treaty, was never equalled, except by Sheridan on the trial of Warren Hastings; Rufus Gray Emory; Harrison G. Otis, who was both a graceful and eloquent speaker; and occasionally, Laban Wheaton, of Norton, who, to the ugliest of faces, joined a great mind and a good heart; with numbers of others, of more or less distinction. Of the medical profession those most conspicuous were Warren, Dexter, Lloyd, Rand, Danforth, and

from '95, Thomas; the two former, professors in the Cambridge university. We could relate a number of anecdotes of Danforth, but will give you only one. In the revolution he leaned to the British side, and the "regulators" consulted together about dressing the doctor in a suit of home spun, vulgarly called tar and feathers; but it was overruled, and the doctor who was a man of great skill in his profession, was suffered to enjoy his political opinions unmolested. He was made acquainted with the facts, and knew to whose *kinda* intentions he came high being indebted for such a favor. Long after the war was over, this friend of his was taken very ill, and sent for him, he went and attended him with the utmost assiduity until he recovered. A few days after the doctor met him "on change," when he presented his hand to him; the doctor spurned him, saying, "do you think, you scoundrel, because I attended you professionally, that I will suffer you to offer me any familiarity?" and turned upon his heel and left him. He would not suffer any of his patients to trifle with him, not even a lady. When sent for he attended promptly, prescribed as the case required, and that prescription must be strictly followed, or not send for him again.

Boston had few literary publications in those days of which we speak. There were Edes's Boston Gazette, the oldest paper in New England, once or twice a week, we cannot say which. The Independent Chronicle, by Adams & Nurse, Mondays and Thursdays; and the Centinel, by Bennett, on Tuesdays and Fridays, and Saturday. The Massachusetts Magazine, monthly, was commenced in 1789, by Thomas & Andrews, and sustained a good reputation—in '93 and '94, Belknap & Young tried "The American Apollo," but it did not succeed; in 1793 or '4, Young & Mins established the Palladium, on Tuesdays and Fridays, and soon after John Russell, brother of Benjamin, established the Boston Gazette, on Mondays and Thursdays; about this time Paine got up the Federal Orery, but we think it did not last long. Mrs. Murray and Mrs. Weston shone in the periodical literature of the day at this latter period, and Paine, then Thomas, afterwards Robert Treat, was without a rival in furnishing odes and songs for all occasions.

Free schools were established in Boston about the year, 1620, and became the fountain, in after years, which furnished the streams of education to every hamlet in New England. Besides a number of English, there was a Latin free school, where youths were fitted for the university; we well remember master Hunt; without having the same good reason that hundreds of others had.

After the massacre of the 5th of March, 1775, the Bostonians turned their attention to the organization of volunteer companies, and in 1792 there were the governor's life guard, (horsemen) the independent cadets, under col. Bradford, in their splendid white uniforms with red facings; the independent fusiliers, under capt. Laughton; and in rich scarlet uniform, captain Wallach's Prussian blues; but the pride of Boston, in the military way, was "the ancient and honorable artillery." We will remember that upon their colors and drums were conspicuously displayed "incorporated 1638." The first Monday in this month (June), was their two hundred anniversary. The corps form a military school, being kept in perfect discipline, and the officers at each returning anniversary having to return to the ranks, and give place to other elected in their stead. The anniversary election of this company used to be the favorite holiday. The scene was a very imposing one on parade, when the officers elect marched out of the ranks in front of the line, and were received by those whose term had expired, who exchanged with them their badges of office, and receiving from them their muskets, and returned into the ranks from which a year before, they had been in like manner drawn.

In 1792 a company of comedians arrived from London, under the management of Mr. Powell, (a former company we have not seen since), and commenced a series of theatrical performances, which was fitted up for the purpose, and to evade the statute against theatrical performances they called the plays "moral lectures," but Hancock was governor, and was not disposed to suffer such base-faceted evasions of the law. They were playing the "moral lecture of Richard the Third," one evening, and proceeded as far as "Bosworth field" when the sheriff came unceremoniously upon the stage, and made prisoner of the humpbacked tyrant. Great uproar followed, and the portrait of Hancock that hung in front of the stage box was taken down and trodden under foot. The next night every man went armed with a bludgeon, but there was no more interference, and the next season a splendid theatre was built, a large majority of the town being in favor of it.

We had not the most distant idea of extending this article to half its present length when we commenced it; but the subject grew upon us. One remark more we are doing; there may be, but probably are some slight errors in the dates, although we are not aware of any.

REVOLUTIONARY PAPERS.

The National Intelligencer publishes the following documents, which are interesting as exhibiting the temper of the times, and the incipient steps taken by the colonists of New York to resist the encroachments of the mother country, on their rights and liberties. They were furnished to the Intelligencer by Peter Force, esq. from his collection of revolutionary and ante-revolutionary documents:

Committee chamber, New York,

Wednesday, April 26, 1775.

Present: Isaac Law, (chairman), Philip Livingston, James Duane, John Alsop, John Jay, Peter V. B. Livingston, David Johnston, Alexander McDougall, William Walton, John Broome, Joseph Hall, Abraham Walton, Henry Remsen, Peter T. Abraham Duryee, Joseph Bull, Abraham P. Lott, Abraham Duryee, Joseph Bull, Francis Lewis, Juno. Lasher, Joseph Totten, Thomas Ivers, Hercules Mulligan, John Anthony, Francis Bassett, Victor Bicker, John White, Theophilus Anthon, William Goforth, William Denning, Isaac Roosevelt, Jacob Van Voorhies, Jeremiah Platt, Robert Benson, John Seren, Nicholas Roosevelt, Edward Fleming, John De Lancey, Frederick Jay, William W. Ludlow, George Janeway, Rudolphus Ritzema, Lancaster Burling.

The committee having taken into consideration the commotions occasioned by the sanguinary measures pursued by the British ministry, and that the owners with which this committee is invested respect only the association, [of the continental congress], are unanimously of opinion, that a new committee be elected by the freeholders and freemen of this city and county, for the present unhappy exigency of affairs, and for observing the conduct of all persons touching the association; that the said committee consist of one hundred persons; that thirteen be a quorum, and that they dissolve themselves within a fortnight next after the end of the next session of the continental congress. And, that in case of the freemen and freeholders of this city and county may be better procured and ascertained, the committee are further unanimously of opinion that the polls be taken, on Friday morning next, at 9 o'clock, at the usual places of election in each ward, under the inspection of two vestry-men of each ward and two of this committee, or any two of them; and that, at the said elections, the votes of the freemen and freeholders be taken on the following questions, viz: Whether such new committee shall be constituted; and, if yes, of whom it shall consist?

And this committee is further unanimously of opinion, that, at the present alarming juncture, it is highly advisable that a provincial congress be immediately summoned; and that it be recommended to the freeholders and freemen of this city and county to choose, at the same time that they vote for a new committee aforesaid, twenty deputies to present them at the said congress; and that a letter be forthwith prepared and despatched to all the counties, requesting them to unite with us in forming a provincial congress, and to appoint their deputies without delay, to meet at New York on Monday, the 22d of May next. By order of the committee, ISAAC LAW, chairman.

[There was no election on Friday. Some of the reasons which tended to prevent an election are now in the following address, which was adopted by the committee on that day:]

the freeholders and freemen of the city and county of New York.

We regret, gentlemen, the necessity we are under of addressing you upon this occasion, and of perceiving with anxiety the disorder and confusion of which the city has been unfortunately involv-

ed from cool and temperate councils only good consequences may be expected; nor can union (so essential to the success of our cause) be preserved, unless every member of society will consent to be governed by the sense of the majority, and join in voting that sense fairly and candidly ascertained. Conscious that the powers you conferred upon us are not adequate to the present exigency of affairs, we were unanimously of opinion that another committee should be appointed; and, well knowing that questions of the highest moment and the last importance would come under their consideration, we called for their determination, we thought it most advisable that it should consist of a large number, in order that, by enlisting many of weight and con-

sequence in all public measures, they might meet with the more advocates, receive less opposition, and be attended with more certain results.

The names of one hundred persons were mentioned by this committee; you were left at liberty to approve or reject them, and appoint others in their stead; and, that your sense might be the better taken, polls in each ward were directed to be opened. What could be more fair?

By all means, gentlemen, let us avoid divisions, and, instead of cherishing a spirit of animosity against one another, let us join in forwarding a reconciliation of all parties, and thereby strengthen the general cause.

Many, no doubt, have become objects of distrust and suspicion, and perhaps not without reason.—You have now an opportunity of trying them. It surely never can be good policy to put it out of their power to join us heartily. It is time enough to reject them when they refuse us their aid. In short, gentlemen, consider that our contest is for liberty, and therefore we should be extremely cautious how we permit our struggles to hurry us into acts of violence and extravagance inconsistent with freedom.

Permit us to entreat you to consider these matters seriously, and act with temper as well as firmness; and by all means join in the appointment of some committee to whom you may resort for counsel, and who may rescue you from tumult, anarchy and confusion.

We take the liberty, therefore, of recommending it to you, to go to the usual places of election in each of your wards, on Monday next, at 9 o'clock in the morning, and then and there give your votes for a committee of one hundred, to consist of such persons as you may consider the most worthy of confidence, and most capable of the arduous task.

Being also fully persuaded of the necessity of a provincial convention being summoned with all possible expedition, we recommend it to you, at the same time, to choose twenty deputies to represent this city and county in such convention, to meet here on the 22d day of May next. By order of the committee, ISAAC LAW, chairman.

New York, Friday, April 28, 1775.

[A letter advising the inhabitants of the colony to choose delegates to a provincial congress was at the same time prepared and transmitted by order of the committee. The following is a copy of the letter:]

Circular letter from the committee of the city and county of New York to the committees of the several counties in the colony.

Committee chamber, New York,

Friday, April 28, 1775.

GENTLEMEN: The distressed and alarming situation of our country, occasioned by the sanguinary measures adopted by the British ministry, (to enforce which the sword has been actually drawn against our brethren in the Massachusetts), threatening to involve this continent in all the horrors of a civil war, obliges us to call for the united aid and council of the colony at this dangerous crisis.

Most of the deputies who composed the late provincial congress, held in this city, (on the 20th, 21st and 22d of this month), were only vested with powers to choose delegates to represent the province at the next continental congress, and the convention having executed that trust dissolved themselves. It is therefore thought advisable by this committee that a provincial congress be immediately summoned to deliberate upon, and, from time to time, to direct, such measures as may be expedient for our common safety.

We persuade ourselves that no arguments can now be wanting to evince the necessity of a perfect union; and we know of no method in which the united sense of the people of the province can be collected but by the one proposed. We, therefore, entreat your county heartily to unite in the choice of proper persons to represent them at a provincial congress, to be held in this city on the 22d of May next. Twenty deputies are proposed for this city and in order to give the greater weight and influence to the councils of the congress, we could wish the number of deputies from the counties may be considerable.

We can assure you that the appointment of a provincial congress, approved of by the inhabitants of this city in general, is the most proper and salutary measure that can be adopted in the present melancholy state of this continent; and we shall be happy to find that our brethren in the different counties concur with us in opinion. By order of the committee, ISAAC LAW, chairman.

New York, Monday, May 1, 1775.

The following association was set on foot here last Saturday, (April 29th), and on that day it was signed by above one thousand of our principal in-

habitants. It is to be transmitted to all the counties in the province, where, we make no doubt, it will be signed by all ranks of people:

"Persuaded that the salvation of the rights and liberties of America depends, under God, on the firm union of its inhabitants, in a vigorous prosecution of the measures necessary for its safety, and convinced of the necessity of preventing the anarchy and confusion which attend a dissolution of the powers of government: We, the freemen, freeholders, and inhabitants of the city and county of New York, being greatly alarmed at the avowed design of the ministry to raise a revenue in America, and shocked at the bloody scene now acting in the Massachusetts bay, do, in the most solemn manner, resolve never to become slaves; and do associate under all the ties of religion, honor and love to our country, to adopt, and endeavor to carry into execution, whatever measures may be recommended by the continental congress, or resolved upon by our provincial convention, for the purpose of preserving our constitution, and opposing the execution of the several arbitrary and oppressive acts of the British parliament, until a reconciliation between Great Britain and America, on constitutional principles, (which we most ardently desire), can be obtained; and that we will, in all things, follow the advice of our general committee, respecting the purposes aforesaid, the preservation of peace and good order, and the safety of individuals and private property.

Dated in New York, April and May, 1775.

New York, Monday, May 1, 1775.

In pursuance of a request of the committee of observation of the 26th of April, 1776, polls were opened in the several wards of this city for the election of one hundred persons as a general committee of association for the city and county of N. York, and of twenty-one deputies to serve in the provincial congress, with the deputies of the other counties, on the 22d of May instant; and by a return of the poll lists from the different wards, the following one hundred persons were chosen to form the said committee, and twenty-one of them as deputies for the provincial congress, viz:

Isaac Low,* John B. Moore,
P. Livingston, R. Ritzema,
James Duane, Lindley Murray,
John Alsop, Lancaster Burling,
P. V. B. Livingston,* John Lasher,
Isaac Sears, Geo. Janeway,
David Johnston, Jas. Beekman,*
Alex. McDougall,* John Van Lanck,*
Thomas Randall, Richard Yates,*
L. Lispenard, David Clarkson,*
Wm. Walton, Thomas Smith,*
John Broome, James Desbrosses,
Jos. Hallet,* A. Van Horne,
G. H. Ludlow, Eleazr Miller,
Nich. Hoffman, Benj. Rissam,*
Abraham Walton,* John Morin Scott,*
P. Van Schaack, Cor. Clopper,
Henry Remsen, John Read,
P. T. Curtenius, J. Van Cortlandt,*
Abra. Brasher,* J. Van Zandt,*
Abra. P. Lott, G. Duyckinck,
Abra. Duryee, Peter Goelt,
Joseph Bull, John Marston,
Francis Lewis, Thomas Marston,*
Joseph Totten, John Morlon,
Thomas Ivers, George Follis,*
H. Mulligan, Jacobus Lefferts,
John Anthony, Richard Sharpe,
Francis Bassett, Hamilton Young,
Victor Bicker, A. Brinkerhoff,
John White, Benj. Helme,
T. Anthony, Walter Franklin,*
William Goforth, David Beekman,
Wm. Denning, William Seaton,
Isaac Roosevelt,* Evert Banker,
J. Van Voorhies, Robert Rav,
Jeremiah Platt, Nicholas Bogart,
Comfort Sands, William Laight,
Robert Benson, Samuel Brooine,
Wm. W. Gilbert, John Lamb,
G. W. Ludlow, Daniel Phenix,
Nicholas Roosevelt, A. Van Dam,
Edward Fleming, Daniel Dunscomb,
Law. Embree, John Inlay,
Samuel Jones, Oliver Templeton,
J. De Lancey,* Lewis Pintard,
Frederick Jay, Cornelius P. Low,
W. W. Ludlow, Thos. Buchanan,
Petrus Byvanck.

[The committee met at the exchange at 6 o'clock, P. M. the same day, (May 1), ninety-three mem-

*These were also chosen deputies to attend the provincial congress.

bers attending, when Mr. Isaac Low was unanimously elected chairman, Mr. Henry Rensselaer deputy chairman, and Mr. John Biggs, secretary.

The first resolution adopted by the committee referred to the association.

Mr. Scott moved, seconded by Mr. McDougall, that a sub-committee of four members for each ward be appointed to offer the association, without delay, to the inhabitants of this city and county, and that they take down the names of such of them as shall not sign the association, and report their names to this committee.

"On the question, whether every person should not be waited on, except the lieutenant governor, (Colden), carried in the affirmative by a great majority."

[The deputies from several counties, elected to serve in the provincial congress, assembled at the exchange, in New York, on Monday, May 22d, the day named by the committee, but did not proceed to business until the next day, when the congress was organized.]

On Friday, May 26—Mr. Gilbert Livingston, (seconded by Mr. De Lancey) moved that a committee, consisting of a member from each county, be appointed to draw up and report a proper resolve of this congress, recommending to the different counties in this colony to form themselves into county committees, and also into sub-committees, for their respective townships and districts, and recommending the signing the general association, and also to prepare and report to this congress a draught of a letter to be sent to the committees and other persons in the several counties for the above purposes, with copies of such resolution; which was unanimously agreed to. And,

Ordered, That Mr. De Lancey, of New York, Mr. Silvester, of Albany, colonel Harnesburg, of Ulster, Mr. Gilbert Livingston, of Dutchess, Mr. Allison, of Orange, Mr. John Williams, of Charlotte, Mr. Tredwell, of Suffolk, Mr. Zebulen Williams, of Queen's, Mr. Micheau, of Richmond, major Philip Van Cortlandt, of Westchester, Mr. Vanderbilt, of King's, and Mr. Smith, &c, and are hereby appointed a committee to prepare a draught of such resolve and letter as above mentioned, and report the same with all convenient speed.

Mr. Clarkson (seconded by colonel Ten Broeck) moving that every member of the congress be desired to sign the general association; which was agreed to and approved.

On Monday, May 29. The draught of a resolve reported by the committee appointed for that purpose, recommending the choosing of the committees and sub-committees, and signing the association, being read and amended, was approved, agreed to, and resolved, and is in the following words, to wit:

Resolved, That it be recommended, and it is accordingly hereby recommended, to all the counties in this colony (who have not already done it) to appoint county committees, and also sub-committees, for their respective townships, precincts and districts, without delay, in order to carry into execution the resolutions of the continental and this provincial congress. And that it is also recommended to every inhabitant of this colony who has hitherto neglected to sign the general association to do it with all convenient speed. And, for these purposes, that the committees in the respective counties in which committees have been formed, to tender the said association to every inhabitant within the several districts in each county; and that such persons, in those counties or districts who have not appointed committees, as shall be appointed by the members of this congress representing such counties and districts respectively, do make such tender as aforesaid in such counties and districts respectively; and that the said committees and persons respectively do return the said association, and the names of those who shall neglect or refuse to sign the same, to this congress, by the fifth day of July next, or sooner, if possible.

The draught of a letter to attend the said resolution, and recommending to carry the measures therein mentioned into execution was also read, amended and approved of, and is in the words following, to wit:

New York, May 24, 1775.

GENTLEMEN: You will see by the enclosed resolution of this congress, that it is recommended to such of the counties as have not already formed committees to do it without delay; and such of the inhabitants of this colony as have hitherto neglected to sign the general association to do it, so as to enable you to make a return within the time limited in the resolution.

As the execution of this resolve is committed to your care, we request you to use your best endeavors to see that this recommendation be complied with. It may nevertheless be proper to inform

you that it is the sense of this congress that no coercive steps ought to be used to induce any person to sign the association. The propriety of the measure, the example of the other counties, and the necessity of maintaining a perfect union in every part of this colony, it is presumed, are sufficient reasons to induce the inhabitants of your county to comply with this requisition.

Ordered, That five hundred copies of the said resolve and of the said letter be printed, and that as many copies of the said letter as may be necessary be signed by the president, and delivered, with the copies of the said resolve, to the members of this congress to be by them directed.

In compliance with the order of the provincial congress of the 25th of May the association was signed by the following members:

PETER VAN BRUGH LIVINGSTON, president.
VOLKERT P. DOUG, president.
Walter Livingston, Thomas Tredwell,
Abr'm Yates, John Journey,
Henry Williams, Zebulen Williams,
John Nicolson, Richard Yates,
Christopher Tappen, Samuel Verplanck,
Jacob Hoorbeck, John Morin Scott,
Egbert Du Mond, Ephraim Paine,
Leon'd Lispenard, Peter Silvester,
Anthony Hoffman, John Leffertse,
Nathaniel Tom, Richard Lawrence,
Jonathan Lawrence, Ez. L'Hommedieu,
James Beckman, Joseph Hallct,
John Thomas, jr. John Morton,
Joseph Drake, Isaac Low,
Henry Glen, John Marlatt,
William Marsh, Paul Spooner,
William Allison, Joseph Trench,
Richard Corner, Robert Yates,
Aaron Cortelyou, Peter Clowes,
Alex. McDougall, R. Van Rensselaer,
Gouverneur Morris, Abraham Ten Broeck,
Ph. Van Cortlandt, Richard Montgomery,
Grysbert Schenck, Selah Strong,
Job's Hardenburgh, David Clarkson,
Nich. Covenhoven, Nathaniel Sackett,
William Paulding, Jonathan Landon,
Jeremiah Clark, Richard Thorne,
Thomas Smith, Melancton Smith,
John Coe, Lewis Graham,
John De Lancey, David Dayton,
Christopher P. Yates, Jacob Cuyler,
John Hazeltine, John Williams,
John Hazeltine, John Vanderbilt,
Michael Swart, Isaac Roosevelt,
Dirck Jackson, Samuel Townsend,
James Clinton, Jacob Van Zandt,
Jeremiah Rensen, Jacob Blackwell,
John Foster, Benjamin Kissam,
Zepha. Platt, jr. James Van Cortlandt,
Thomas Wickham, James Holmes,
Joseph Robinson, Dirck Brinckerhoff,
John Haring, Johannes E. Lott,
Abraham Brasher, Benjamin Justin,
Abraham Lent, Isaac Sears,
Gilbert Livingston, Stephen Ward,
David Pye, Jno. Sloss Hobart,
Robert Graham, Jno. Van Cortlandt,
Francis Nicoll, William Williams,
Theo's Polhemus, Paul Micheau.

JOHN PAUL JONES.

We present to our readers to-day two revolutionary documents, which, we are informed, have never been published. The first is a letter written by commodore Jones, dated March 7th, 1777, immediately after the malignant envy of his foes in America had succeeded in procuring his recall from his eastern command. It will be found to breathe the spirit of the times. [Philadelphia Herald.

Philadelphia March 7, 1777.

HONORED SIR: As I was lately entrusted with a very unexpected command of great importance, which in the common course of things, hath drawn upon me the envy of certain individuals. Being unconscious of any misconduct in the line of my duty, I have determined to bear no insinuation that may reflect upon me as a gentleman or an officer; I earnestly desire an opportunity of meeting the bearer or bearers, author or authors, of any aspersions from commodore Hopkins, face to face, in your presence, or in the presence of the marine board.

I mean to make no difficulty, or demur about my present appointment, but will leave you to judge how much room those who lately envied me the command of a fleet, will have to exult when they see me return to the eastward to command a single sloop of war.

I have put the plan, which I showed you, on the regulations and equipment of the navy, with some small additions, into the hands of the president, who says he will meet you at the marine board

sooner than usual, this evening, in order to have some conversation on the subject. I am, with the most perfect esteem and grateful remembrance of past favors, honored sir, your truly obliged, very humble, most obedient servant, J. P. JONES.

The next is a copy of the original letter of credit or commendation, brought by count Pulaski from Rodrigue Hortalz & Co. of Paris, dated May 3, 1777. Our readers will recollect that R. Hortalz & Co. was the house with whom Dr. Franklin negotiated the first loan that the United States procured from any foreign power. France, at that period, had all her sympathies enlisted in the cause of the American arms, not from any particular knowledge of the American character, or from any abstract love of liberty, but from a long-cherished inveterate hatred of England. "To rob the British crown of its brightest jewel," she determined to extend to the colonies all the aid in her power.—The finances of the French government were inadequate to the supply of our wants. By the exertions of Franklin and Deane, Hortalz & Co. were induced to loan Louis XVI, the then reigning monarch of France, the sum of \$3,000,000, for which the crown became responsible. The king, on making the loan, appropriated \$2,000,000 to the use of the colonies, under the orders of the commissioners to that kingdom, and reserved the remaining one million to be disposed of at pleasure. To Beaumarchais was assigned the duty of disbursing this fund. The American commissioners drew for the \$2,000,000—the balances they had no power to touch. On the return of the commissioners from France, a question was raised as to the appropriation of the remaining million, when the commissioners referred to the commissioners of the treasury of the United States to the French government. The subject constituted a chief difficulty in the relations of this country and France, until the embassy of Mr. Gallatin to France, after the close of the late war. The topic then being broached, M. the count de Vergennes declared to Mr. Gallatin that the sum had been disbursed for the use of the American government, and that the vouchers were on record, but gave no explanation of the mode of appropriation. It was supposed that it had been employed as secret service money in England, during the revolutionary war, and the explanation was deemed sufficient. This firm it was who gave to count Pulaski the subjoined letter, which will be read with interest, if only on account of the associations it awakens.

An exact narrative of the count Pulaski. The count Casimir enjoyed the most note in the troubles of that republic. He has sacrificed at the shrine of liberty an income of one hundred thousand livres per annum.

His father was the first author of the confederacy of *Bur*; he took up arms for the same cause that now actuates the Americans, and fell in its defence. Francois Pulaski, the elder, was killed in battle; the younger was made prisoner, and this one took up arms when 19 years old, and has borne them with success and glory from the first day of the confederation, until the three neighboring powers, uniting with a body of six hundred thousand men, encircled all the frontiers. Casimir Pulaski defended several forts, has given many battles, and surprised the fortress of Czenstokara, sustained thirty-two sieges against the flower of the Russian army and a corps of artillery, furnished by the king of Prussia—he found himself included in the affair of surprising and carrying off the king. The only part he had in this affair was the drawing out of Vassorie all the republican troops and giving them battle at ten leagues distance from that capital, while this operation was carrying into execution. But all his family were become very odious to the Russians, and they fell on him in particular all the severe punishment inflicted in consequence of this affair. When, therefore, the confederates were determined to lay down their arms by the line formed by the three powers, count Pulaski left his life in the fortress of Czenstokara, saying to his men they might make what accommodation they pleased; and he, though he had in his possession the whole treasury amassed by that ancient monastery, left Poland with only 100 ducats, and by the assistance of his friends, went over into Turkey, there to continue to wage war against the oppressors of his country? Peace was declared a few days after his arrival there, and this day he might return to Poland if he would disavow it, writing, all the proceedings of the confederacy of *Bur*; but as that would be disavowing the work of his family, and all the enterprises undertaken on his behalf, and as he had no other resource than to redeem his country from slavery, he prefers remaining an exile, and only aspires to make America his new country.

This narrative is contained in Messrs. Franklin and Deane's letters to general Washington, Mr. Hancock, &c. and is but a short and concise relation of the manly and vigorous conduct of M. the count de Pulaski in Poland, so well known and established in all Europe. And this we certify at Paris.

(Signed) RODRIGUE HORTALEZ & CO.
May 30th, 1777.

THE OLDEN TIME.

From the New York Daily Whig.

To amuse those of our readers, who may be curious in such matters, we propose occasionally to serve up a chapter of recollections gathered from the early history and records of New York. The following extracts are from the council minutes of the colony:

March 13, 1664.—Ordered, Indians not to drink strong liquor.

September 30, 1664.—John Decker, banished out of the government for having gone to Albany to stir up the Dutch.

December 22, 1664.—A warrant against Hendrick Thompson (the cow keeper) of Jamaica for having used scandalous and opprobrious speeches both against his majesty's royal person and his good subjects.

February 7, 1663.—A warrant against Adam Bower, for having uttered evil and scandalous speeches.

August 21, 1668.—Release (by the governor) to Ralph Hall and Mary his wife, for a recognizance they entered into at the assizes on a charge of witchcraft.

December 16, 1663.—Prices of grain, winter wheat 4s. and 6d. per bushel.—Summer wheat 4.—Rye 3s. and 6d.—Indian corn 2s. and 6d.

April 1, 1669.—The governor allows a horse race at Hempstead for the better breed of horses, &c.

May 28, 1669.—Rev. Mr. Vabrinsius had displeased the magistrates of Albany, in interfering in a marriage there. He is suspended from his ministerial functions; but the governor pardons him of the rest—allows him to celebrate the restoration of his majesty, provided he keeps within the bounds of moderation.

July 8, 1671.—Order of council on John Booth's complaint of the hard measure of levying upon his goods to pay the minister whom he says had denied to administer the "sacrament of baptism to his children." The minister answers that "for his life he cannot be compelled thereto." The council order a letter to be written to the minister and communication to the inhabitants—that more charity and moderation be used towards his neighbors for the future.

September 26, 1671.—An order of the governor on all the physicians to attend a poor woman that says lame in Pearl street, New York. "She is called the old ferryman's wife of Communipaw."

January 9, 1672.—An order prohibiting handling with the Indians at Schenectady; stating that it may prove a great prejudice to the town of Albany.

March 21, 1672.—The governor orders the town of Hempstead to pay its schoolmaster.

July 6, 1672.—Declaration of war between England and Holland read in council.

September 6, 1672.—Schenectady allowed a town out to try maters to the amount of 100 guilders.

October 14, 1672.—Daniel Suttin discharged on prison at the extraordinary time of his royal highness' birth day, and a new election of mayor is taken.

November 3, 1672.—Proclamation against Richard Latin for uttering malicious and traitorous oros against his royal highness, the duke of York; and also vile and abusive speeches against the governor.

November 19, 1672.—John Cooper bound over for evil words against the government.

November 20, 1672.—Pardon to John Cooper give the Indians "a gill of liquor now and then."

February 16, 1675.—A warrant against Peter Ilet; "who doth pretend, and has reported, to have seen sights or visions in this city and fort, which tends to the disquiet and disturbance of his majesty's subjects in those parts."

May 12, 1676.—A warrant against a woman for being her husband, "being deluded away by one Thomas Case, and that she acts in a dancing quacking manner, with silly and insignificant discourses."

July 26, 1676.—An order against all drunken Indians—"and if any be seen coming drunk out of a house, that house shall be fined, and if the house be unknown, and the Indian be found in the street, the whole street shall be fined." No butcher to be a carrier, shoemaker, or tanner; and no tanner to be either carrier, shoemaker, or butcher.

August 17, 1676.—Resolved, That Albany shall have no more privileges than this place, (New York).

At a court, May 19, 1677, whether attorneys are thought useful to plead in court or not? It's thought not, but to be as Nevis, Jamaica, &c.—Whereupon, Resolved and ordered, That pleading attorneys be no longer allowed to practice in the government, but for the depending causes.

TOURNAMENTS AND CHIVALRY IN THE OLDEN TIMES.

From the Corsair.

"Firm in his stirrups, with collected might He stood; and to direct his spear aright, Against the buckler drove the pointed wood, Which, like a mount of steel, the shock withstood. The foe with mightier force his helmet found. And instant buried him senseless to the ground."

Ariosto.

Three valiant and noble knights of France, Sir Boucicaut, the lord Reignald de Roye, and the lord de Saimp, resolved to hold a solemn tournament at Inglevere, near Calais, in which they undertook to maintain the lists against all comers. This tournament was proclaimed in many countries, particularly in England, where, as the quaint old chronicler observes, "it excited several knights and squires who were fond of adventures and deeds of arms, to confer on the subject."

More than sixty English knights and squires accompanied Sir John Holland, earl of Huntingdon, the king's half brother, to this tournament. Among them were Sir Peter Courtenay, Sir John Drayton, Sir John Walworth, Sir John Russel, Sir Peter Shirborne, Sir William Clifton, Sir Peter Shirborne, Sir William Talbot, Sir Godfrey de Seyton, Sir John Bolton, Sir John Arundel, Sir John Beaumont, and many others. All of these took up their quarters at Calais.

On the arrival of the challengers, they ordered three rich vermilion tents or pavilions to be pitched near the place appointed for the lists, and before each were suspended two shields, for peace or war, (that is, with blunt or sharpened lances), emblazoned with the arms of each challenger. Such were desirous of performing any deeds of arms were to touch one of these shields, when they would be tilted with, agreeably to their request.

On the 21st of May, the three nights were properly armed, and their horses ready saddled, according to the laws of the tournament. The English knights also came from Calais, and being arrived at the spot, drew up on one side. The place of the tournament was smooth and green with grass.

Sir John Holland was the first who sent his squire to touch the war shield of Sir Boucicaut, who instantly issued from his pavilion completely armed. Having mounted his horse and grasped his spear, they took their distance. When the two knights had for a short time eyed each other, they spurred their horses, and met full gallop with such force that Sir Boucicaut pierced the shield of his adversary, and the point of his lance slipped under his arm, but without wounding him. The knights continued their career, without stopping, to the end of the lists. This course was much praised.

In the second course they hit each other slightly, but no harm was done; and their horses refused to complete the third. Sir John Holland who was heated, wished to complete the tilt, and returned to his place, expecting that Boucicaut would again call for his lance; but he did not, and showed plainly that he would not that day tilt any more with Sir John. The English knight, therefore, sent his squire to touch the war shield of the lord de Saimp, who, being ready for the combat, sallied out from his pavilion, and grasped his lance. The two champions couched their lances, but at the outset their horses crossed, yet, notwithstanding this, their horses met at their career, but in consequence of the crossing (which was much blamed) Sir John was unhelm'd.

He returned to his people, who soon rehelm'd him; and having resumed their lances, they met full gallop, and hit each other with such force in the middle of their shields that they would have been unhorsed had they not kept tight seats. They returned to their places, and took breath. They returned, John Holland, who had a great desire to distinguish himself at this tournament, had his helmet braced, and grasped his spear again. The lord de Saimp, seeing him advance did not decline the encounter, but spurring his horse to full gallop, they met in the midst of the lists, their spurs striking each on the other's helmet, from which the spears were made to fly. At this course the lord de Saimp lost his helmet. Sir John Holland wished to break another lance in honor of his lady, but it was refused him because he had already run his six courses. He therefore quitted the lists to make way for others, his courage and dexterity having gained him praise from all sides.

After several other courses had been run, Sir Peter Courtenay sent a squire to touch the three shields of war. This caused a great deal of surprise, but the knight declared that he wished to break twolances with each of the champions. Sir Reignald de Roye first offered himself, but from the restiveness of their horses, they both failed in the attempt. On the second course they met full gallop, and Sir Reignald de Roye, having unhelm'd his adversary, returned gently towards his pavilion, his two courses being completed.

Sir Peter Courtenay and the lord de Saimp now ran together, and their lances were broken in the first shock. In the next encounter the lord Saimp hit Sir Peter hard, whose horse swerved a little; but Sir Peter struck off the Frenchman's helmet, and rode on to his post. Sir Boucicaut now came to complete the two remaining courses; and in the first the two knights met with such fire and impetuosity that both challengers fell back on their haunches, but no other result followed. At the second course they were both unhelm'd. Sir Peter Courtenay was then told he had done enough that day, and he retired from the lists.

Sir Peter Shirborne, a young knight of good courage, sent his squire to touch the war shield of Sir Boucicaut. The knight was ready to answer him, for he was armed and on horseback, leaning his spear, and eager for an adventure. In the first course their horses swerved, but in the next career their lances took good effect upon the visor of each. The lances of the French knight shivered, but that of the Englishman bore off the helmet of Sir Boucicaut, and the champion was obliged to retire to his pavilion. Then advanced the lord de Saimp against Sir Peter Shirborne, and well did these valiant gentlemen maintain their reputations. The first course was attended without loss to either knight, but in the second their lances stuck against their shields, and broke in three pieces; but the blow of lord de Saimp was so fierce that the English knight lost his seat, and fell to the ground. He was then led from the lists by his attendants.

The sports now concluded for that day, and the English set off at full gallop for Calais, where they remained all night enjoying themselves. The French retired to Inglevere.

The next morning, after mass and drinking a cup, the English again left Calais, and repaired to the lists, where they found the French knights awaiting them, as was most right and proper. After supper, the English again set out, and Sir Godfrey de Seyton opposed himself to Sir Reignald de Roye. They met full gallop, and though their spears were too tough to break, they remained fastened in their shields whilst their horses with difficulty recovered from the shock of the encounter. In the next course Sir Reignald received a severe blow on the helmet, but he repaid the thrust well, for that time he was accounted one of the best knights in France, and was smitten with love for a young lady that made all his affairs prosper. "He now struck so violent a blow against the shield of Sir Godfrey that it was pierced through as well as his left arm. The spear broke as it entered, the rest falling to the ground, and the steelhead sticking in the shield and in the arm. Sir Reignald was much praised both by French and English for this tilt.

There was a Bohemian knight attached to the household of the queen of England, who challenged Sir Boucicaut to tilt with him. But the Bohemian conducted himself in so unkindly a manner that he got out of the line of tilting, and then struck his opponent on the helmet. By this impropriety he forfeited his arms and horse, but the Frenchman insisted upon it. After a good deal of conversation upon this foul stroke, the French knight pardoned it out of complaisance to the English. The Bohemian then begged to be permitted to run one course with Sir Reignald de Roye, who granted his request. Both knights spurred their horses and struck each other's shields at the same moment; but Sir Reignald thrust with such force and good intent that he made the Bohemian fly out of his saddle, and the spectators leared he was killed. The champion continued his course to his own station, and the English were not sorry to behold the condition of the Bohemian after the discourteous act he had committed.

The tilting continued four days, when their apparel to be no more tilters to encounter the challengers, who had conducted themselves most worthily. The English, therefore, returned with many expressions of admiration and satisfaction, and returned to their own country. The three French knights remained till the thirty days were fully accomplished, and then returned leisurely each to his home. The king of France and all his lords received them most handsomely, and thus ended the famous tilting at Inglevere.

CHRONICLE.

Hon. Richard Fletcher, M. C. from Suffolk district, Mass. has resigned his seat in the 26th congress. The Boston Transcript says it knows not the inducement to this unexpected determination, which is understood to be positive, but the place of one so strong in controversy, and so argumentative in debate, so straight forward and honest in purpose, yet so bland and conciliatory in manner, will not and cannot be easily supplied.

The express mail ceased to run on the 1st instant. Under the new arrangement, the regular mail from N. Orleans is to be conveyed to this city in eight days, and to New York in nine days.

Whole ships. The Journal of Commerce says: "The delegation of gentlemen from New Bedford to wait on the secretary of the treasury, on the subject of the late change of regulations relative to whole ships, have returned having found at Washington all the disposition which could be desired to favor their views. We hope the secretary will, upon reflection, think it right to adjourn the operation of the new order of things until the decision of judge Story is reviewed before the supreme court. The design of congress and that the policy of the country is well understood, that every body was certain that so great a mischief as threatens the whalersmen from the sudden change of policy, should be avoided.

Upwards of 500,000 persons have been conveyed on the Trenton rail road since its completion, and out of that large number it is asserted that only two have been injured, viz: Mr. Steel, who was recently killed, and another who lost the use of his hand by an accident which occurred about twelve months ago. Both of these persons were outside of the cars, smoking cigars, and neither, it is said, would have been hurt, had he occupied his seat in the car.

The public lands ceded to the United States in each of the states and territories amount to more than three hundred millions of acres. If to the quantity unsold lying within the limits of the states, the amount in the territories and regions beyond be added, the aggregate, according to the official statement of the commissioners of the general land office, will exceed nine hundred millions of acres. This, it has been estimated, would furnish every man, woman, and child in the United States with a farm from fifty to seventy-five acres in extent.

Galignani's Paris Messenger announces the publication, by order of the minister of the marine, of a new general chart of the Banks of Newfoundland, formed by captain Lyvaud and the officers of the surveying expedition, rectifying the numerous important errors of former charts.

Distressing casualty. An interesting little boy, two years old, son of Mr. Williams, of the Buffalo theatre, got some part of a flower in his throat, which, before it could be extracted, produced death by suffocation.

Suicide. The Albany Daily Advertiser says: Maria Harris, a daughter of Lou Harris, of the town of Amity, Alleghany county, N. Y., 25th ult. about 17 years of age, put an end to her existence by hanging herself in a room just put up adjoining the house her father lived in. The particulars of the transaction or the cause of so foolish a step, we have not learned.

Travellers. The number of people moving about at this time is wonderfully great. The Massachusetts, from Providence, came in yesterday morning with near six hundred passengers. There were one hundred and eighty in the cabin, and poor creatures, they could not all of them get either birth, settee, or a plank of the floor. The gentlemen bivouacked on the decks, and covered them completely.

Cool summer. An astronomer at Hempstead, Long Island, says he has counted, in the month of June, no less than eleven spots on the sun's disc. They are constantly shifting.

Frontier burning. A gang of ten refugees from Canada, without provocation, cowardly burnt a few evenings since, a barn at Barnston, just within the Canada line, bordering on Vermont, and then escaped into that state.

A good business. There is a lady in the west, who makes a good business in conducting slander suits—the Centerville (Indiana) Chronicle of the 3d, says of the circuit court there—

An action of slander was tried, which resulted in a verdict of \$500 against the defendant. The same plaintiff, a young lady, about six months ago, in a similar action, against another individual, recovered a verdict of \$1,000. A few such verdicts as these will effectually bridle the tongue of the slanderer.

Stage accident. At New Bedford on Monday the Taunton stage was upset in a tight corner. Captain Thomas Durberry, of New York, had his shoulder dislocated; Mr. Brooks, of Nantucket, suffered dislocation of an ankle and was otherwise injured, and Mrs. Lydia Macy, wife of Josiah Macy, esq. of Nantucket, was severely bruised. Several other passengers also sustained considerable injury.

Newspaper for the blind. A weekly newspaper for the blind was established at Palermo, in Sicily, on the 15th of March last. The name of the blind man is called "Il Consola otre de Cicchi"—literally, "The Consoler

of the Blind." The letters in which it is printed, are, of course, in relief; and are read by the blind by passing the finger over the line.

The St. Louis Bulletin of the 26th June says—"We perceive that Messrs. Kingsland & Latham are bringing bituminous coal from Peoria. The Missouri and Illinois coal fields in this neighborhood, not answering for the manufacture of the finer parts of machinery, were obliged to bring it from Pittsburgh at a cost of about 50 cents a bushel; coal equally as good can be delivered here from Peoria at 18 cents a bushel. This no doubt, will be the opening of an extensive trade, of mutual benefit to both places. Their establishment alone consumes about 10,000 bushels annually.

Value of the coal trade. The immense value of the coal trade to the city of Philadelphia is shown in the following statement of the comparative number of arrivals at that port during the first six months of 1837, 1838 and 1839.

Table with 3 columns: Year, Foreign, Coastwise, Total. 1837: 207, 1,413, 1,525. 1838: 205, 3,840, 4,045. 1839: 235, 4,534, 4,769.

Showing an increase in the total arrivals of 1839 over those of 1837 of 714 vessels, and an increase over 1837 of 3,144.

It will be observed that for every foreign arrival during the last six months there have been no less than twenty coastwise arrivals, and of the latter perhaps nineteen have been vessels employed in the transportation of anthracite coal from Philadelphia to other ports.—Here is a domestic commerce in a single item which is of itself sufficient to sustain a large city.

Michigan flour. The Detroit Free Press estimates the number of barrels of flour shipped from Detroit this season at 100,000. From Toledo 35,000, making the exports from the eastern side of the Peninsula worth \$1,000,000! The amount sent down the St. Joseph, Kalamazoo and Grand rivers, and conveyed otherwise to Lake Michigan, is estimated at equal to 70,000 barrels, worth \$5,000,000. The Free Press thinks it a safe estimate to say that the surplus of the last year's harvest may be valued at two millions of dollars!

The tolls on the New York canals for April, May and June, amounted to \$616,935. For the same months of 1838, \$14,931. Excess of 1839 over 1838, \$102,004.

The Pensacola Gazette says—"Lieut. Palmer, of the United States topographical engineers, has we understand, been engaged during the week in making an examination of Yellow river, and we are gratified to learn that he deems it practicable to open and improve the navigation of that stream some distance beyond the Alabama line. \$500 was appropriated at the last session of congress for a survey of the Yellow river."

Inspections of tobacco at Petersburg, inspected in the month of June.

Table with 4 columns: Previously, Passed, Previously, Refused. Total: 834 hhds.

The Annapolis, Maryland, Republican mentions a mulberry tree growing on a farm near the Seven river, the body of which measures twenty-two feet in circumference at some distance from the ground, and the diameter of limbs in full proportion. It is in full foliage, and the owner was a few days since offered thirty dollars to allow it to be stripped of its leaves.

Williams, the homicide. All interference made to governor Porter on behalf of this wretched individual have at length proved fruitless. The governor, we understand from information which arrived from Harrisburg on Saturday last, has signed his death warrant. He is to expiate the crime of which he has been convicted on the gallows, on the 5th of next August.

The domestication of the wolf. There is going the round of an article from the learned Frederick Curvier to prove that wolves may be domesticated—that their anatomy is the same as the dog's nearly, &c. Now one fact is better than all speculation. In the early history of this country, on Long Island for example, one of the greatest nuisances, the white settlers encountered on the eastern extremity, was the quantity of wolves the Indians had trained up as dogs. Any one familiar with our Indian tribes generally, particularly those of the Rocky mountains, knows that the Indian dog, is virtually a lineal descendant of the wolf. The same in Kamschatka, Asia, and this is one of the illustrations the lamented Dr. Mitchell was accustomed to give, in proof of the identity of some of the rude paintings on deer skins with Egyptian symbols.

Progress of common schools in Kentucky. The Louisville Journal mentions that the Rev. H. H. Kavanaugh, superintendent of public instruction, in making

the tour of the Green River country, and his visit has been eminently successful in enlisting the active cooperation of that region of the state in favor of the public school system.

The army. The resignations of the following officers have been accepted by the president, to take effect at the dates set opposite their respective names: Lieut. Col. S. Burbank, 5th infantry, June 30, 1839. Capt. John Bradley, 2d infantry, June 30, 1839. First lieut. W. H. Betts, 1st artillery, June 20, 1839. First lieut. J. McAlister, 1st infantry, June 10, 1839.

Naval. The Monitor Atlas says that there are four vessels now lying at the navy yard, Charleston, nearly ready for service, viz: the United States, Columbus, Concord and Marion. The United States is a frigate of the 1st class, and rates 44 guns. She is entirely fitted for service, and lies at the lower end of the yard. The Columbus is still employed as a receiving vessel, and has a large number of recruits attached to her, and a school on board for boys apprenticed to the navy, conducting about 40 pupils. These apprentices receive a good English education, and are instructed in seamen's duty. The plan of naval schools has been in operation about one year.

The Concord is a sloop of war, of the 2d class, and rates 18 guns. She is now ready for service, and is only waiting for orders. The Marion is a new and beautiful sloop of war, of the 3d class, 16 guns, and is also ready for service.—She was launched about three months since.

The old frigate Constellation is in the dry dock, undergoing thorough repairs.

The new rope walk at the navy yard works admirably; the machinery is well managed, and is capable of manufacturing upwards of 800 tons of rope and cordage per annum. This is the only establishment of the kind connected with the navy. It is a fine stone building, with a slat roof, 1,350 feet in length, including the head, where the machinery is placed.—The rope manufactured is of a very superior quality.

The North Carolina is to be masted in the Buttermill channel near New York, as the receiving and school ship for apprentices.

The Hudson is to be laid up in ordinary.

The Fulton steamship is now lying at New York.

The schooner Enterprise, now lying at our navy yard, from a cruise in the Pacific, is ordered to be immediately fitted out.

The United States ships Columbia and John Adams, for Manila and China were at Singapore on the 18th of February.

The French brig of war Oréste, capt. Marc, of 30 guns, from Martinique, arrived in Hampton Roads on Monday afternoon, and went up on Tuesday to the naval anchorage; shortly after which she exchanged salutes with the U. S. frigate Java.

A proposition has been made in New York, to erect a monument to the memory of William Leggett; a correspondent corrects the suggestion, and proposes that an annuity be purchased for his widow, who is left destitute, and women whom he loved much, and whom he was indebted for solace in trouble, for watchful care in sickness, and for delightful companionship in every vicissitude. This is the monument. [Philad. U. S. Gazette.

In Bedford, Trimble county, Kentucky, an encounter took place between two cousins named Smith and Hill, in which Hill was stabbed and killed.

The Lowell, (Mass.) Courier, says a Miss Lydia Brewster, was found yesterday morning, about 8 o'clock, suspended by her stays strings to a clothes hook in her chamber, at No. 11, Boot corporation, in this city. The girl who roomed with her left her in bed at 6 o'clock. She had been well for a short time, and occasionally showed symptoms of delirium.

A mercantile library is about to be established at Richmond—\$2,000 having been already subscribed towards the object.

The notes of the Illinois banks are not received at the land offices, and to avoid the drains for specie they are compelled to limit their business to the smallest compass. The receivers, it is stated, will take only specie or St. Louis bank notes in payment for lands.

Bunker Hill. At a recent dinner given by the late mayor of London, the veteran gen. Wetherell, now in his 84th year, was present and toasted. He returned thanks for the compliment, stated that he had been nearly 30 years in the service of his country, and mentioned a year in the most important part of the battle of Bunker Hill. When the old gentleman dies, the Yankee chronicler ought to say, "Another revolutionary patriot gone."

The Athens (Geo.) Banner announces the death of the hon. A. S. Clayton, formerly a representative in congress from Georgia. He died on the 21st ult.

The Savannah (Geo.) Republican announces the death of gen. John Floyd, a gallant soldier, who died at his residence in Camden county, on the 24th ultimo. He also formerly represented the state of Georgia in congress.

The Army and Navy Chronicle is authorized to say that the minor gen. T. Ap. Catesby Jones who offered his services to Texas, has no foundation who ever he has never entertained the remotest thought leaving the service of his native country to embark in any other.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 21.—VOL. VI.]

BALTIMORE, JULY 20, 1839.

[VOL. LVI.—WHOLE No. 1,451

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE

TO THE SUBSCRIBERS TO THE REGISTER.

In consequence of the greatly increased cost of publishing the "REGISTER" in Washington city, and other reasons not necessary to state here, I determined at the close of the last session of congress to return with my establishment to Baltimore; but before I could complete my arrangements for that purpose the death of my father occurred—which melancholy event increased the difficulties with which I had to contend, and caused the suspension of the "REGISTER" until the present period,—from which it will be published, in this city with its former regularity, and with, I hope, increased evidences of zeal and industry.

In again resuming the publication of this time-honored work, I cannot refrain from expressing my grateful acknowledgments to my numerous friends in various sections of the union for the deep interest they have manifested in my personal affairs, and for the speedy resumption of the publication of the REGISTER; and I know they will learn with pleasure that, if the subscribers to the work (*of which have not for many years been so numerous as at present*) will make some amends for their past neglect and pay their subscriptions with a moderate degree of punctuality, it will soon be placed in its old and prosperous condition, and may continue, for another generation, an "honest chronicle" of the events of the times, to which all may resort in the confident belief that "the truth, and the whole truth" is fairly and fully stated.

Several of the omitted numbers have already been forwarded to the subscribers—the remainder, with the *indices*, will be completed with all possible despatch; and for the future the work will be punctually forwarded on the day of its publication, and so securely packed as to ensure its safe arrival in the most distant sections of the union.

Very respectfully,

WM. OGDEN NILES.

Baltimore, July 20, 1839.

Our editorial brethren with whom we "exchange," will please forward their papers to us at Baltimore, instead of Washington city.

OFFICIAL. Navy department, July 11, 1839. The board for the examination of midshipmen, convened at the naval asylum, Philadelphia, on the 24th ultimo, has closed its proceedings, a report of which was received at the department, and approved on the 8th inst.

The following is a list of the midshipmen in the order in which they passed:

- | | |
|---------------------------|-------------------------|
| 1 John Cassin Henry, | 15 C. Yanalstine, |
| 2 Wm. A. Wayne, | 16 A. G. Clarr, |
| 3 James S. Biddle, | 17 Henry L. Chipman, |
| 4 C. R. P. Rogers, | 18 George W. Duty, |
| 5 Henry Cadwallader, | 19 George Wells, |
| 6 Jas. Withers Read, | 20 John S. Neville, |
| 7 Washington A. Bartlett, | 21 Peter U. Murphy, |
| 8 Robert Barts, | 22 John B. Randolph, |
| 9 Albert Smith Whitier, | 23 Jonathan B. Carter, |
| 10 Richard M. Tiltonson, | 24 William H. Adams, |
| 11 Francis Winslow, | 25 Jonn Smith Paterson, |
| 12 T. M. Mix, | 26 Fras. E. Baker, |
| 13 J. C. Williamson, | 27 Samuel Pearce, |
| 14 Gough W. Grant, | 28 Henry B. Robertson, |
| | 29 B. Romaine Nichols |

OFFICIAL. Navy department, July 19, 1839. The board of naval surgeons recently convened in Philadelphia, terminated its proceedings on the 12th inst.

The following assistant surgeons were examined, and found qualified for promotion, viz:

D. C. McLeod, to retain his original position on the register, next below John A. Lockwood.

Ninian Pinkney, Robert T. Barry and George W. Peete, to retain their present relative position on the register.

The following candidates for admission into the navy, were passed in the order as to relative merit here stated, viz:

- | | |
|---------------------------|----------------------|
| No. 1 John O. C. Barclay, | No. 7 G. C. Willson, |
| 2 J. B. Gould, | 8 J. H. Wright, |
| 3 C. H. Wheelwright, | 9 N. T. H. Moore, |
| 4 R. W. Jeffrey, | 10 Joseph Hopkinson, |
| 5 Thomas M. Potter, | 11 John Thornley, |
| 6 Wm. A. Nelson, | 12 Daniel L. Bryan. |

WEST POINT ACADEMY. In the present sheet, we have published the report of the board of visitors of this institution, which gives a highly favorable account of its condition and advantages.—It is from the pen of Mr. Marx, ex-governor of New York.

The "Army and Navy Chronicle" contains the list of cadets admitted into the institution in June last:—

- Maine*—Rufus Ingalls, Charles E. Jarvis.
New Hampshire—Joseph H. Potter.
Massachusetts—Charles J. Gilliss.
Connecticut—Samuel G. Wolcott, Geo. Deshon.
Vermont—George Stevens, Henry R. Selden.
New York—Norriam Elting, W. K. Van Bokkelen, Wm. F. Disbrow, Nelson G. Williams, Frederic Steele, James Corvell, John J. Peck, Charles Hamilton, Roswell S. Ripley, Elihu Grant, Henry M. Judah.

New Jersey—Samuel G. French, C. W. Vandegrift, Isaac F. Quimby, Robert M. Shotwell.

Pennsylvania—George W. Knox, John H. Greeland, jr. Henry F. Clarke, J. H. Rankin, W. B. Franklin, L. P. Kinsey.

Delaware—John Sutton.

Maryland—Henry B. Schroeder.
Virginia—Preston Johnston, Lewis Neill.

North Carolina—Marquis de Lafayette Caldwell.

South Carolina—B. F. Johnson, Geo. W. Glenn.
Georgia—David Baily.

Kentucky—Wm. G. Kincaid, David P. Wade, Thaddeus D. Jones, Wm. Crittenden, O. H. P. Johnson, Edmonds B. Holloway.

Ohio—Robert Hazlett, Ulysses S. Grant, Wm. F. Raynolds.

Indiana—Joseph J. Reynolds, Jacob Booker.

Alabama—E. W. Martin, Wm. Cunningham.

Arkansas—E. B. Strong.

Michigan—Columbus Angur.
Wisconsin—Edward J. Lloyd.

Iowa—Franklin Gardner.
At large—Oscar King, Andrew J. Lindsay, John M. Taylor.

TREASURY NOTES AND SPECIE CIRCULARS. We see it stated in some New York whig paper, that difficulties in the money market exist in consequence of transactions made by some of the country banks with the federal government as to treasury notes.

On inquiry, we find that no such notes have been issued to a single country bank in the state of New York, except one, and that only to the amount of a few thousand dollars, instead of many millions, as is represented.

Another statement is, that the banks are exposed to a drain for entering land under the new order of government. But we learn that no new order has been issued on that subject since the repeal of the specie circular in 1835; and that any difficulties which now arise in the receipt of bank paper, are such as have always existed if some of it is not at par, or equivalent to specie, where it is deposited or paid out. [*Globe, of the 18th inst.*]

LAND OFFICE MONEY. The notes of the Illinois banks are not received at the land offices; and, to avoid the drains for specie, they are compelled to limit their business to the smallest compass. The receiver, it is stated, will take only specie or St. Louis bank notes in payment for lands.

[*Bicknell's Reporter.*]

An article similar to the above has been circulating some days, and originated, we believe, in Wall street, that mint of panics and misrepresentations. Such poisoned arrows injure the banks more than the public officer against whom they are recklessly aimed. On inquiry in the proper quarter, we find that the statement is entirely incorrect, the notes of the state bank and others in Illinois being received at the different land offices, like all

other notes of specie-paying banks, when they are at par with specie where they are to be paid out or deposited.

No discrimination is made at the treasury in favor or against any particular bank. Every person can see that it would be suicidal and absurd for the receivers to take those notes, or any others, if not equal to specie, as the public creditors have a right to demand payment in specie; and it would be in principle as unjust and partial to receive them, if one or two per cent. below par at any particular place, as it would be to receive them if at a still greater discount. [*Globe.*]

APPOINTMENTS BY THE PRESIDENT. Algernon Sidney Lewis, receiver of public moneys at New Orleans, vice Thos. H. Kennedy, resigned.

Parker Dudley, receiver of public moneys at Palmyra, Missouri, vice Abraham Bird, removed.

Thomas A. S. Doniphan, collector of the customs, Natchez, Mississippi, vice James Stockman, who did not qualify.

FROM FLORIDA. A letter from Garey's Ferry, under date of 3d inst. says:

The Indians have been in large numbers to fort Mellon and fort King, and all report their entire willingness and determination to go within the designated boundaries and there remain. Every means will be tried to secure them the peaceful possession of the allotted territory, and if nothing uncommon takes place, the wise ones say that the great, everlasting Florida war, is at length closed.

The Alexandria Gazette contains the following dated,

St. Augustine, E. F. July 7, 1839.

A schooner arrived here a few days ago from Cape Florida, by which we learn that Sam Jones has been in several times at fort Landeale, and is perfectly willing to comply with the arrangement entered into by general Macomb, with some common Indians at fort King, whom the negro interpreter, Sandy, had dubbed chiefs! Sandy acknowledged in this place that he appointed Tuste-Nuggee, with whom general Macomb had the "treaty," "successor" to Sam Jones! Sam, however, altho' thus unceremoniously deposed by Sandy, has too much sense to quarrel about the medium through which the great war chief of the whites acknowledged himself whipped; provided he obtains all the results of victory.

The New Orleans Bee says, "public meetings have been held in St. Augustine, Tallahassee, Apalachicola, and other places, disapproving of the late negotiation with the Seminoles. A gentleman from Florida, informs us that general discontent prevails among the population, and that the terms of the treaty—if treaty it may be termed—will not be agreed to by the Floridians."

VILLAINOUS DEED. The St. Augustine News, of the 6th, has the following.—The deaths of captain MITCHELL and lieutenant PUGLI, as well as twelve soldiers, we learn, is attributed to poison. Col. DAVENPORT and three surgeons are stated to be under its influence, and for whose recovery fears are entertained. A keg of white lead was discovered in the spring from whence their supplies of water were obtained. As yet the perpetrators of this villainous deed have not been found out.

CANADIAN AFFAIRS. A row occurred at Cobourgh, U. C. at a recent meeting of reformers. It is stated that the populace carried standards inscribed "Durham and reform!" and that, after they were collected together, a band of malcontents and British officers assaulted them with shillelals, and demanded the surrender of the flags. This was refused; and an attempt being made to force them, one of the bearers presented a pistol and attempted twice to fire it. He was seized, horribly mangled, and carried off. The flags were taken, Durham's name torn, and the whole torn into a thousand shreds, and trampled on with contempt.

In the closing part of the day, a new attack was made upon the reformers. One was pursued in his wagon, who fired twice on his pursuers. Neither shot took effect.

One man was seized and rode upon a rail, and others took shelter under heaps of shavings, in cellars, in the woods, &c.

The Lewistown Telegraph gives an account of two burnings near Queenston—one of the barns and outhouses belonging to Dr. Newburn, at Stamford, and the other, the house and barns of Mr. Overhaul, at Short Hills. They were both the work of incendiaries, and both were the property of conspicuous loyalists.

The Kingston Chronicle announces the arrest of Martin Kelly, alias Mills, said to have been concerned in robbing the mail last spring, and in the destruction of the sir Robert Peel.

The British government, it is said, intends to erect a block house on Fighting Island, which commands both channels of the Detroit river.

We learn by the Upper Canada papers, that the customary Orange processions are not to take place this year.

INDIAN WAR. The Peoria Register gives the following items respecting the war which young Hawk is waging against the Sioux:

It seems that they were out in search of the Sioux only, and that coming upon the combined bands near the neutral ground, a tract of land that separates the former and latter tribes, they (the Sioux and Mohawks) held up a red blanket in token of friendship, but which unfortunately carried a different impression to the bosoms of the ferocious Sacs, who instantly rushed upon them, and without resistance, killed and captured men, women and children, to the number of twenty-five or thirty.

And now at their town on the Des Moines, and far in the distance may be heard the fierce shouts and triumphant yells, as, in their ecstasy, they dance around the post where hangs the ghastly scalps of the dead, and where are tied their disconsolate captives.

The following belongs to the same subject: Extract of a letter to the editor, dated Des Moines trading house, June 5, 1839:

Our Indians, (Sacs and Foxes) are all at war at present. A party came in a few days since, bearing scalps and eleven prisoners! They are so elated with their success, that they have all turned out, men, young and old, boys, dogs, and all.

NEWSPAPERS, &c. PUBLISHED IN THE UNITED STATES. The following information is from returns made to the post office department, and has been politely handed to us for publication. [*Globe.* Newspapers, magazines, and periodicals, published in the United States, 1st July, 1839.]

Maine	41
New Hampshire	26
Vermont	31
Massachusetts, (at Boston 65)	124
Rhode Island	14
Connecticut	31
New York, (at New York city 71)	274
New Jersey	39
Maryland, (at Baltimore, 20)	48
Pennsylvania, (at Philadelphia, 71)	253
Delaware	6
District Columbia, (at Washington 11)	13
Virginia, (at Richmond, 10)	52
North Carolina	30
South Carolina	20
Georgia	33
Florida Territory	9
Alabama	34
Mississippi	36
Louisiana, (at New Orleans, 10)	26
Arkansas	4
Tennessee	30
Kentucky	31
Ohio, (at Cincinnati, 27)	164
Michigan	3
Wisconsin Territory	5
Iowa Territory	3
Indiana	69
Illinois	33
Missouri	25
	1,555

Of the above 116 are published daily, 14 tri-weekly, 30 semi-weekly, and 991 once a week. The remainder are issued semi-monthly, monthly and quarterly, principally magazines and reviews. Many of the daily papers also issue tri-weekly, semi-weekly, and weekly. Thirty-eight are in the German language, four in the French, and one in the Spanish. Several of the New Orleans papers are printed in French and English.

CANAL ACROSS THE ISTHMUS OF PANAMA. The Republic of New Granada has granted to a company the privilege of making a canal, rail road, or Macadamised road over this isthmus. In 1836, this privilege was accorded to col. Charles Biddle. The conditions of the privilege not having been fulfilled, it has been granted to a company associated with the

house of Salomon and Co. of Guadalope. The agent of this company is now in Europe, with the view of raising the means, and making the preparations for this enterprise.

The conditions of the contract are concisely these:

1. The intermarine communication must terminate at one end, in the town of Panama. It may be a canal, a rail road, or Macadamised road.
2. If a canal be made, the duties of transportation to accrue to the government, shall be one per cent. on the navigation of the river Chagres, in canoes, shall not be interrupted.
3. Vessels under the New Granada flag, shall pay ten per cent. less toll than those of other nations; that is ten per cent. of the toll.
4. This privilege shall continue fifty years, from the completion of the work, for which six years are allowed.
5. The company shall begin their operations in three years from the date of the contract. Failing to comply with this condition, they shall pay \$25,000 penalty to the state.
6. At the end of the term of this privilege, (fifty years), the canal shall become the property of the Republic.

It may safely be predicted that the funds for making this canal, under the present contract, will never be raised. Contrary to the usual inducement to embark in such enterprises, that of an increasing value in the stock, in the present case, the stock must diminish in value every day, since it must become the property of the state at the end of fifty years. [*Globe.*]

At the last session of congress, Mr. Mercer, from the committee on roads and canals, made a report in the house of representatives, on the subject of an improved communication between the Atlantic and Pacific oceans, at the isthmus of Panama, which closed with the following resolution:

“Resolved, that the president of the United States be requested to consider the expediency of opening or continuing negotiations with the governments of other nations, and particularly with those, the territorial jurisdiction of which comprehends the isthmus of Panama, and to which the United States have accredited ministers or agents, for the purpose of ascertaining the practicability of effecting a communication between the Atlantic and Pacific oceans, by the construction of a ship channel across the isthmus; and of securing forever, by suitable treaty stipulations, the free and equal right of navigating such canal to all nations, on the payment of reasonable tolls.”

This report was taken up by the house, so soon as made, and the resolution above, adopted without a division. So far, therefore, the house of representatives has exhibited a disposition decidedly favorable to the construction of a ship canal at Panama, if such a work shall be found practicable.—Doubtless it will be found “practicable”—for what is not so, to the means and enterprise of the nineteenth century? And doubtless, a canal across the isthmus, and affording a short cut to the commerce of the world, between the two great oceans, is one of the things to be done, within the next twenty years. [*Nat. Int.*]

TRIUMPH OF AMERICAN MECHANICS. It is with great pleasure we extract from the London Morning Journal of June 1st, the following voluntary tribute to the skill of our mechanics. In addition, we are informed that the directors of the Grand Junction company placed on their railway the best of their English locomotives out of fifty-two, to compete with Mr. Norris's. The latter, however, notwithstanding her greatly inferior weight, was victorious.

The English locomotive weighed 15 tons, with 12 inch cylinders, 18 inch stroke, and 5 feet driving wheels. The Philadelphia locomotive weighed only 8 tons, with 10 inch cylinders, 18 inch stroke, and 4 feet driving wheels. The latter in gross was 120 tons. [*U. S. Gazette.*]

American locomotive engines. It will be recollected that a contract had been entered into between the Birmingham and Gloucester railway company, and Mr. Norris, of Philadelphia, U. S. for the supply of locomotives for the Gloucester railway. The contract was conditionally made, on the first engine manufactured by Mr. N. performing certain work agreed upon. As much interest has been felt in this country with reference to the contract, and as some doubts were entertained as to the correctness of the representations made respecting these engines, we have pleasure in giving the following particulars as to the engine sent over to this country by Mr. Norris, and the work it has actually performed on the Grand Junction railway, in conformity with the agreement to which we have alluded.

The engine weighs about eight tons without water or fuel; she is built much lower and smaller than the engines commonly in use here, and has six

wheels, the driving pair being four feet in diameter. The cylinders are ten and a half inches in diameter, and are enclosed in proper cases to prevent radiation—the stroke eighteen inches. The machinery is of the simplest construction, and consists of a much smaller number of parts than we have been accustomed to see. The cylinders are placed on the outside of the framework, which allows the advantage of a straight axle; and the general appearance of the engine more nearly resembles that of the old Rocket engine than any with which we are acquainted. The engine is got up in a most superior style, and finished, even to the most minute particular, in a very beautiful and workmanlike manner, every part having been executed with perfect accuracy, by means of self-acting machinery. As a proof, indeed, of the mathematical correctness of the work, we may mention that the steam-tight joints are formed simply by the bringing into contact of metallic surfaces; the workmanship of which is so true as entirely to supersede the necessity of packing of any kind. The boiler is similar to those used in engines manufactured in this country, but it contains only seventy-eight tubes, instead of from one hundred to one hundred and forty, the number commonly used in those on our railways; and the consumption of fuel, compared with the work performed, is, we understand, very small.

The task undertaken to be performed by the England was, to run from Birmingham to Warrington, fourteen journeys each way, carrying one hundred tons in the gross, and performing the distance, eighty miles, at the rate of twenty miles per hour, which the engine has accomplished considerably within the specified time of four hours; the average time having been about 3 hours 50 minutes, or the actual running time, without stoppages, from 3 h. 9 mins. to 3 h. 19 mins. On one occasion, it is stated that the engine brought into Birmingham the enormous load of 126 tons, drawing it up the inclined planes without any assistance; and on no occasion has it failed to perform the required duty, nor has even the least derangement of any part of the machinery taken place. It should also be mentioned, that the various parts were never put together until its arrival in this country, when they were first fitted at Liverpool, the day previous to making a trip; nor has a tool been applied to the engine since she was first set up. We understand the conditional order to Mr. Norris for ten engines of similar capability, has been confirmed.

THE SPEAKER'S CHAIR. A late number of the Nashville, (Tenn.) Republican Banner, contains the following bill of the cost of the splendid chair of the speaker of the house of representatives and the gorgeous hangings, &c.

Washington, Dec. 1st, 1838.	
The house of representatives of the United States of America, Dr. to Buck & Oliver, upholsterers, 465 Broadway, New York,	
To crimson velvet chair for the speaker,	\$165 00
To 27 yards of silk bullion fringe, with gimp head,	\$24 648 00
To 13 yards of silk and worsted do.	9 117 00
To 4 pair of crimson silk drapery tassels,	35 140 00
To 2 pair of do do large,	45 90 00
To 20 yards of silk cable cord,	2 40 00
To large silk slides,	6 6
To 11 pieces of Indian satin damask,	30 330 00
To 152 yards of crimson Florence silk,	1 05 159 60
To 144 yards of muslin interlinings,	12 17 86
To iron fixtures,	43 00
To shield and ornaments,	129 00
To making curtain over speaker's chair,	40 00
To boxing and packing,	20 00
To freight and cartage,	12 44
To expense and time in the summer to measure,	50 00
Do. do to put curtain up,	50 00
Do. do do of man to assist,	50 00
To 3 yards of silk and worsted fringe,	9 27 00
To 15 yards crimson orris lace,	18 1/2 37 1/2
	2,154 27 1/2
Cr, by cash on account;	1,500 00
Balance due	\$654 27 1/2

Gentlemen: I have examined this bill, as the manufacturer of the fringe, tassels and rope, and find the prices to be the usual upholsterer's charge. Respectfully, [Signed] JOHN JOHNSON, 487 Broadway, New York, Feb. 13, 1839.

I have the best reason to believe that the charges made in the written bill are such as afford to the detractors of the work nothing more than a reasonable profit, and such as are paid by private persons for the same materials and labor.

[Signed] T. L. SMITH.
26 Feb. 1839.

MEXICO. The New Orleans Louisianaian contains the articles of capitulation of the town of uspan to the government forces. One of the conditions is, that gen. Ureia, leader of the insurrectionary movements, shall continue in the entire enjoyment of his employment and his honors, being discharged from all responsibility for his conduct as commander of the troops which were given him by the 28th December, 1833. The signers of the articles are gen. Paredes, on the part of the government, and gen. Ureia, on the part of the town.

MEXICO AND TEXAS.—Letters from Mexico, received at New Orleans, contain intimations which could seem to have no doubt that the invasion of Texas is seriously contemplated by the Mexican government. The following letter, which we copy from the Bee, throws some light upon the movements of Mexico and her designs in regard to Texas:—

Mexico, June 15th, 1839.

Of the political events that have befallen, and the high-handed measures of Santa Ana, you are doubtless fully informed. You, perhaps, do not know, however, that gen. Cortazar has for some time been very ill treated by Santa Ana, and since the capitulation of Tampico, it is manifest that ever since the assassination of the heroic Mejia, both Cortazar and Bustamante have been in close correspondence with Ureia. This and the facility with which Arista (whom Santa Ana hates) possessed himself of Tampico, have created some doubts and misgivings in the mind of his excellency as to the final issue of this ambitious project; in consequence, he has proposed Bravo to be elected president of the "contingent gobierno," and gives out that he intends retiring to his farm for the re-establishment of his health; at the same time, the impressment of soldiers goes on as hotly as ever, and even more actively—and for what purpose?

There are but two assignable reasons, unless they be apprehensive that the French will still give them trouble, that the one is to firmly establish a military despotism, and the other to invade Texas, and the government is exerting all its power to induce England to receive Texas in part payment of its debt. Perhaps it intends making one grand effort to lay the country in ruins, and drive out the inhabitants, in order to accomplish this end. The convocation of a popular national assembly is said to be in contemplation, with the view of forging permanently a constitution and government, according to the wishes of the majority of the nation.

On the 18th June, the minister of war, gen. Toral, transmitted to the Mexican chamber of deputies, through their secretaries, a communication, of which the following is a translated copy:—

A presentation. (Initiativa.)

Most excellent sir: It is three months since his excellency, the president ad interim, took the reins of government, with a firm and energetic hand, and be the result of his measures, vigilance and toil, have been, by the favor of Providence, the exterior and interior peace of the republic, and his excellency, who thinks he has done but little for his country, while any thing remains yet to be done, has therefore fixed his views on the "department of Texas," and, in consideration of which, he cannot lose the opportunity to cause it to enter again into the bosom of the great Mexican family. For this object, conforming to the wish of the nation, which is likewise most fervently his own, he is resolved to prepare another expedition, which shall offer to the Texans peace or war, indulgence or punishment.

The nation knows how many toils and sufferings his excellency, the president ad interim, has undergone, when he led the arms of his country to the confines of Texas, though fortune afterwards cruelly and maliciously denied him her favors. It is not to avenger the chains and contumelies which he suffered, nor to silence the calamities which dared to tarnish his name, nor private interest, nor mean resentments, that animates him; his incitements are more noble; he desires to comply with his arduous duty, and to contribute to cause Mexico to be respected, or her interior order, and even more so for the energy with which she sustains her rights when foreign enemies attempt to impair them.

In consequence of which, and in accordance with the council, his excellency commands me to direct to your excellencies the following presentation, (initiativa).

That the executive be empowered to incur the necessary expenses, until the pacification of the "department of Texas" is fully accomplished, and to dictate all measures which may be considered necessary for the attainment of this end!!

I have the honor to make it known to your excellencies, that you may communicate the same to the august chambers, reproducing to you the assurance of my distinguished consideration and esteem. God and liberty!

JOSE MARIA TORNEL.

Mexico, June 18, 1839.
To their excellencies, the secretaries and deputies.
Copy—MEXICO, June 18th, 1839.
J. VELAZQUEZ DE LEON.

NEWS FROM TEXAS. By the arrival in our port of the steam packet Columbia, we have received our correspondence from Galveston to the 28th of June, inclusive:

The advices from Houston state the crops of cotton and corn had a very fine appearance, and promised to be very abundant. A report was in circulation in that city, that the Indians were committing more ravages on the frontier, and preparations were making to put a stop to them. The intelligence was given us by a respectable gentleman, who came a passenger in the Columbia, but our papers say nothing about it.

The Texans did not appear to pay any attention to, or be disturbed by the report of an invasion by the Mexicans.

The Civilian of Galveston says: We briefly noticed in our last number the arrival of the schooner Viper, from Baltimore, which vessel is one of the six contracted for, for the use of our government, and with which our naval force is to be formed. We do not pretend to any knowledge of the qualities of this or any other class of vessels, but to our eyes she seems finely proportioned, and is certainly well and faithfully put up and furnished.

FROM THE PACIFIC. The editors of the New York Express have intelligence from the Pacific, Valparaiso, and Lima, to the 26th April, and Guayaquil to the 21st May.

Gen. Santa Cruz, with his officers, was at Guayaquil 21st May, where they arrived from Isly, in her Britannic majesty's sloop Samarang, a month before having embarked at Isly under an escort of sixty men, the sloop being pursued by the party of general Boliviana.

Generals Goruano and La Fructa were in possession of Peru, and had called a congress to meet in May, for the election of a president. The Chilean troops were mostly in the neighborhood of Lima, waiting for PAY, and if they do not get till they leave it, they will be as grey as badgers before they get it.

Gen. Santa Cruz has published a small pamphlet concerning his resignation as president of Bolivia, and protector of the Peru Bolivian Confederation.

The U. S. sloop-of-war, Lexington and Falmonth, under command of Callao, and Macho. The U. S. brig Boxer, captain Nicholson, sailed same date from Callao, for Matland. The ship Anguile sailed for Valparaiso on the 27th April.

FLOUR TRADE WITH BRAZIL. Respecting the trade in the duty on flour, imported into Brazil, the National Gazette has the following paragraph:—

On the authority of a commercial house, with known means of correct information concerning our trade with Brazil, we stated on the 5th inst. at the request of one of the firm, that American flour would not be subject to increased duties under the new tariff regulations. We are now informed that this statement was erroneous, and we make another at the suggestion of a correspondent. By the latest advices from Brazil, the duty on flour, under the new regulation to go into effect the 1st July, has been varied from 20 per cent. on a valuation of 120,000 per barrel, to 20 per cent. on a valuation to be fixed weekly, which will probably be 200,000, making the duty 40,000 instead of 24,000; being an increase of duty of 1,600, or nearly one dollar per barrel.

On this we may remark, that the vice consul of Brazil, in this city, has a letter from the consul general, at New York, which contains the following sentence, but no mention is made by the writer of the operation of the Brazilian law upon American flour as above stated. We perceive from the Baltimore papers that Captain Clark of the schooner Emily, late from Pernambuco, states that a duty of twenty per cent. is exacted on American flour, so that, when valued at 200,000, the duty will be 40,000 instead of 24,000 as formerly—which corresponds with the information given above.

THE OHIO. No river in the world rolls for a thousand miles a current so smooth and peaceful. Its tributaries wind through as many valleys in ten different states. The Tennessee, the first in size, having passed a navigable course through three states, for more than one thousand miles, falls into the Ohio river fifty miles above its mouth; the Cumberland—sixty-two miles—being navigable for steamboats to Nashville, and for keel boats three hundred miles further, the Wabash, two hundred miles; Green river two hundred and eighty miles from the mouth of the Ohio river—navigable two hundred miles, and two hundred yards wide at the mouth; the Kentucky, five hundred and four miles, navigable one hundred and fifty miles; Great Miami, four hundred and eighty-two miles—navigable sixty-four miles to the Salines, where annually is made from five to seven hundred bushels of salt; Great Muskingum, nine hundred and fifty miles. These are the principal auxiliaries which give substance and strength to the Ohio. In its course of more than a thousand miles, it washes six states, and with its tributaries, has more than five thousand miles of navigable waters. Its mean width is six hundred yards, with the exception of its lowest fifty miles, the average width of which is one thousand yards. The average rapidity of its current is three miles an hour. It rises fifty or more feet. At low water, its surface at Cincinnati is supposed to be one hundred and thirty feet below the level of Lake Erie, and four hundred and thirty above the tide water of the Atlantic. Such is the Ohio.

THE LOGS. The Piscataqui Herald, gives the following account of the state of affairs on the Aroostook, as given by a portion of the posse from that county, who have returned. This account varies considerably from that received from other sources.

The Herald says—"The men under the charge of major Turner, and captain Williamson, of Parkman, to guard the trespass timber cut on the disputed territory, build roads, &c. have all returned; having taken leave sans ceremonie." The reason they give for leaving is, that their provisions were unsuitable, consisting of pork and hard bread only, and that of the very poorest quality; they say that the boom has been open much of the time since the timber commenced running—that it was suffered to remain open by night without being properly guarded, and that rafts of timber were run through, supposed to have been cut by trespassers—that by some unaccountable cause, much of the timber cut by trespassers, found its way out of the boom and was secured below, along the bank of the river, which timber has since disappeared and gone down the stream. The men further state, that there is not one hundred sticks of timber now in the boom; at the time appointed by the land agent for the sale of the trespass timber, there were a number of persons who appeared for the purpose of purchasing, but neither the land agent, or any other person was present to sell."

MILITIA OF PENNSYLVANIA. From the report of the adjutant general, we learn that the army of Pennsylvania is numbered and divided as follows. Considering that we are a free people, we have a pretty large army—on paper.

1 commander-in-chief.	
16 major generals—34 brigadiers.	
34 brigade inspectors—1 adjutant general.	
3 arsenals.	
136 regular regiments and five irregular battalions of militia, numbering	175,929
Cavalry,	5,005
Artillery and infantry,	11,957
Riflemen,	14,966—31,534
Grand total of militiamen	207,463

[Harrisburg Rep.]

ANTIQUITIES. A few days since, some laborers having occasion to dig in the large mound between this city and Portland, discovered, about three feet under the surface, several graves, about 30 inches in length. Slabs of stone were laid upon the bottom of the graves, two pieces of similar material constituted the sides, and a flag stone the lid or top of a rough sarcophagus. In one of these graves were found near a dozen human skulls, and at least a handful of perfect and beautiful teeth; also, the bones of persons—but these last crumbled into ashes at the touch.

"This is altogether a singular discovery. The gentleman who affords this information is probably the oldest resident in Louisville, and says he well recollects when this mound was covered by a growth of the heaviest poplar. These remains must have been deposited in their narrow cell more than two centuries since. There was a mode of burial among the Choctaws and other tribes, which would

lead us to believe that those are Indian remains, deposited according to that custom. When a warrior died among the Choctaws, instead of being committed to the earth immediately, his frame was suspended in the open air, until the flesh dropped from his bones, and the squaws kept vigil by his remains until "the dust returned to dust." Several skeletons were then deposited in one grave. From the fact that many heads were found in this grave at the mound, we presume they must have been buried there by the dusky maidens of the forest in the olden time, in obedience to the customs of their people." *(Louisville (Ky.) Gazette.*

MR. WEBSTER. The London Morning Herald of June 4th, contains the following letter from the New York correspondent of that paper. It is an eloquent tribute and testimonial to the character of our most distinguished statesman.

New York, May 18, 1839.

A passenger in the steamer this morning is Daniel Webster, a man whose fame may have preceded him to the old world, and justifies me in devoting this letter to a brief sketch of him. He is a member of the senate of the United States. As a jurist and an advocate, he is without a rival in this country. In the higher walks of eloquence, there is no man here who can contest the palm with him. As a constitutional statesman, he is by many considered eminently superior to all his contemporaries.

Mr. Webster is a native of New Hampshire, one of the northern and New England states. He is the son of a farmer. At an early age he displayed superior powers and was sent to a collegiate institution, where he received such an education as is afforded by our seats of learning. On leaving college, he entered on the study of the law, soon became distinguished, and was sent to congress. He subsequently removed to Boston, in Massachusetts, where for many years he devoted himself exclusively to professional pursuits, and attained a distinguished professional reputation. About the year 1820, he again entered congress, as the representative from Boston, and since that time, in the house and senate, has represented his adopted state. Of Mr. Adams' administration he was the most prominent champion and advocate; of gen. Jackson's, from the commencement, he was a uniform opponent. At the presidential contest, he was the candidate of Massachusetts for the chief magistracy of the union.

He visits England as a private citizen. His friends anticipate that he will meet with a favorable reception, and create a strong impression. Of this there is no doubt, if he should have a favorable opportunity of a public display. His appearance is remarkable. He is of a large and firm stature, and with a head that phrenologists will endorse as the seat of a gigantic intellect. His hair and complexion are dark, and his large deep seated black eyes full of expression. In his impassioned moments he reaches an elevation of eloquence far surpassing any thing that I have ever witnessed among his fellow senators and statesmen. His usual manner is calm, collected and dignified. His voice is clear and sonorous. He uses but little gesture, and that of no remarkable grace. His characteristics are vigor, energy, clearness of arrangement, boldness, and directness of logic, with singular simplicity of diction and power of argument.

Mr. Webster is an opponent of the present federal administration—one of its distinguished opponents. His fame is pre-eminence as a constitutional jurist. His arguments before the supreme court of the union are models of style, and text books of instruction. Before a jury he is without a peer. Even his political enemies admit that in this arena he is a giant. His legal knowledge is extensive. At some periods of his life he has been a laborious student, and of the common and statute law of England he is a perfect master. His literary information is far superior to that of most of our public men—but it is chiefly in the literature of England that he is critically versed. He has studied Shakespear more assiduously than Homer—Dante more faithfully than Demosthenes. In the political history of Great Britain he is thoroughly educated, and I imagine that but few of your own statesmen are more familiar than he with the great questions that have agitated your country since the commencement of the present century.

In the character of his mind he approaches more nearly to lord Brougham than to any other of your living public men. In general erudition he is his lordship's inferior, in legal acquisition his equal. As a terse and accurate writer of the English language, he will compare not unfavorably with lord Brougham; and as an orator, speaking with my country's partiality, I should place him somewhat in a higher position. In natural powers of mind he is the rival of any man living, and I know not where to look in

the catalogue of illustrious dead, of any age or nation, for his superior.

The description which I have here given, you will consider tinged with national partialities, and will hardly know to what credit it is fairly entitled. I do not give it to you as my opinion merely. As far as it touches Mr. Webster's intellectual character, I may safely say that it is the opinion of the nation. America never sent to Europe a man of whose endowments she is so proud. No man ever left our shores bearing with him such universal reputation in his own country; a reputation which few deny, because there is no one to rival or share in it. As a man, as an orator, as a politician, as a statesman, Mr. Webster is not so popular as Mr. Clay. He has not so many of the qualities which attract and fix merely popular admiration. But his intellect is of a higher order.—His reputation as a constitutional jurist rests on a more permanent basis.

Mr. Webster will remain a few months in England, returning, probably, to resume his duties in the senate early in December. A nation commends to the kind regards of her parent nation one of her most distinguished children, and would bespeak for him those courtesies which genius and intellect should always command, and which, we feel assured, that Englishmen will not be backward to bestow.

GEN. SCOTT. This gallant soldier arrived at Chicago on the 6th inst. in the steambot Illinois. He came from the Chicago American, that he is bound for Fort Winnebago, with a view to quell the hostile spirit manifested by the Indians.

WOOL. We have noticed with regret a week or two past, indications of a decline of prices in this article,—we said with regret, for we are desirous that the farmer who toils in the cold of the winter and in the heat of summer, should reap a rich reward for their industry. The alleged reasons for this decline are said to grow out of circumstances connected with manufacturing. The wool manufacturers last year say they have lost money in the business or have failed to make any profit, and in many instances they have barely paid the expenses of their establishments, and several are changing their machinery from the manufacture of wools to the manufacture of cotton goods. These statements tend to depress the prices, and they will do it if they are honestly made. But let the farmer note the other circumstance, the country is full of agents for the purchase of wool. This looks favorable. In several of the best wool growing towns in New Hampshire, there exists considerable competition among the agents of the manufacturers, to secure the refusal of the best lots, but the owners are not anxious to sell at the prices offered, which range from 50 to 55 cts. for the best full blood, and occasionally for an extraordinary lot, a little higher. An intelligent wool dealer at Lebanon—one of the first wool growing towns in New England—a few days since informed us that there existed a general disposition among the farmers in L. to hold on to their wool at present, yet there were some among them who sold as low as 50 cents per pound. An extraordinary good lot, we were told was sold at Boscawen at 60 cents. Our farmer friends may judge from these facts of their prospects at present of disposing of their wool. There will doubtless be changes in prices during the two or three following months. The manner in which lots of wool have been cleansed and done up, will regulate to some extent its value. Buyers look to this as of more importance than they formerly have done.

[*St. Johnsbury, Vt. Caledonian.*]

NEW YORK AND ERIE RAIL ROAD CONVENTION AT ITHACA. A convention of delegates from the several counties interested in the New York and Erie rail road, assembled at Ithaca, July 11, 1839. George W. Pattison, of Livingston, was chosen president, and David M. Wescott, of Orange; G. H. Barstow, of Tioga; John I. Labagh, of New York; Richard Wright, of Cattaraugus; James Robinson, of —; Edward Howell, of Steuben, vice presidents. B. J. Seward, of Chataque; J. G. Clinton, of Orange, secretaries.

A letter from governor Seward, was read, expressing a decided opinion in favor of "the immediate accomplishment of the great improvement." A series of resolutions was reported and unanimously adopted, in favor of the immediate construction of the road as a state work, and advising such organization in the several counties, as in no case to submit the support for office, of any candidate, of sentiments doubtful or hostile.

There was some 300 delegates assembled from the counties of New York, Rockland, Dutchess, Orange, Sullivan, Ulster, Delaware, Cheungo, Cortland, Tompkins, Broome, Tioga, Seneca, Cheungo, Yates, Steuben, Alleghany, Livingston,

Oswego, Green, Chautauque, Cattaraugus, Cayuga and Oneida. After completing their proceedings, and ordering them to be published, the convention adjourned on the 12th. [N. Y. American.]

ANECDOTE OF THE REVOLUTION. At the celebration of the 4th at Hartford, the following toast was given:

By the hon. Joseph Trumbull. A delegate in congress from Connecticut, after having signed his name to the Declaration of Independence, said to one of his companions: If we are defeated in our struggle for independence, this day's work will make *bad work* for me. I have held a commission in the rebel army; I have written for the rebel newspapers; I am the son-in-law of a rebel governor; and now I have affixed my name to this rebel declaration. My sins are therefore too great to be pardoned by our royal master, and I must then be hanged.

The other gentleman answered: I believe my case is not so desperate, for I have had no connection with the army; nor can it be proved that heretofore I have written, or done any thing very obnoxious to the molier country.

The immediate and prompt reply was: "Then, sir, you deserve to be hanged."

The memory of col. William Williams, a patriot of '76—who that he might aid in removing the halter from his country's neck, never hesitated to expose his own.

Revolutionary times.—The following toast was given at a celebration of the 4th at Portland:

Time that tried men's souls—A poll tax of eight silver dollars, and a family suffering for bread.

N. B. This was in the year 1780, when large sums were called for to supply the continental army; and to give some idea of the times, it may be well to state, that the best men could get but \$6 per month on farms.

THE BOUNDARY. The following is an extract from a London letter in the Quebec Gazette, dated June 12—

"I think you may take it as certain, that a special convention has either left this country, or will speedily be sent to America, for arranging the basis of a settlement of the disputes with the government of the United States, relative to the boundary question.

"Her majesty's advocate, sir John Dodson, has, for sometime, been engaged in drawing up this convention, which, I am told, is in strict conformity with the instructions sent to the American minister at our court. The other mentioned facts I am not at liberty, at present, to communicate. But I think the knotty point is in a fair way of arrangement.

CEDAR QUARRIES.—"On asking a friend from Oswego the other day, who used this term, what it meant, he informed us that much of the cedar which comes from lake Ontario, is absolutely dug out of the soil. On some of the islands of that lake, which furnish great quantities of that valuable timber, there has not been growing a single tree for many years. Generation has apparently succeeded generation of this timber, had fallen, and been successfully covered with earth, and is now dug out for rail roads, fence posts, &c. in perfectly sound state."

The above is from the Cultivator. Persons who have been on the islands have stated to us similar facts. We believe, however, the quarries are getting exhausted of their most valuable mineral—the red cedar, or that it is so deeply imbedded, that the labor of excavation is not sufficiently rewarded. During this season nearly all the cedar importations have been of the *white* species. We have heard it stated that some of the islands—the Ducks and Pigeons for instance, at the northeastern termination of the lake—there are subterranean passages pervading their whole area. That the roof, or exterior surface seems to be composed of agglomerated earth matted and held together by the roots of trees which rest upon it and have covered it with a thick growth of timber. The vaulted passages, or deep hollows, are filled with cedar logs lying in every variety of position and which no doubt, formerly like the rafters of a house gave support to the superincumbent mass. From the accounts we have had, there are more wonderful labyrinth constructed by nature on lake Ontario, than that of old upon the banks of lake Meris. [*Oswego Pal.*]

A GREAT ALLIGATOR HUNT. A few days since captain Patterson, of Pattersonville, Dutch settlement, in company with three friends, captain Covell and Messrs. Charles Bryan and R. S. Beesley, started out on a regular alligator hunt in the neighborhood of Bayou Chere Amie and Glass Lake. For some time past the alligators in that section

have committed many depredations upon the deer and dogs, "lying in wait," at the narrower and more frequented parts of the byways and nabbing any strange cur or deer which might chance to win across. To thin off those depredators the hunt was got up, and it proved highly successful. The party was out but two days and a half, and in that time they shot no less than six hundred and fifty-seven of the largest kind, not wasting a bit of powder upon any one unless he measured good a feel in length. This we consider the height of sport. Our informant, Mr. Beesley, who was one of the party, gave us a glowing description of the sport. From the manner in which he speaks of it, deer and buffalo hunting is not a circumstance there is but one vulnerable point about an alligator, the eye, and the antics they cut up when some unlucky bullet finds an inlet to the brain, rough that small opening are said to be amusing to the extreme.

The party carried on the work of destruction until they were entirely out of balls. Had their ammunition held out there is no knowing how many of these varnints would have been destroyed. [N. O. Pic.]

IMPORTANT DECISION. We copy from the Boston Advertiser, the following report of a case tried at the U. States circuit court on Saturday: The case of Isaac Grant and others vs. Mark early was an action brought to recover a balance accounts. The plaintiffs are merchants at Trieste, Austria. In December 1836, the plaintiffs' agent this city, Mr. Trueman, advanced to the defendant \$4,565 by a bill drawn on Baring, Brother & Co. In consideration of this, the defendant agreed to ship, and did ship a cargo of sugars, consigned to the plaintiffs for sale. The vessel sailed on the voyage, and at the time of her arrival at Trieste, in the month of 1837, the market for this kind of sugars as exceedingly depressed in consequence of changes in the Austrian tariff of duties and embarrasment of the money market in Europe. The sugars were sold in April 1837, at a price less than half their invoice value.

In consequence of these disastrous sales, the nett proceeds fell short of the advance money. This it was brought for the balance. The parties agreed that if the jury found for the plaintiffs, the amount should be agreed, or be ascertained by an assessor. The jury found for the plaintiffs, and the parties agreed as to the amount, except as to a sine item; and that was whether the defendant could be charged according to the par of exchange the actual rate of exchange between Buson and Trieste at the time of the verdict.

Judge Story said the general doctrine was clear, at wherever a debt is made payable in one country, and it is afterwards sued for in another country, the creditor is entitled to receive the full sum necessary to replace the money in the country where it ought to have been paid, with interest for the delay. In the present case he thought that the advances having been made in Massachusetts, if the bills sent to Trieste did not fully reimburse the amount, the balance was properly due and payable in Massachusetts. Consequently the plaintiffs were entitled only to the balance due at the par of exchange.

THE LOWELL FACTORIES. A correspondent of the Boston Traveller, from Lowell, gave, some time since, the following account of it. If the amount of business strikes the reader with surprise, the ample means for religious and moral instruction will be peculiarly gratifying. The amount of capital invested in the manufactures is \$7,650,000; viz in the locks and canals company, \$600,000; in the Merrimack, \$1,500,000; the Appleton, \$590,000; in the Lowell, 500,000 dollars; in the Suffolk, \$450,000; in the Fremont, \$300,000; in the Lawrence, \$1,200,000; in the Middlesex, \$590,000; in the Boutt cotton mill, 1,000,000. There are 27 mills, exclusive of the mill works, comprising 129,523 spindles, 4,197 looms, employing 5,416 female operatives, and 377 males.

Each week 283,000 pounds, or 732 bales of cotton are wrought into cloth. Eight hundred and forty-nine thousand yards of cloth are manufactured per week, including broadcloths, cassimeres, carpets, rugs, &c. A pound of cotton averages two and two-tenths yards. One hundred pounds of cotton produce eighty-nine pounds of cloth. In addition to the above establishments, there are the annel mill, the Lowell bleachery, the powder mills, the card and whip factory, the planing machine, the reed machine, the grist and saw mills, and in the vicinity the glass works and furnace. The locks and canals machine shop, from the ex-

tent, variety, and beauty of its mechanical operations, presents to the spectator's eye some of the most interesting and wonderful exhibitions of the place.

A highly commendable interest is taken by the overseers and operatives in intellectual and moral improvement. The Mechanics' Institute has a large and fine edifice, containing a spacious reading room, library, mineralogical cabinet, lecture room, &c. and on a liberal scale, admirably arranged and supervised. The lyceum sustains annually a course of able lectures, sparing neither pains nor expense to render them of the highest intellectual order. There are in Lowell thirteen religious societies—three orthodox congregational, two baptist, two methodist, one episcopalian, one unitarian, one free-will baptist, two universalist, and one catholic. Few places of the size have been so highly favored with able and successful Christian ministers and pastors.

ILLINOIS RAIL ROADS. A public meeting was to be held at Peoria, on the 29th ult., on the subject of internal improvements. The Peoria Register of that date, gives the following statements—the first showing the total length of each rail road projected in the state, and the aggregate length of all the rail roads:

	miles.
Central rail road	457 1/2
Southern cross rail road	291
Northern cross rail road	231 1/2
Shelbyville and Paris branch Central rail road	71 1/2
Peoria and Warsaw rail road	116
Alton and Shelbyville rail road	71
Belleville and Lebanon rail road	23 3/4
Bloomington, Mackinaw, Peoria and Pekin rail road	53 3/4

Total length of all the roads in the state, 1,341 3/4.

The following table shows the average cost per mile, the total cost of each and of all the said roads, and the amount expended to the end of last year:

Names of roads.	Cost per mile.	Total.	Am't exp.
Central rail road	\$8,336	\$3,809,145	\$145,765
S. cross and Alton and Shawncetown R. R.	8,200	2,410,800	42,763
Northern cross R. R.	8,400	1,976,335	515,311
Shelbyville and Paris rail road	10,593	757,113	51,203
Peoria and Warsaw rail road	9,351	966,396	75,255
Alton and Shelbyville rail road	8,295	754,845	5,200
Belleville and Lebanon	7,000	164,500	371
Bloomington, Mackinaw, Peoria and Pekin rail road	11,736	630,810	38,022

Total cost of the above roads, \$41,470,444 \$728,125

THE GREAT RAIL ROAD. The Charleston Courier, of the 12th instant, contains a communication from general Hayne, president of the South Carolina rail road company, in which he contradicts the statement, lately current, that the intention of carrying the road beyond Columbia has been abandoned. The following concluding portion of the statement presents a very interesting view of the operations of the company:—

"To sum up, in a few words, the present condition, policy and prospects of the company, we would state that we have purchased, and almost reconstructed, a road 136 miles long; connecting us with all the improvements going on in Georgia, Alabama, and the whole southwest, on which two-thirds of the purchase money (amounting, with the repairs, to near \$2,000,000) had been already paid. We have laid out the road to Columbia, a distance of 128 miles; in the graduation of which great progress has been made, and which is now going on rapidly. We have surveyed, by several routes, the entire line from Charleston to Lexington. We have established a rail road bank, with a capital which now amounts to a million and a half of dollars, and whose profits, for the last six months, have been at the rate of eight per cent. per annum; and we hope so to regulate our measures, hereafter, as to extend our road, step by step, bringing into use successive sections, from time to time; and, while these operations are going on, to be able, from the profits of the road and the bank, to afford reasonable dividends to our stockholders on the whole amount of their investments. To accomplish all this, it is believed that nothing is necessary but the continued cordial and zealous support of the stockholders and the country. I will only add, for general information, that the next instalment of \$5 on each share will not be called for before the 20th of October next. Believing that the information I have thus attempted to afford would be acceptable to the public, I avail myself of the occasion to lay it before them."

REAPING MACHINE. The Frederick Herald states that many persons in that quarter who feel an interest in agricultural improvements, have been out to witness the operation of the new cutting machine, which has been in use the present harvest on the farm of Mr. Slater, near the city—so that they might judge for themselves of its availability in expediting the important work of ingathering the harvest. As the result of this ocular test of its powers, the Herald states that while some are sceptical, as yet, a large majority of those who have seen the machine in operation, concur in opinion that it effects a great saving of labor, and that, at least in plain and even ground, and where the grain is not down, it may be used to great advantage. This paper gives the following short description of this new invention: "The machine, which does not occupy as much space as a common cart, is drawn by two horses, and the double edged knives in the shape of a M M A, in the angles of which the grain is caught, and by the slight vibratory motion against fixed straight prongs, is cut, like as if in the grasp of a pair of shears, is fixed along the exterior of the cart as it were by its wheels. The machine tended by a driver and a single rake, is said to cut 15 [say ten, rather], acres per day, and of course will give busy employment to a number of binders.— While we witnessed its operations, it seemed to perform admirably well, but to labor under some disadvantages which longer experience may correct."

TEAS. The Canton Price Current of the 5th March, publishes the statement of the General Chamber of Commerce, showing the exportation of teas to the United States for the season of 1838 '39, ending Feb. 26th. The following are the totals:

	Peculs.	Chests.
Black teas,	4,379	9,556
Green teas,	32,284	47,650

Total, 36,663 57,206
These teas were shipped on board of thirteen vessels, all of which were bound for New York, with the exception of one, the Commerce, for Philadelphia. This ship had on board 457 peculs of black, and 2,826 peculs of green tea.

THE STEAM FRIGATES. The secretary of the navy has written the annexed letter to Chas. J. Ingersoll, esq. of Philadelphia, in answer to one inquiring of him whether it was true, as reported, that the engines of the steam frigate on the stocks at Philadelphia, were contracted for out of that city; and suggesting the propriety of issuing proposals for competition.

Washington, 29th June, 1839.

DEAR SIR: In reply to your letter, I beg leave to assure you there is no intention on my part to slight the mechanics of Philadelphia, of whose character and skill I am fully aware. It has always been my intention to have the engines of the steam frigate to be built at Philadelphia, constructed there, provided there be any establishment in the city competent to that purpose, and willing to accede to the terms on which these for the frigate will be completed. You may not be aware, however, that a trip hammer, of five or six tons, is indispensable to the proper amalgamation of the large pieces of wrought iron, and the wrought iron wheels, which make part of these engines, and which must be made elsewhere, unless these hammers are provided. I do not know whether any establishment in Philadelphia is furnished with these, as I have not had any direct application from your city.

There is no intention of issuing public invitations for offers, and, according to custom, accepting the lowest. The object is of too great magnitude to risk its success on defective engines, and the course intended to be pursued, is to ascertain, as may be done, the fair price for first rate and complete machinery, and pay that price when the work is satisfactorily performed. I think it will be worth while for some one of your great establishments to set about erecting the necessary machinery for these works, which I understand will take six months, or perhaps more. When the proper period arrives, measures will be taken to engage the engines, and to ascertain the terms on which they can be had in Philadelphia, as well as the capacity of the manufacturers to execute them properly.

I am, dear sir, with great respect and regard, your friend and servant, J. K. PAULDING.

CONVICTION FOR LIBEL. The editor and proprietor of a paper called the *Buffalonian*, published at Buffalo, New York, has been convicted of a libel upon Mr. Stow, a lawyer, and sentenced to imprisonment for four months, and to pay a fine of

§150. Other indictments for similar offences are pending against him.

In pronouncing the sentence of the court, the presiding judge said:

"In the punishment of an editor or proprietor of a paper for a libellous publication, where the attack is wanton and without justification, we aim no blow at the liberty of the press. It does not belong to the genius of our institutions to abridge that liberty. The shield which the constitution interposes for its protection is ample and sufficient; and the press has no restraints upon it but such as the peace and safety of the community demand. Thus free, it is a mighty engine and, when well directed is a blessing. It corrects error, promotes whatever reforms and elevates our nature, inculcates a respect for the laws, and protects every interest dear to a free people.

"But a licentious press is the very opposite. It is an abuse of the freedom secured by the constitution, and is a curse instead of a blessing. It recognises no limits, and is reckless of consequences. It strikes at the innocent as well as the guilty, poisons the public mind, maliciously and wantonly blackens reputation, invades the sanctity of domestic life, ruins the hope of happiness of families, and disturbs the peace of the community, setting the laws and those who administer them at defiance. To which of these objects, whether to a well directed or a licentious press, you have devoted your talents and attention, your own conscience will inform you. Certain it is that you have been convicted of one gross violation of the law. Another indictment remains against you in this court, containing charges similar to those upon which you have just been tried. Our records also exhibit evidences of breaches of the public peace, produced by the inflammatory publication of your paper.

"This court has no feeling to gratify in your punishment. It is always painful to us to inflict pain on any individual. But in this instance, as well as in all others, however unpleasant the duty, it must be faithfully discharged.

"To the tribunals of the country the people look for a just and fearless administration of the laws. Whenever courts and juries shall falter in the execution of the high trusts committed to them we may expect the loss of public virtue, the abuse of liberty, open and shameless attempts to subvert the wholesome order of society, and, in the end, the prostration of our best institutions. It is our intention to avoid any such consequences, as far as a strict discharge of duty on our part can avail.

"We see in you a violator of the peace, the malignant asperser of a respectable and good citizen. We conceive ourselves bound to hold you up as an example to others, and by the sentence we shall pass, to admonish you and others that all similar and future infractions of the law will be visited by this court with a punishment amply sufficient to correct the evil complained of."

DAMES, CURRENCY, &c. Vicksburg bank. Yesterday noon, agreeably to public notice, the stockholders of the Vicksburg bank in this city, assembled in a room of the Merchants' Exchange.

J. W. Perot, esq. was called to the chair, and W. A. Dobbyn, esq. appointed secretary.

Messrs. A. W. Mitchell, and S. E. Carpenter, commissioners appointed to hold you up as an example to others, and by the sentence we shall pass, to admonish you and others that all similar and future infractions of the law will be visited by this court with a punishment amply sufficient to correct the evil complained of."

Great interest was felt as to the result of the labors of the commissioners, and a verbal report which was so luminous and manly, entering into details, may be regarded, on the whole, as favorable. We are not able to give the particulars, but the commissioners mentioned a strong probability that the ultimate loss on the capital stock would not exceed fourteen per cent. They report that the securities seem to be of a good character.

That the road may be considered as a valuable and profitable part of the concern.

That though many irregularities had found their way into the business proceedings of the bank, during the absence, (on England we believe), of Mr. Robbins, the present cashier, yet it is confidently believed, that under his immediate superintendence, which will be beneficial constantly, every act will be in conformity with established bank usage.

That there needed in the institution the services of an efficient financier, as president.

In the course of the report, a belief is expressed that the bank could be immediately reconstituted, with very small pecuniary aid, for a profitable exchange business. We cannot vouch for the exactness of our statement, as it was gathered somewhat desultorily, but it is mainly correct. *[U. S. Gazette.]*

Philadelphia money market. The United States Gazette of Monday has the following paragraph:

Money and stocks. There is a depression in stocks evident in the prices obtained on Saturday, a depression of course consequent on the scarcity of money. Business has for some weeks past been dull, very dull, though not unusually dull for the season; a natural consequence of this is a want of activity in the money channels, it does not pass from hand to hand paying debts, and leaving a profit—but this cause, so far as it is operative, must soon cease. Again the dividends on bank and insurance stock declared early this month, had not on Saturday been paid; these became due about this week, and will go towards easing the difficulties. While we see that there is straits in the money market, we do not see it so generally operative, nor so unconquerable as others do. With the renewal of business now at hand, we may look for an important amelioration. That abundance of money which once distinguished our business warts will not, perhaps, very soon return.

The North American of Monday says—
The week has closed with a greater depression in the stock market than any which has occurred for a long time past in the more firm descriptions of stocks. U. S. bank which is much wanted for remittance is very firm and has advanced from 1-24 to 1 cent. Vicksburg is about the same, but in all other kinds there has been a decided decline.

The best commercial paper is going freely at 1-14 per cent. a month, and very excellent paper is done at 1-12. A large amount of that afloat is negotiated for the account of New York houses, who are constantly pressing large amounts upon the market. Our banks have contracted their issues to almost their specie basis. The news by the Sidons is only a day later, and that they are to reappear, and the reform definite was received by law, for although the transactions both in cotton and money of the day preceing her sailing bore a sinister aspect, they cannot be regarded as indicative of any thing positive.

Under date of Saturday, 2 P. M. the New York Express says—

The advance in exchange on England to 110 per cent. and the rate asked by the U. S. States bank, has caused some apprehension. The arrival within a few days of a large amount of British goods, has impressed the public with the idea that the orders for goods are larger than was supposed. Under these circumstances it would not be surprising if specie should be required to be shipped. It should be kept in mind, however, that there is yet about seventy thousand bales of cotton in this market, nearly all of which is to be laid down in Europe. This of itself is worth over four millions of dollars, and as this is but a portion of the crop remaining, there must be a good deal of exchange to be drawn for.

The New York Express of Monday, 2 P. M. says—
The rate of Exchange on London is 110, and on Paris 4.89.

The bank of the United States at Philadelphia, has issued a circular calling in 20 per cent. every 60 days on stock and accommodation loans.

The British Queen is not telegraphed, and there seems to be a very strong belief, without much authority, however, that her day of sailing was put off. All interested in money matters await her arrival with the greatest anxiety.

From the Philadelphia North American of Tuesday.

The stock market has been excessively languid to-day, with the exception of U. S. bank which was very firm at 114. After the 2d board, the following sales of Vicksburg were made—50 at 38 3/4, 200 at 38 1-2 10 days, and 50 at 38 1-4 a 38 1-2, 8 days, closing offered freely at 38.

The money market continues without any alleviation.

We learn that gen. Tilson, one of the commissioners of loans for the state of Illinois, has been in this city endeavoring to negotiate a further sale of bonds on the part of the state; he has been unable to effect any thing from the deranged state of our money market. The high standing of gen. Tilson at home would be a sufficient guarantee to effect a sale, had such a thing been the present practice, in the market.

Domestic exchanges. The rates between New York and other places are thus quoted in the Express of Saturday:

	Bank notes.
New England,	1-2
New York country,	1-2
Philadelphia,	1-4 dis.
Baltimore,	1-2 do.
Richmond,	1-1 1-4 do.
N. Carolina,	2-1 2-3 do.
Savannah,	2-1 2-3 do.
Augusta,	3-4 do.
Charleston,	2-1 2 do.
Apalachicola,	121-2-20 do.
Mobile,	10-12 do.
Orleans,	3-1 2-3 do.
Louisville,	3-3 1-2 do.
Nashville,	7-8 do.
Natchez,	10 to 20 do.
St. Louis,	3-3 1-2 do.
Cincinnati,	2-1 2-3 do.
Detroit,	4-5 do.
New England,	1-2
New York country,	1-2
Pennsylvania,	1-2-3-4
Maryland,	1-2
Virginia,	1-1 1-2
N. Carolina,	3-3 1-4
Georgia,	4-5
S. Carolina,	2-2 1-2
Florida,	15-20
Alabama,	10-12
Louisiana,	2-1 2-3
Mississippi,	5-6
Tennessee,	5-6
Missouri,	10-17
Ohio,	4-1 2-5
Michigan,	no sale
Detroit,	1-2-5
Illinois,	5-6
Illinois,	4-5

The law prohibiting the banks of Ohio from issuing or paying out notes of a less amount than three dollars, took effect on the 4th inst. The same law also pro-

hibits the issuing of notes of a less sum than \$5, after the 1st of October.

The bank of Illinois at Shawneetown has declared a dividend of one cent per cent. for the six months ending on the 30th of June last, and payable on the 1st of July.

Bank of Charleston. We have received a copy in pamphlet form, of the annual report of the president of this flourishing institution. It has paid semi-annual dividends of 10 per cent. on the capital stock ever since it has been in operation, and has surplus or reserve profits of an amount, for the six months ending on the 30th of June last, of \$516,762 33, and its balances, 200 against other city banks amount to \$360,552 48, being \$115,488 81 beyond its circulation; and its resources in foreign and domestic exchange and in open credits in Europe, amount in the aggregate to \$2,423,248 66. The foreign and domestic exchange due and running to maturity, far exceeds its deposits. Entire confidence is expressed that the bank, with its capital extended to four millions of dollars, will be enabled in all time to come, to declare from its profits dividends equal to those of other institutions with smaller capitals. The remaining installment of one million of dollars will be called for on or before the 1st of August, and will amount to \$2,060,111 78. The bank of Missouri has, after retaining a sufficient sum as a contingent fund, declared a dividend of seven per cent. for the last six months upon the stock paid in. This is more than any bank in the union, that we remember of, has ever done.

[St. Louis Republic.]
The New York Commercial Advertiser Standard states that arrangements are in negotiation by a committee from the western country banks, to continue the reception of their notes at the banks in the city of New York, upon the same terms as formerly. The country free banks have a committee now in the city of New York, who also are making arrangements for the reception of their notes.

Stock sales. From a statement of the U. S. States Commercial and Statistical Register, published at Philadelphia, that the aggregate amount of stocks sold at the brokers' board in N. York during the month of June, was \$3,654,460 53; averaging \$147,373 42 per day. In Philadelphia, \$701,476 43; averaging \$28,059 06 per day.

This calculation (says the Journal of Commerce), that the commissions paid to brokers for selling certain stocks, say the Delaware and Hudson, have amounted in the course of a few years, to more than the value of the stock itself.

From the Natchez Courier of the 6th, we learn that the institution is now redeeming its six months notes with specie. These notes will not fall due until after the middle of August, but if any of the holders, are anxious for the specie, they can get it without waiting.

Bank of the Valley. The stockholders of this institution at their meeting on Wednesday last, decided in favor of accepting the provisions of the acts of 1837 and 1838, increasing the banking capital, by a vote of 739 for, to 400 against.

They also, we learn, adopted a resolution instructing the board of directors of the mother bank, to present a memorial to the next legislature, praying a modification of the said acts, some of the provisions of which are onerous to the bank, and inconvenient and injurious to the community.

[Wilmington Republican.] The amount of specie imported into the United States during the year ending 20th September last, was \$17,747,116, viz: gold bullion \$2,200,649; silver bullion, \$392,843; gold coin, \$1,144,149; silver coin, \$5,679,300. The amount of specie imported in the previous year was \$10,506,414. In 1836 \$13,400,751. In 1835 \$12,400,591. In 1834 \$17,911,639. In 1833 \$4,129,673.

In the last five years, (remarks the Journal of Commerce), the aggregate amount of specie imported into this country, is over \$77,000,000, besides what has been brought in by emigrants. Within the same period \$27,000,000 perhaps have been exported. Leaving a balance of \$50,000,000 in favor of the United States, averaging \$10,000,000 per year. And yet if a few cents of specie leave us, we have the fidgets at once!

The Farmers' and Mechanics' bank of Georgetown Washington, D. C. has declared a dividend of one dollar per share, equal to four per cent. for the last six months; and the Potomac Insurance company of Georgetown, a dividend of twenty per cent. on the amount of stock, at the amount of capital paid-in—five tenths of which is carried to the credit of the surplus fund.

The Philadelphia North American of Thursday says:

There is no material change to note in the stock and money market. The former, with the exception of Vicksburg, which was offered at 57 1-2, was a shade better than yesterday. In the latter no change.

DESTRUCTIVE HAIL STORM. The Rochester Democrats state, that more than one thousand acres of wheat, which if they had fully ripened, would have yielded more than 20,000 bushels, were destroyed by a hail storm last Sunday. The storm extended east as far as Wayne county, and after it had passed over, the hail lay upon the ground to the depth of four inches. The meadow land also sustained serious injury.

THE FRENCH FRIGATE NEREIDE. The Pennsylvanian Gazette, of the 6th instant, mentions the sailing, from that port for France, of the frigate Ne-

reide, with admiral Baudin on board; and also the sailing of one of the two French brigs of war, for the same destination. We regret to see by the annexed article, from the same paper, that something unpleasant had occurred between the admiral and commodore Shubrick.

We understand that their departure was hastened by the unpleasant relations existing between admiral Baudin and the commander of the U. S. squadron, growing out of some supposed want of professional courtesy on the part of the former. We give these things as we get them, and do not undertake to vouch for their truth; but it is understood, on shore, that com. Shubrick, on the arrival of the admiral, visited him on board his ship, but was not received with the naval honors which he deemed to be due to his rank—that admiral Baudin afterwards addressed a note to the commodore, in which he deprecated any unpleasant feelings which he supposed might, without explanation, be produced by the course of conduct which he had thought it his duty to pursue. We hear several stories as to the manner in which this communication was received—some of them reasonable enough, and some of them not particularly reasonable. Certain it is, however, that little or none of the courtesy interchanged between our officers and the French when they met here, was observable during the late visit of the French squadron; though, personally, we understand, the two commanders were very civil to each other.

The whole difficulty was, we suppose, grown out of the fact that the usages of nations do not permit a French vice admiral to regard an American post captain as his equal in rank, even though they both have the same command. It is a matter for congress to look to; and, if they deem it of sufficient importance, to regulate. We may think as we please about the matter—we may insist as we please upon the commanders of our fleets being entitled to the same honors that would be due to the admirals of other nations—they will not be paid; it is calling "spirits from the vasty deep." With military and naval men, forms are substance, and names are things. We may be a law unto ourselves, but we cannot make law for others; and it is the part of wisdom to follow where we cannot lead.

On the day on which the French squadron dropped down, a dinner was given by commander McIntosh to the admiral and his officers; and, on the day following, the officers of the yard dined on board the French frigate. The admiral toasted "the president of the United States," and at the same time rose and touched a bell, which caused a salute to be fired of 21 guns. In reply to this compliment, capt. McIntosh drank to the "king of the French," and the sentiment was followed by 21 guns from the yard.

On the 4th, the vessels of the French squadron were dressed in admirable and picturesque style, in honor of the day. At sunrise, at meridian and at sundown, each of the French ships fired a national salute of 26 guns.

Of the nine sick sailors sent from the Neriede to the naval hospital at Pensacola, two have died, and the rest are convalescent.

LATEST FROM VERA CRUZ. The Journal of Commerce says: We are indebted to capt. Kingsbury, of the brig Caspar Hauser, for a file of Vera Cruz papers to the 18th June.

The U. S. frigate Constitution, with Mr. Ellis, our minister on board, arrived from New York on the 16th.

Tuspan has capitulated to the government forces, according to a communication in the Diario del Gobierno. The insurrection appears to be nearly at an end.

The ceremony of conferring upon gen. Santa Ana the decorations of honor voted by congress for having repulsed the French forces which invaded Vera Cruz on the 5th December, took place in the city of Mexico on the 9th of June.

A BLOODY BATTLE—TWO THOUSAND MEN KILLED.

Buenos Ayres papers to May 11th, received by the editors of the New York Journal of Commerce, via Boston, bring the particulars of a bloody battle which took place on the 31st of March, at a place called Pago Largo, between the army of Corrientes, (one of the provinces of the republic of Rio de la Plata), and the troops of Entre Rios, (another of said provinces), which the Corrientians, in connection with the Oriental republic, (of which Monte Video is the capital), were attempting to revolutionize.

It will be recollected that not many months since, gen. Fructuoso Rivera, or Frutos, as he is familiarly called, raised an insurrection in the Oriental republic,

and succeeded in ousting gen. Oribe from the presidential chair, which Rivera of course immediately ascended, adopting such forms of procedure as would best save appearances. Oribe, with a number of his friends, escaped to Buenos Ayres, and awakened in the capital so much interest in his own behalf and in opposition to Rivera, that the latter determined on revenge, and accordingly issued a declaration of war against the United Provinces.

In this he was encouraged by the French authorities at Monte Video, who were in hopes the movement would result in the downfall of Rosas, (governor of Buenos Ayres, and therefore ex-officio conductor of the foreign operations of the United Provinces). This hope was strengthened when, soon after, means were found to gain the co-operation of the province of Corrientes, through the influence of its governor, gen. Astrada. So here were the Oriental republic and the province of Corrientes, encouraged by the French authorities at Monte Video, about to make war upon the United Provinces. And for convenience sake they directed their first operations against the province of Entre Rios. The rest is sufficiently told in the annexed extracts:

Buenos Ayres, May 4. The official details of the battle of Pago Largo, are published in the *Gaceta Mercantil*, in a despatch from gen. Pascual Echague to H. E. the governor of Buenos Ayres, dated head quarters, Curusacatia, 5th ult. It states that the army of Corrientes, in number more than five thousand men, including 450 infantry and artillery, with three 4 pounders, occupied an advantageous position. The right wing of the army of Entre Rios was commanded by gen. Justo Jose Urquiza, the centre by gen. Servando Gomez, and the left under the immediate orders of the commander-in-chief, general Echague. The Entre Rios cavalry charged that of Corrientes with such impetuosity, that the latter was speedily thrown into disorder, and put down in all directions, whilst the infantry of Entre Rios, consisting of 360 men, with two 2 pounders, killed or took prisoners all the infantry of their opponents, and captured the three pieces of cannon above mentioned. The reserve of the Entre Rios army took no part in the action; its assistance not being necessary. The Corrientes left on the field of battle 1,960 men killed, including 84 officers, as also General Beron de Astrada, governor and captain general of the province of Corrientes, and commander-in-chief of its army. 450 prisoners, 500 muskets, 1,500 lances, 360 carbines, nearly equal number of swords, 6 wagons of ammunition, more than 4,000 horses, a standard, the baggage, correspondence, &c. fell into the hands of the victors.

The despatch concludes as follows—

"Our loss in the glorious victory over the rebel army consists of 5 officers killed, 8 wounded, 50 soldiers killed and 96 wounded."

Buenos Ayres, May 11. The legislature of Corrientes has reversed all the enactments made under baron de Astrada's administration, both as regards the alliance with Don Fructuoso Rivera (president of the Banda Oriental republic), and concession to the French; and declared the firm determination of their constituents to stand by their countrymen in the struggle for national independence. It now appears in the most unquestionable manner that, not only the legislature and the people, but even a great portion of the army were opposed to the proceedings of the late governor, and that measures were in progress for removing him from the command, when he precipitated the action which had such a decisive issue. Amongst the officers killed, there were many pledged to promote the contemplated change, and amongst them colonel Rolon. It is stated that the new governor of Corrientes will be colonel Jose Antonio Romero, with Dr. Theodoro Gauna for his minister. Such an election, it appears, would meet the approbation of the other governments of the confederation.

FOREIGN NEWS.

By the packet ship Siddons, capt. Britton, which left Liverpool the 14th of June, we have one day later than by the Liverpool steam ship.

British Parliament.—An immense number of petitions against, and some for, the national plan of education, were presented to the commons on the night of June 12th. The resolution to continue the sugar duties was adopted. The chancellor of the exchequer said at this time in reference to Brazil, which had become little better than a slave mart, it was highly impolitic to encourage the same by taking off the duties. Mr. Thornley thought this objection idle when Great Britain was so dependent on the cotton and tobacco which are the produce of American slaves.

Spain.—Gen. Agerbe's despatch of May 23d, gives an account of the defeat of the Carlists at Utrillos. The government had published an order enforcing the strictest order at the coming elections. The Carlists near St. Sebastian are deserting in great numbers.

Important from Turkey.—The war between Turkey and Egypt is on the point of commencing. The Turkish army, 60,000 strong, have crossed the Euphrates at Bir.

The greatest consternation prevails in Egypt. The troops of the dey have passed on through Alexandria by forced marches, to join Ibrahim Pacha who with his generals and army are at Aleppo awaiting the approach of the sultan's troops. The news from Alexandria is down to April 28.

France.—The treaty with the porte is published, and in its immunities, &c. secured to French merchants, is precisely the same as the English treaty.

The ministry have met with a check in the chamber of peers. The proposition to create a grand council of the legion of honor met with violent opposition from Soult and Villenain. The ministers have abandoned their intention of publishing a government journal.

London markets, June 13.—Money is more scarce. Five per cent. was the minimum on any stock. Sales to some extent were made in English bank stock, causing a depression of 1 1/2 per cent. The bank, it is thought, will not be able to pay even the present reduced rates of dividend, and will require further alterations. Exchange bills have fallen, being heavy at 29 to 30 prems. Consols, 94, buyers for the account.

Liverpool cotton market, June 13.—The market still preserves a brisk appearance; the trade buying rather freely, at an advance of prices of about 1-8d per lb. since last Friday. The sales yesterday and to-day are about 9,000 bales. The import this week is large, say about 90,000 bales, principally from the United States.

Exportation of iron steamboats.—The Urania, now laying at the N. W. side of Prince's dock, and nearly ready for sea, takes with her to South America, three iron steamboats, or rather the materials for their construction, in large pieces of plate iron, rivetted together, each forming a section or portion of the respective boats for which it was moulded or fashioned, so that the whole may with facility be put together on arriving at their port of destination. The plates are from a quarter of an inch to three-eighths in thickness, and are beautifully rivetted. The engines to propel these vessels (also on board the Urania) are, we learn, from 20 to 39 horse power. The vessels are from the celebrated manufactory of iron vessels of Messrs. Laird, of Woodside. They are destined for Montevideo.

The proceeds of the benefit at Drury-lane theatre, for the benefit of the widow and family of the late Mr. Haynes Bayley, the dramatist, the house having been filled to its full complement, realized about £400. The duchess of Beaufort, the marchioness of Tavistock, lady Nugent, and the hon. Mrs. Norton, were the leading ladies of rank who interested themselves on behalf of Mrs. Bayley.

LATEST FROM CANTON.

By the ship London, capt. Brace, we have Canton papers to the 5th of March. Considerable anxiety was felt by the foreign residents, on account of the unusual severity of the Chinese government, which appears to devote a large share of its attention to the "outside barbarians." An envoy from the emperor was daily expected, who was to look into matters and report.

An order had been issued by the governor, commanding the back doors of the foreign factories to be stopped up, as a security against smuggling. The foreigners "petitioned," but the governor insisted.

The Br. schr. Attaran, with 130 chests of opium on board, and a quantity of specie, was lost near the island of Nampang, China, Feb. 3d. Captain and crew saved, together with about \$3,000 in specie. After they abandoned the vessel she was burnt by the Chinese.

The interference of the government officers for the suppression of the sale and use of opium occasioned some disturbances; but we confess we think they are doing a good work, and hope the Almighty will prosper them. The following letter will convey some idea of the nature of the squabbles alluded to:

Extract of a letter from captain Parry, dated Hong Kong, 2d March, 1839.

"As to reports of Hong Kong annoyances prevalent at Canton, all are not true. The mandarin junks have been of late more numerous than usual, and have prevented our usual customers from coming off so frequently. A few grog-shops that furnished drunken sailors, on Sundays, with sam-

shoo, have been burnt; a very good riddance. This has been the amount of all the great annoyances you have heard of. The mandarin people are civil enough to us. I have heard of five ralls preparing to destroy us, and we have been on our guard against them. I am of opinion they intend no such measures; and we need do nothing harsh, while they are quiet. We had messages from the large mandarin yesterday and to-day, asking us to remove for two or three weeks any where we please. His opinion is, the commissioners will be down in about seven days; and he is anxious for our disappearance from the inner waters. We intend leaving on Monday morning, and looking out for some place in the outer waters. I think about the south end of Lantao. [Signed] E. PARRY.

Extract from a private letter from Macao.
A small row arose here two nights since. Four custom house hoppo-men were engaged in snuffing *patna*, each two balls. They were set upon by a mandarin and ten men—boat inside harbor—one or two of the balls were seized; a confederate ran to the hoppo-house, and thirty coolies took back the man seized and his two balls, and walked off with the small soldier crew; this I have from an old servant of mine, now inside the hoppo-house; can this last?

H. B. M. stoop of war Lame, capt. Blake, having arrived in the Macao roads, the British residents requested that she might not leave until the pending difficulties should be in some way adjusted.—The British superintendent, capt. Elliot, accordingly requested capt. Blake to remain for a few days. In his letter to the committee of merchants, he says:—

"I may observe, however, that my chief object in requesting capt. Blake to remain, was to enable me to report to the authorities above mentioned; in order that such immediate and effectual steps may be taken for the protection of British interests in this quarter, as the emergencies of the case appear to them to demand."

Another letter from captain Elliot, of the same date, is to the following effect:

Canton, 2nd March, 1839.
GENTLEMEN:—I have had the honor to receive your letter of the 26th ult. to the address of the deputy superintendent, and I beg to acquaint you that it is not my intention to hoist the British flag at Canton, in the present posture of circumstances.

I am sensible, gentlemen, of the extreme hazard to which the lives and property of the whole foreign community are exposed by the recurrence of so dismal and exciting an event as that which forms the subject of your letter: And it will be my duty to make an early communication to her majesty's subjects, in explanation of the proceedings I propose to take, for leading the governor to refrain from measures that cannot fail to burden his excellency and his government, with the responsibility of some terrible catastrophe.

I have the honor to be, gentlemen, your obedient humble servant,
CHARLES ELLIOT,
Chief superintendent.

To William Bell, esq. and others, her majesty's subjects, Canton.
Canton, Feb. 19.—We learn, with the deepest regret, that such activity prevailed in the opium market at Bombay, and that the manufacture of the drug is still continued in very large quantities.

We must confess that—though always cautious in discussing this question—in expressing either our hopes or fears on the subject of the legalization of opium, by the Chinese government, or its firm determination to attempt, at whatever sacrifice, to put a final stop to the trade, and as to what would be the probable results of either measure—we must now confess that our apprehensions for the state of the trade, for some time time to come, are now too powerful to be suppressed.

Canton, March 5. The heavy speculations in the drug in Bombay and Calcutta, under the present strict suspension of the trade in China must lead to the most disastrous consequences; and it would be a wise course to suspend the cultivation of the drug in Bengal and Malwa, until the real determination of the Peking government is known; whether it will lose the foreign trade on the moral plea it has often advanced and so often rendered futile by its own corruption.

We understand from native information that H. E. Lin, the imperial envoy may be expected to arrive from the capital of Keenoo about the 3d or 4th of the second moon: 18th instant.

COMMERCE OF THE UNITED STATES.

From the Globe.

According to the custom house returns to the treasury department, recently published, the total value of imports during the year ending Septem-

ber 30th, 1835, was \$113,717,404, being twenty-seven millions less than during the year 1837, and seventy-nine millions less than during the year 1836, the year of the great expansion, that preceded the suspension of specie payments.

The falling off in the exports has not been so great. The total value of exports of every description from the United States, during the last year, was \$108,486,616, being nine millions less than in 1837, and twenty millions less than in 1836. The value of the exports of domestic produce in 1838 was \$96,032,816, in 1837, \$95,564,414, and in 1836, \$106,916,680.

Comparing the years 1838 and 1836, we find that the chief falling off in the imports was in the following articles:

	1836.	1838.
Cotton goods,	\$17,876,987	\$6,399,330
Woolen goods,	12,738,430	6,967,530
Silk goods,	22,862,177	9,812,308
Linen,	8,271,212	3,583,540
Iron and steel,	12,892,643	4,115,504
Sugar,	12,514,718	7,856,825
Teas,	5,342,811	3,497,156
Wines,	4,322,034	2,318,202

This table exhibits in a striking light the effects which expansions and contractions of the currency have on the import trade.

One article, molasses, seems not to have been affected by these changes in the currency. The value of that imported in 1836 was \$4,077,312, and in 1838 \$3,865,285.

In the import of another article, viz: coffee, there was relatively speaking, but a small falling off. The total value in 1836 was \$9,653,053, and in 1838, \$7,640,217.

Salt is the only commodity, or at least the only commodity of any importance, the import of which increased. In 1836 the total value was \$724,527; in 1838 it was \$1,028,418.

In the exports, the chief falling off was in cotton, tobacco and rice. In some articles of export there was an increase, as will be seen by inspecting the following table:

	1836.	1838.
Cotton,	\$71,284,925	\$61,556,811
Tobacco,	10,058,640	7,392,029
Rice,	2,548,750	1,721,819
Flour,	3,752,599	3,693,299
Fish,	967,890	619,093
Furs,	653,662	636,945
Lumber,	2,860,691	3,116,196
Manufactures,	6,107,528	8,397,078

The export of cotton goods of domestic manufacture in 1838, was \$3,758,755, against \$2,891,473 in 1837, and \$2,255,734 in 1836. The chief exports of domestic cottons in 1838, were to the following countries:

China,	\$532,097
British East Indies,	140,762
Dutch East Indies,	132,350
Manilla,	79,531
Peru,	97,713
Chili,	640,831
Argentine Republic,	104,254
Brazil,	536,416
Mexico,	597,330
Cuba,	157,621
Cape de Verd Islands,	66,555
Turkey, Levant, &c.	111,937

The following table exhibits the relative importance of our trade during the year 1838, with the following countries:

	Imports from	Exports to
Great Britain and dependencies,	\$49,051,181	\$58,843,392
France and dependencies,	18,087,149	16,252,413
Spain and dependencies,	15,971,394	7,684,006
Netherlands and dependencies,	2,436,166	3,772,206
China,	4,764,536	1,698,433
Mexico,	3,500,709	2,164,097
Texas,	165,718	2,127,850

With the same countries, (omitting Texas), our trade was as follows in 1836:

	Imports from	Exports to
Great Britain and dependencies,	\$86,022,915	\$64,487,550
France and do.	37,306,235	21,441,200
Spain and do.	19,345,690	8,081,668
Netherlands and do.	3,561,513	4,799,157
China,	7,324,516	1,194,264
Mexico,	5,615,819	6,041,625

In 1838, our imports from Great Britain were nearly thirty-seven millions less than in 1836, and from France nineteen millions.

In 1836, the commercial balance, as exhibited by the custom house books, nearly twenty-

two millions in favor of Great Britain. In 1838, the balance is nearly ten millions in favor of the United States.

In 1836 the balance in favor of France was nearly sixteen millions. In 1838 it was less than two millions.

The following exhibits the total value of the imports and exports of the states which were most deeply engaged in the foreign trade during the year 1838:

	Imports into	Exports from
Massachusetts,	\$13,300,295	\$9,104,862
New York,	65,438,206	28,005,471
Pennsylvania,	9,360,731	3,478,151
Maryland,	5,701,869	4,524,575
Virginia,	577,142	3,986,228
South Carolina,	2,318,791	11,042,070
Georgia,	776,668	8,803,839
Alabama	524,548	9,638,244
Louisiana,	9,496,808	31,502,343

In that ever memorable year, 1836, the foreign trade of these states was as follows:

	Imports into	Exports from
Massachusetts,	\$25,661,462	\$10,280,346
New York,	118,253,416	28,920,638
Pennsylvania,	15,068,233	3,971,555
Maryland,	7,131,667	3,675,475
Virginia,	1,106,814	6,192,040
South Carolina,	2,601,361	13,683,376
Georgia,	573,222	10,722,200
Alabama,	651,618	11,184,166
Louisiana,	15,117,649	37,179,829

The various facts here stated abound in instruction to both the merchant and the statesman, but we have no time to make comments.

COMMERCE AND WHEAT TRADE OF BLACK ROCK AND BUFFALO.

From the Buffalo Advertiser and Journal.

We have obtained from the canal collector at Black Rock, the following statement of the arrival of wheat and flour from the lakes, and shipments of the canal, with the tolls paid up to the 1st inst. They present the following:

51 arrivals of vessels from Ohio, 124,610 bushel wheat; 5,446 barrels flour; 12,253 bushels corn.

12 arrivals of vessels from Canada, with 480,000 feet lumber.

All the wheat arriving was on account of the mills at Black Rock, and manufactured into flour. The shipments of flour from the mills, by canal to Albany, up to the 1st of July, were 28,319 bbls. Add to this 5,447 bbls. Ohio flour which arrived in vessels—making a total of 32,766.

Besides a considerable quantity sent to this city for retail, which does not appear on the collector's books.

The amount of tolls collected at Black Rock to 1st July, was \$17,826, being the first season of the toll office, and as yet the flourishing mills being hardly completed, and only in partial operation. The canal tolls at Black Rock equal those of Utica.

From the returns of the Buffalo collector's office we find that 352,726 bushels of wheat have been received from the states west of us, and forwarded to eastern mills, up to the same date, besides 11,410 barrels flour, the last being equal to 636,376 bushels wheat, at 4 1/2 bushels to the barrel, and showing that the whole export of western wheat this season, through Buffalo to Black Rock, up to 1st July, is 1,113,262 bushels; and that less than three-fifths of the whole amount is in the shape of flour, and over two-fifths in the raw material.

From these statements the following facts may be drawn.

Of the 1,113,262 bushels of wheat exported from the states west of us, 636,376 bushels are in the manufactured article; and 476,886 bushels in the raw material for manufacture in this state. Of this last quantity, over one-fourth part, or 124,610 bushels, were received and manufactured at the Black Rock mills adjoining the city of Buffalo, and identified with our own interests and commerce. The other three-fifths, or 352,276 bushels, have passed on to eastern mills for manufacture; but which, legitimately, as we contend, because we can do it cheaper by many cents the barrel, belong to our own mills for manufacture, and as our milling capital increases, it must of necessity engross almost the entire export of wheat from the west; for being fed from Lake Erie, our mills will never lack water, nor be limited in extent.

As nearly three-fourths of the western flour forwarded through Buffalo was received from the Ohio canal, the near which the greatest portion of the wheat of that state is located, we may fairly infer that a large portion of the increase of wheat to be raised in that state, and the states west, where there is

comparatively a limited and scanty water power, will be sent forward in its raw state for manufacture; and we may anticipate that when the canals now nearly completed, which are to stretch from the lakes into the interior of western Ohio, and rail roads through Michigan and Wisconsin, shall penetrate those wheat producing sections, full three-fourths of their future export will be floured at this point for an eastern market, so eligibly will our own mills accommodate its manufacture over those of any other location in the state.

The whole western export of raw wheat through Buffalo, eastward, and to the Black Rock mills, in 1839, was a trifle over 1,000,000 bushels, not one of which was floured at the latter.

Up to the 1st of July, in 1839, almost one-half that quantity has arrived, one-fourth of which is manufactured at Black Rock; and if the present promising condition of the wheat crop is realized not less than 1,500,000 bushels of wheat will arrive at our place and at Black Rock, for an eastern market, and possibly 2,000,000!

In 1845, the period named by the commissioners for the completion of the enlarged Erie canal, and when the great lines of canal and rail road west of us will be completed, we hazard little in asserting that the export of native wheat by Lake Erie, in bulk, will amount to 5,000,000 bushels, every pound of which may be floured almost at our own doors, pay \$100,000 toll to the canal fund, and employ 5,000 industrious population in the manufacture of that article alone.—We need only to will, and its performance is certain.

Who, then, can place a limit to the immense wheat trade in the lake regions in the next ten years, and the value of its manufacture to our city accessible as we are with an unlimited water power sufficient to all vessels and boats, and only requiring the necessary nominal capital to set it in operation.—It must make us the strongest inland point in America.

INTERNATIONAL LAW.

From the *Albany Daily Advertiser*.

During the past winter the rights of the governor of any state to demand for or deliver up to foreign governments fugitives from justice, became a subject of frequent discussion. The opinions elicited in the course of the argument were various and conflicting. By some it was contended that this right must necessarily belong to the chief magistrate of the state from which the felon had fled, or within which he had sought to screen himself in the pursuit of justice. It was argued by others that the general government was the sole organ of communication with foreign powers known to our laws, that government only could make or receive requisitions for fugitives from justice. While a third party insisted that as this was a matter for treaty stipulations, and as there were none in force between this country and Great Britain, this right, as between these two countries, was vested nowhere. Our own belief, heretofore expressed, was that, treaty or no treaty, our existence as a nation implied the existence of this right somewhere; and that from the very nature of our government, it must be vested, not in the executives of the several states, but in the president of the United States. It is well known that a requisition was made, some months since, by sir George Arthur upon the governor of Vermont, for the delivery of an individual who had committed murder within the Canadian provinces, and had thence fled to Vermont. Gov. Jenison having first referred the matter to the general government, and received for answer that, in the absence of any positive regulations, either by treaty or act of congress in this particular subject, the president declined interfering, acceded to the demand of sir George Arthur, and issued a warrant for the delivery of the fugitive to the Canadian authorities. At this stage of the business, however, a writ of habeas corpus arrested further proceedings until the authority of the executive to deliver up a fugitive to a foreign government could be settled in a court of law. The final issue of this matter is not yet known. An application has since been made to gov. Seward for a requisition upon sir George Arthur for the delivery of Hugh Tracy, who committed a robbery in the city of Buffalo in May last, and immediately thereafter fled to Toronto with the stolen property in his possession. To this application gov. Seward returned an answer, a copy of which (as the subject is one of general interest) we have solicited and now submit to our readers.

—*Albany, May 20th, 1839.*

HENRY W. ROGERS, esq. *district attorney of Erie county, Buffalo.*

DEAR SIR: I have received your communication of the 16th instant, requesting me to make a

requisition upon his excellency sir George Arthur, lieutenant-governor of the province of Upper Canada, for the delivery of Hugh Tracy, to the end that he may be brought to this state to be tried for a felony committed within this state.

The law of nations recognises the mutual rights of states to demand the surrender of fugitives from justice. The regulation of these, however, is a proper subject for treaties, and the refusal of a state to comply with such a requisition, in a reasonable case is just cause for war. The right to demand and the obligation to surrender are reciprocal. I am satisfied that the authority necessary to the exercise of this right, rests with the general government, and not with the governments of the states. The constitution devolves upon the general government the care of foreign relations. That government has the sole power to make treaties with foreign states, and the right to declare war and establish peace. It thus possesses the power to establish regulations for the exercise of this important right, and to enforce compliance with its requisitions when unreasonably refused by other states, while the state governments have no power to establish general regulations and no means to enforce their requisitions.

Application was made to me in a case similar to that now presented, for a requisition upon the lieutenant-governor of Upper Canada, for the delivery of a person charged with a felony committed in this state. I considered it my duty to refer the applicant to the general government. The answer of the secretary of state was in substance, that inasmuch as congress had not passed any law on the subject, and there was no provision by treaty in relation to it, the general government had declined to act upon such applications. The view of the subject taken by the general government, has served only to convince me that the ground I had assumed was correct. If the right could be exercised by the general government, provided its exercise should be regulated by law of congress or by treaty, the jurisdiction belongs to that government and not to those of the state; and if the general government possess a law of congress or a treaty, the provisions of a law of congress or the intervention of a treaty, the state governments, even if admitted to divide the responsibility with the general government, could not exercise the power without a similar law or the intervention of a treaty.

I can imagine no circumstance which would more seriously embarrass the general government in its conduct of the foreign relations of the country, and more certainly tend to bring the public peace into jeopardy, than the discordant action of the several states in the exercise of this power. I have observed that the governor of Vermont has taken a different view of the subject from that here presented; and that having issued his warrant for the delivery of a fugitive, upon the requisition of the governor of Upper Canada, a writ of habeas corpus has been issued by a judge of that state, and that the constitutional power of the executive is now undergoing discussion there. Unwilling in any instance to assume doubtful powers, and especially in cases so important to the security of our citizens and to the harmony of our foreign relations, I have concluded that it is inexpedient to deliver citizens of this state upon the demand of the government of foreign states, until the constitutional power of the executive department of the state government is more clearly defined and established. Having arrived at this conclusion, it follows that I cannot demand from other states the surrender of fugitives from this state.

While the view I have presented assumes that the constitutional power and responsibility relating to this subject rest with the general government, I apprehend from a passage in your communication that you are in error, in supposing that there is any provision by a statute of this state authorising the governor to make requisitions upon the governments of foreign countries for the delivery of persons who have committed crimes in this state.

I am fully sensible of the inconvenience resulting from the want of suitable regulations for the exercise of this important national power, and I shall deem it my duty in a respectful manner, to bring the subject to the consideration of the president of the United States. I am, very respectfully, your obedient servant,

WILLIAM H. SEWARD.

THE COLONIZATION CAUSE.

From the *Norfolk Beacon*.

The progress of the settlement of Africa is one of the most interesting experiments of civilization that is now carrying out in this age of daring enterprise and boundless philanthropy. That it will succeed ultimately would seem almost certain. Events are

on the wing that will insure to the colonies an accession of free people of color, and it is the dictate of prudence as well as humanity to prepare the means for their settlement. Every ship-load of emigrants is a spoke in the general wheel, and establishes on stronger foundations the infant colonies. We have spoken of humanity and benevolence as impelling our citizens in contributing to the relief and removal of the free blacks, but we might use other and more practical arguments. To pass over many that will suggest themselves in a slaveholding country, we would state our belief that in less than twenty years the trade with the new African settlements will be one of considerable extent and great profit.

We copy the following from the Philadelphia North American:

LIBERIA. The despatches by the *Saluda* are highly gratifying. Governor BUCHANAN, on the day after his arrival, convened the citizens of Monrovia, and presented for their acceptance the new constitution of the commonwealth of Liberia, of which he was the bearer, and which was adopted. The following extracts are taken from the report of his tour:

"The day after my inauguration I started on a visit to the upper settlements, accompanied by the colonial secretary, Mr. Teage, Mr. Brauder, member of council, and two other gentlemen. Though we passed rapidly from place to place, and though notice of our approach had preceded us only a few hours, the people were assembled in the several villages on our arrival, and received us with enthusiastic welcome and firing of cannon, and other demonstrations of public rejoicing. The necessity of returning immediately to Monrovia compelled me in several cases to disappoint the kind intentions of the citizens by foregoing their invitations to public dinners prepared for the occasion. I could only limit my stay to the time required for a short address—reading the constitution and the letter of the board. These documents were well received, and the constitution seemed to give universal satisfaction.

I was very much gratified, in passing up the St. Paul's, to see the extent of improvement since my last visit, three years ago. From New Georgia to Millsburgh, a distance of about 17 miles, the right bank of the river exhibits an almost continuous line of cultivated farms, many of them, too, of considerable size. The opposite shore still wears the rich foliage of the unbroken forest, and presents one of the most beautiful specimens of native scenery; but though ever charmed with the luxuriant drapery of an African forest, I must say there was in this case something in the appearance of the right bank, with its line of neat cottages, the waving fields of rice and corn, and even in the blackened clearings, just preparing for the seed of the husbandman, more charming to my feelings than in all the wild beauties with which nature has so profusely embellished this sunny land.

"We arrived at Millsburgh some time before evening, and after the meeting took a stroll over the settlement and ascended a fine eminence a short distance from the river, whence we had a good view of the village and the surrounding country. Millsburgh is pleasantly situated, and exhibits a highly picturesque appearance from almost any point of view. It has but one street which runs parallel with the river, and is about a mile and a half long. This street is neatly turpiked and bordered the whole distance on both sides with plantain and banana trees, which throw over it an air at once refreshing and ornamental.

"Judging from the neat and thrifty appearance of the houses, and the highly cultivated enclosures, I should say there are none but independent people in this beautiful settlement, and indeed all my inquiries confirmed the first impression. Of course I use the word 'independent' in a moderate sense. There were about 4,000 bushels potatoes raised here last year, besides corn, cassava, rice and various garden vegetables. This year there is, both at Millsburgh and along the whole line of the St. Paul's, at least ten times the quantity of corn planted that has been in any former year.

"New Georgia I found the same thrifty and prosperous place whose appearance so excited my admiration on my first visit, three years since. The village seemed but little changed, but the environs showed the substantial sources of comfort and wealth. I visited the public farm; every thing looked well. About thirty acres of crops were growing, nine of which are sugar-cane, which promise well, and will be ready to harvest by the first of September, at which time also our sugar mill will be ready to run."

On visiting Basa Cove and Edina, the governor remarks: "Since the first of June last, not less than

two hundred acres of lands have been cleared and sowed in the two settlements, and the business of clearing land and planting was still going on with vigor that astonished me."

In speaking of the slave trade which is carried on this season on the western coast of Africa with an activity hardly ever known, he says: "Never was the American flag so extensively used by those pirates upon liberty and humanity as at present. Probably three-fourths of the vessels boarded by English cruisers, and found to be slavers, are protected by American papers and the American flag. Those vessels are generally American built, many of them owned by merchants in the cities of — and —, and the papers are signed by the American consul at —. I will give you a statement of facts in relation to the slave-trade as carried on, on the west coast of Africa, under our national flag, in a few days."

The friends of colonization will be gratified to learn that the Saluda will leave Philadelphia on the 23d inst. for Norfolk, Virginia, and sail from this last port for Liberia on the first of August, with emigrants and stores. As we understand that many of the emigrants are unprovided for, and the stores required for the colony are large, may we not hope that the friends of the cause every where will aid the society by sending forward to Washington, instantly, liberal contributions?

CREEK RESERVATIONS.

From the Washington Globe.

We understand that the war department has been for some time past diligently engaged in the examination of appeals from the decisions of the commissioners appointed by the president to investigate the titles to Creek reservations, and as we are aware the result is anxiously looked for by the parties interested, we publish without delay the decision of the department upon a numerous class of cases. A list of these cases, together with that of such contracts as were considered unobjectionable by the commissioners, will soon be submitted to the president for his approval, as soon as they can be prepared.

The great mass of evidence furnished since the report of the commissioners was presented, has rendered the investigation more tedious, and occasioned greater delay than was expected; but there is reason to believe that the remaining cases, which are now under consideration, will promptly be disposed of. We are happy to learn, likewise, that the conflicting claims under the contract made by Gen. Jessup with Messrs. Watson & Co. are likely to be amicably adjusted, with the approbation of the president; so that all the vexed questions arising from the sale of Creek reservations under the treaty, are on the eve of being finally settled.

REGULATIONS.

Satisfactory explanations having been given, and in the opinion of the department, sufficient evidence having been adduced to cure the defects arising from irregularities in the certificates given to purchasers of Creek reservations, by the agents of the United States, who acted under the authority of the president, viz: gen. Sandford, Dr. McHenry, judge Tarrant, and T. J. Abbott, esq. in the several districts of the Creek territory assigned to them, a list of all such cases embraced by the following descriptive classifications will be made out, in order that it may be submitted to the president for his approval.

1. Cases suspended because the certificates were irregular inasmuch as they did not contain a sufficiently distinct or adequate description of the land, or where as in some instances, such description was omitted altogether.
2. Where the certificate does not state that the money was paid in the presence of the agent.
3. Where the contract is certified to different persons from those mentioned in the bond to the Indian.
4. Where the signer of the bond is represented as a female, and the printed parts of the certificates are not so altered as to designate the sex.
5. Where irregularities have been noted in the contracts sent to the office of Indian affairs, and subsequently corrected without proper explanations being given.
6. Where the bond was taken from the Indian in blank and subsequently filled up.
7. Where there is no date to certificate, and it has been supposed that the contracts were certified after the resignation or removal of the agent.
8. Where there exists in the numbers of township or range—the contract to be compared with, and the error to be corrected by the book of locations.

J. R. POINSETT.

War department, July 19, 1839.

RIVER DISTANCES IN THE WEST.

We repeat from the Wheeling Times, the publication of the following table, showing the distances from each other of the places named, and from them, with the prices of passage. It is proper to observe, that these are the established rates, but that some boats charge less, the prices depending in some degree upon the number of boats in port, and the abundance or scarcity of passengers:

UP THE RIVER.		
	Miles.	Fare.
Wheeling to Wellsburg, Va.	16	\$6 75
St.-ubenville, Ohio,	7	23 1 00
Wellsville,	20	43 1 50
Beaver, Pennsylvania,	26	60 2 50
Pittsburg,	27	96 3 00
DOWN THE RIVER.		
Marietta, Ohio,	82	2 50
Parkersburg, Virginia,	10	92 2 50
Point Pleasant,	78	170 5 00
Gallipolis, Ohio,	3	173 5 00
Guyandotte, Virginia,	37	210 6 00
Portsmouth, Ohio,	50	260 7 00
Maysville, Kentucky,	47	307 8 00
Ripley, Ohio,	12	319 9 00
Cincinnati,	46	355 10 00
Port William, mouth of Ky.	79	431 11 00
Madison, Indiana,	13	447 11 00
Westport, Kentucky,	20	467 12 00
Louisville,	20	487 12 00
Rome, Indiana,	100	587 15 00
Troy,	35	622 15 00
Yellow Banks, Kentucky,	25	647 15 00
Evansville, Ohio,	40	687 18 00
Hudson, Kentucky,	12	699 18 00
Shawmstown, Illinois,	53	732 18 00
Smithland, m. of Cumberland,	63	815 18 00
Mouth of Ohio,	66	851 20 00
New Madrid, Mo.	75	956 22 00
Memphis, Tenn.	150	1,106 25 00
Helena, Arkansas ter.	85	1,191 26 00
Vicksburg, Mississippi,	307	1,498 30 00
Natchez,	110	1,608 30 00
New Orleans, Louisiana,	300	1,908 35 00

The above prices of passages include boarding. The prices of deck passage are about one-fourth of these, the passengers finding themselves. Thus to Louisville the deck passage is \$3, cabin 12; to New Orleans, deck 8, cabin 35. The deck is covered, and contains berths, but it is a very undesirable way of travelling. The passage to Louisville is generally performed in two and half days, and to New Orleans in from eight to ten; returning, nearly double this time. The ordinary speed of the boats is twelve miles an hour down the river, and six up.

DISTANCES ON THE UPPER MISSISSIPPI.

	Miles.
From St. Louis to Missouri river,	18
Alton, Illinois,	6 24
Harburg, do.	15 39
Clarksville, Mo.	60 99
Louisiana, do.	12 111
Severton, do.	23 134
Hannibal, do.	7 141
Marion city, do.	10 151
Quincy, Ill.	10 161
Lagrange, Mo.	12 173
Tully, do.	8 181
Warsaw, Ill. near fort Edward,	20 204
Mouth of Des Moines river, Mo.	2 203
Koouk, Iowa,	1 204
Commerce, Ill. head Des Moines rapids,	18 222
Appanoose, do. opposite fort Madison,	10 232
Burlington, Iowa,	15 267
Yellow Banks, Ill.	15 287
New Boston, Ill. opp. mo. Iowa river,	15 289
Iowa, near mouth of Pine river,	35 317
Rockport, Ill. mouth of Rock river,	10 327
Montevideo, Iowa, opposite Rockport,	4 331
Senapee, do.	4 331
Stevenson, Ill.	5 336
Davenport, Iowa, opposite Stevenson,	1 337
Rock Island, Ill. foot of rapids,	18 355
Canaan, do. head of R. I. rapids,	40 395
New Philadelphia, Iowa,	20 415
Savanna, Ill.	10 425
Smithville, do.	6 431
Bellevue, Iowa	6 437
Fever river, Ill.	5 445
Galena,	30 473
Du Buque, Iowa,	30 505
Cassville, Wis. territory,	8 513
Prarie La Porte,	22 535
Prarie du Chien,	26 580
Falls of St. Anthony, about	265 800

Price of passage the same as on the Ohio river, viz: about \$3 per hundred miles, for long distances, and four to five cents per mile for short ones. Deck passengers about one dollar per hundred miles. The usual speed of the boats are six miles an hour up the stream, and ten down.

TOWNS ON THE ILLINOIS RIVER,
With their distances from Peoria.

UP THE RIVER.		
Detroit,	w. 6 miles	4 houses.
Rome,	w. 12 18	25 " "
Allenstown,	w. 1 19	4 "
Chickadee,	w. 2 21	30 " [Marshall,
Lynch,	c. 12 23	55 c. scat of
Henry,	w. 12 45	5 houses.
Webster,	w. 8 53	5 " [Putnam,
Hennepin,	c. 4 57	pop. 700, c. scat of
Enterprise,	w. 12 69	4 houses.
Peru,	w. 7 71	pop. 900 "
Rockwell,	w. 3 74	16 houses.
Urbana,	w. 5 79	7 " [La Salle,
Ontawa, mo. of Fox R.	11 90	pop. 900, c. scat of
Chicago, by land,	80 170	
DOWN THE RIVER.		
Wesley city,	e. 3 miles	30 houses.
Pekin,	e. 7 10	pop. 400.
Coppers creek,	w. 20 30	" "
Liverpool,	e. 10 40	6 houses.
Havana,	e. 10 50	20 " "
Clods's landing,	w. 13 63	3 "
Mo. of Sangamon,	e. 10 73	" "
Erie,	w. 7 85	5 houses.
Beardstown,	e. 2 87	pop. 600.
Lagrange,	w. 10 97	10 houses.
Meredosia,	e. 10 107	30 "
Nepesin,	e. 6 113	pop. 350
Phillip's ferry,	e. 4 117	" "
Portland,	w. 3 120	3 houses.
Augusta,	w. 3 123	15 " "
Montezuma,	w. 5 123	20 " "
New Bedford,	w. 2 130	6 " "
Bridgeport,	e. } 10 140	{ 10 "
Newport,	e. } 10 150	{ 6 "
Nalumbina,	e. } 10 150	{ 5 "
Guilford,	w. 12 162	10 "
Camden, mo. Illinois,	18 180	5 "
Graton,	Ill. 2 182	40 "
Portage de Sioux, M.	7 189	50 "
Randolph,	Ill. 1 190	7 "
Alton,	Ill. 3 198	pop. 3,625.
Missouri river,	4 202	" "
Chippewa, mo. Wood river,	2 204	5 houses.
St. Louis, Mo.	16 220	pop. 16,207.

The price of passage from St. Louis to Peoria, is \$5 for cabin, \$2 50 for deck. From Peru or Ontawa, \$3 for cabin, \$1 50 for deck. Way passages are much higher in proportion.

GREEN MOUNT CEMETERY.

We have seldom if ever spent two hours more delightfully than in witnessing the dedication of the Green Mount cemetery to the purposes of sepulture, which took place on the afternoon of Saturday last. The day was unusually pleasant, the heat being moderated by a refreshing breeze, and showed the landscape and in all the glories of summer unmarked by the searing effects of drought by which the season of harvest is generally attended. For some time previous to the hour named for the ceremony, crowds of citizens were seen repairing to the place of meeting, whilst carriages and rail road cars filled with well dressed people hurried along in the same direction.

At the entrance to the grounds the carriages were left, and the parties with whom they had been filled strolled leisurely along the walks shaded by majestic trees and surrounded by shrubbery disposed on all sides with the greatest taste. On approaching the spot appropriated to the ceremony, we found an extensive stage erected, on which was seated the mayor, the members of the city council, the officiating clergymen, the orator of the day, and the musical association of Baltimore, the members of which had kindly offered their aid; whilst the surrounding space was occupied by a vast concourse of as orderly and well attired persons as we have ever seen drawn together. As may well be supposed, the sight of the assembled multitude, the staidness of the scene, and the solemnity of shade coupled with the object for which the thousands present had met together, producing a state of feeling well adapted to the imposing rites in which they were about to take a part. The early days of Christianity as described in the pages of history pressed themselves upon our recollection, and we could almost imagine that we had gone back to times when the followers of our blessed Redeemer were forced to fly to the wilderness, there to offer up their prayers and thanksgivings beneath the wide spread canopy of heaven.

At the appointed hour the ceremonies commenced with the performance of a beautiful and appropriate chorale, from the oratorio of St. Paul, beginning "Sleepers awake! a voice is calling." by the musical association, accompanied by a full orchestra. So soon as the sound of the music had died away, the rev. Dr. Hylott, rector of St. Paul's, arose, and whilst the attendant multitude stood uncovered, offered up to the throne of the Most High

a prayer, in which deep devotional feeling was happily blended with great beauty of language and perfect appropriateness of thought to the occasion.—In his appeal he extended to the usage of the patriarchs of old in setting apart "a field for the burial of the dead," and dwelt with touching eloquence upon the moral and religious influences that arise from manifestations of due respect to the remains of departed worth. He spoke of the grave as the vestibule to another world, where the loves and friendships of this transitory life may be renewed, never again to be marred by care and suffering, but to become purer and brighter throughout eternity.

The prayer was succeeded by the following

HYMN,

Composed for the occasion by J. H. B. Latrobe, esq.

We meet not now where pillar'd aisles,
In lone and dim perspective fade;
No dome, by human hands uprear'd,
Gives to this spot its solemn shade.
Our temple is the woody vale,
It shines these grateful hearts of ours;
Our incense is the balmy gale,
Whose perfume is the spoil of flowers.

Yet here, where now the living meet,
The shruded dead ere long will rest,
And grass now trod beneath our feet,
Will mournful wave above our breast.
Here birds will sing their notes of praise,
When summer hours are bright and warm;
And winter's sweeping winds will raise,
The sounding anthems of the storm.

Then now, while life's warm currents flow,
While restless throbs the anxious heart,
Teach us, oh Lord, thy power to know,
Thy grace, oh Lord, our God, impart:
That when, beneath this verdant soil,
Our dust to kindred dust is given;
Our souls, released from mortal coil,
May find, with thee, their rest in heaven.

At the termination of the hymn Mr. Kennedy, made an address, in commendation of which it would be difficult to say too much. It was evident that the subject on which he discoursed had possession of the feelings of the gifted speaker, who availed himself in the happiest manner of his extended classical attainments and great descriptive power, in arguing upon his views of the social and moral influences connected with the occasion. The address was received with a degree of attention that could not have failed to gratify the orator. Mr. Kennedy, having resumed his seat, the following hymn was sung:

HYMN,

Composed for the occasion, by F. H. Duvidge, esq.

Point of mercies—source of love,
List the hymns we raise to thee;
From thy holy throne above,
Heedful of our worship be.

Creatures of thy sov'reign will,
At thy feet we humbly bend;
Let thy grace our bosoms fill;
Be our comfort—be our friend.

Here beneath the sunlit sky,
With thy gifts around us spread;
We beseech thee—from on high—
Bless these dwellings of the dead.

Guard them when the summer's glow,
Decks with beauties, hill and dale;
Guard them when the winter's snow
Spreads o'er all its mantle pale.

Here—when wearied pilgrims cease,
O'er life's chequered scenes to roam,
May their ashes rest in peace,
Till thy voice shall call them home.

Then, oh then—their trials done,
Bid them rest to worship thee,
While the ransomed of thy Son,
Join in endless harmony.

A benediction, pronounced by the rev. Mr. Hamner, closed the impressive ceremonies of the occasion. [Balt. American.]

THE CHARACTER OF WASHINGTON.

The beautiful eulogium which the reader will find below, is the production of the chaste and classic mind of the late venerable and distinguished senator from Rhode Island, Mr. Robbins, and was occasioned by the following circumstances: During the session of 1837, Mr. Webster entertained a large party of friends at dinner, among them, the venerable senator we have named. The evening passed off with much hilarity, enlivened with wit and sentiment; but during the greater part of the time, Mr. Robbins maintained that grave but placid silence which was his habit. While thus apparently abstracted, some one suddenly called on him for a toast, which call was seconded by the company. He rose and in his surprise asked if they were serious in making such a demand of so old a man; and being

assured that they were, he said if they would suspend their hilarity for a few moments he would give them a toast and preface it with a few observations. Having thus secured a breathless stillness, he went on to remark that they were then on the verge of the 22d of February the anniversary of the birth of the great patriot and statesman of our country, whom all delighted to remember and to honor; and he hoped he might be allowed the privilege of an aged man to recur for a few moments to past events connected with his character and history. He then proceeded and delivered in the most happy and impressive manner the beautiful speech which now grace our columns. The whole company were electrified by his patriotic enthusiasm; and one of the guests, before they separated, begged that he would take the trouble to put on paper what he had so happily expressed, and furnish a copy for publication. Mr. R. obligingly complied with his request on the following day, but by some accident the manuscript was lost, and he did not search for it until a few days ago when it was unexpectedly recovered, and is now presented to our readers. [Vit. Int.]

On the near approach of that calendar-day which gave birth to Washington, I feel rekindling within me some of those emotions always connected with the recollection of that hallowed name. Permit me to indulge them on this occasion, for a moment in a few remarks, as preliminary to a sentiment which I shall beg leave to propose.

I consider it as one of the consolations of my age that I am old enough and fortunate enough to have seen that wonderful man. This happiness is still common to so many yet among the living, that less is thought of it now than it will be in after times; but it is no less a happiness to me on that account.

When I was a boy at school, I saw him for the first time; he then was passing through New England to take the command in chief of the American armies at Cambridge. Never shall I forget the impression his imposing presence made on my young imagination; so superior did he seem to me to all that I had seen or imagined of the human form for striking effect. I remember with what delight, in my after studies, I came to the line in Virgil that expressed all the enthusiasm of my own feelings, as inspired by that presence, and which I could not often enough repeat:

"Credo equidem, nec vara fides, gemmas esse deorum."

I saw him again at his interview with Rochambeau, when they met to settle the plans of combined operations between the French fleet and the American armies against the British on the Chesapeake; and then I saw the immense crowd drawn together from all the neighboring towns to get, if possible, one look at the man who had thrown himself in every heart. Not one of that immense crowd doubted the final triumph of his country in her arduous conflict; for every one saw, or thought he saw, in Washington, her guardian angel, commissioned by heaven to insure her that triumph. Nil desperandum was the motto with every one.

"Nil desperandum, Teneo duce, auspice Teucero."

In after life, when the judgment corrects the extravagance of early impressions, I saw him on several occasions, and yet nothing at other to admonish me of any extravagance in my early impression. The impression was still the same; I had the same overpowering sense of being in the presence of some superior being.

It is indeed remarkable, and I believe unique in the history of men, that Washington made the same impression upon all minds, at all places, and at once. When his fame first broke upon the world, it spread at once over the whole world. By the consent of mankind—the universal sentiment—he was placed at the head of the human species; above all envy, because above all emulation; for no one then pretended or has pretended to be—at least who has been allowed to be—the co-rival of Washington in fame.

When the great Frederick of Prussia sent his portrait to Washington, with this inscription upon it, "From the oldest general in Europe to the greatest general in the world," he did but echo the sentiment of all the chivalry of Europe. Nor was the sentiment confined to Europe, nor to the bonds of civilization; for the Arabs of the desert talked of Washington in his tent, his name wandered with the wandering Scythian, and was cherished by him as a household word in all his migrations; nor did he seem so barbarous as to be a stranger to the name; but every where, and by all men, that name was placed at the same point of elevation, and above compeer. As it was in the beginning so it now; of the future we cannot speak with certainty. Some future age, in the endless revolutions of time, may produce another Washington; but the greater probability is that he is destined to remain forever, as he now is, the Phenix of human kind.

What a possession to his country is such a fame!

Such a "Clarum et venerabile nomen
"Centibus!"

To all his countrymen it gives, and forever will give a passport to respect wherever they go, to whatever part of the globe; for his country is in every other identified with that fame.

What, then, is incumbent upon us, his countrymen? Why, to be such a people as shall be worthy of such a fame—a people of whom it shall be said, "No wonder such a people have produced such a man as Washington." I give you, therefore, this sentiment: The memory of Washington! May his countrymen prove themselves a people worthy of his fame.

MILITARY ACADEMY.

From the Army and Navy Chronicle.

REPORT OF THE BOARD OF VISITERS.

U. S. Military Academy, West Point, June 20, 1839.

To the hon. J. R. Forsyth, Secretary of war.—

Sir: The board of visitors, assembled at this place pursuant to your request, have attended the examination of the cadets, and, at the conclusion of their labors, beg leave to report to you the results of their observations upon the subjects particularly referred to in your communications, as well as upon others relating to this institution.

However pacific may be the general policy of a government, there will always exist a necessity of cultivating the arts and sciences which are essential to a state of war; and though it may, for a season, be happily exempted from the evils of war, it is not always in its choice to avoid them. Provision must, therefore, be made by public authority, not only for instruction in those arts and sciences, but for the progressive improvements in them, which contribute essentially to success in military operations. Neither of these can be well obtained without a public establishment, supplied with conveniences and able instructors. Some establishment of this kind would seem to be the more essential in governments maintaining, ordinarily, a very small military force, and that force separated into small detachments, and occupying stations remote from each other.

The peculiar situation of the United States, with a much smaller military force than any other nation, compared with its extent of territory and population, and that force dispersed into the various sections of the union, renders a public school for instruction in the arts and sciences appertaining to a condition of war, indispensable.

Presuming that the necessity of a military institution, embracing the objects for which this has been established, will be generally conceded, the public solicitude will naturally be led to the inquiry, whether these objects are obtained to the utmost practicable extent by the general management and the course of instruction at this academy.

The advantages which this institution derives from its location, must be well known to all who have visited West Point. The facility of securing the cadets from an intercourse that would be injurious, in many respects, and especially in reference to the interruption of their studies; the combination of the benefits of an expeditious and cheap communication with all parts of the union; the purity of the atmosphere, furnishing the best security for continued healthiness, and the animating associations with which the position is surrounded, as the scene and the centre of many important operations of the revolutionary war; all conspire to justify the selection of the post for a military academy. In close connection with this topic, our attention could not fail to be attracted, in a particular manner, directed to the condition and character of the buildings on the plain, in relation to which we will here briefly present some suggestions.

The defects in the construction and arrangement of the barracks for the cadets are not only conspicuous, but very important. So far from reasonable and proper facilities for study being provided in the quarters now used, there are positive obstacles thrown in the way of the pupil, of whom the severest exercise of his intellectual faculties is required. On the score of health, too, such is the want of ventilation, and of space in the rooms, that nothing but a rigidly executed system of police has prevented even greater evils than have yet been felt. Those which exist, however, demand, by their character, an early and efficient remedy; and on this subject we respectfully, but most unequivocally and emphatically, recommend and urge a change which shall be complete and permanent. We were pleased to find that this matter had, within the last year, attracted a large share of the attention of the superintendent, and that plans had been prepared with the object of effecting a thorough alteration. By the entire removal of the mess-house, and of the south and north barracks, a very large

part of the plain will be unmasked and thrown into a state adapted to military evolutions, in addition to the ground now employed; and the line of academic buildings will be preserved for convenience and for beauty. The laboratory, also, should be transferred from its present site, which, on account of the combustible nature of the contents of the various apartments, is quite too near other important edifices. The erection then, on the eastern border of the plain, along the bank of the river, of barracks, combining, in each room, all the advantages of sufficient space and a free circulation of fresh air, with such other improvements as it falls as experience has shown to be desirable, the construction of a mess-house north of these new barracks, and the establishment of the laboratory within the limits of old Fort Clinton, will present an arrangement in harmony with the existing ranges of the professor's quarters and the academic buildings, and will carry out a design admirably suited to the great objects of the academy. The superintendent submitted to the board the plans which have been matured to effect the very important changes now referred to; and, after careful consideration, we confidently and strongly recommend to the secretary of war the adoption of major Delafield's views, and the prosecution of such measures as may be requisite to obtain the appropriate legislative action.

The principles upon which candidates are admitted, open the institution to the sons of all classes of our fellow-citizens; and the practical result, in this respect, are such as are desirable. A considerable proportion of the respective classes consists of those whose parents or friends are not able, or would not feel themselves able, to educate them at the other higher literary institutions of the country. When received into the academy, they are all placed on the same level. The rules and discipline are applied with impartiality to all.—The distinctions that are permitted to exist, are only grades of merit, which are offered alike to the competition of all, and granted only in cases where they are well deserved.

It has not come to our knowledge that there is any dissatisfaction, among the cadets themselves, with the judgment of the academic board in arranging the grades of merit; and, so far as our own means of forming opinions on the subject enable us to determine, the decisions of the board have been carefully and fairly made. The same accurate judgment, we think, might be exercised in the selection of temporary military commands.

We highly approve of the regulations which have been adopted to secure to the public the benefits of the education received at this institution. The candidate, on being received here, not only enters into an engagement to remain the full term of four years, but to take a commission in the army, and to continue in it for four years; and, during this period, it is usual to refuse him permission to resign. This regulation seems to us to be a wise and necessary precaution, and to prevent applications for admission by those who do not, at the time, contemplate devoting themselves to the military service of the country.

We do not conceive it necessary to notice particularly, in our report, each branch of study or discipline, but only to allude to those in which changes have been made within the last year, or which, in our opinion, require modification. What is left without comment is to be considered as having received our approbation.

The system adopted by this institution in keeping an exact register of the daily progress of each cadet in his studies, as well as of his conduct in general, (an abstract of which is regularly forwarded to the department of war, and from thence sent to the parent or guardian of each cadet), has been attended with the most beneficial results. The knowledge of the fact that the records of his progress in study and moral conduct are open to the inspection of his parents and the community, and may effect his promotion in the army and standing in society, cannot fail to have a proper influence on the cadet, discouraging him from idleness and inattention, and stimulating him to industry and good conduct. From a careful inspection of the merit rolls, we are of opinion that this part of the discipline has been carefully attended to, and enforced with judgment and impartiality.

We find the hospital not only eligibly situated, but commodiously arranged, and quite sufficient for the wants of the station. Every thing appertaining to this department is in excellent order, and gives clear indications to us that the comfort of those who become its inmates is properly attended to.

Some inconsiderable improvements, in regard to the interior of the building, have been suggested to us by the surgeon, which meet with our approval, and we presume will be adopted when made known to the war department.

We have performed the duty, particularly required of us by one of the regulations, "of examining into the state of the police and discipline" of the institution, and are satisfied that they are both maintained in a creditable manner. The positive rules which have been prescribed are vigilantly enforced; and where, by the necessity of the case, something is left to the discretion of the officers, it has been cautiously and judiciously exercised.

The practical displays of infantry tactics by the cadets, as an organized battalion of infantry, fully correspond to the thoughts and theoretical knowledge exhibited on their examination. The cadets are also exercised in the practical duties of artillerists, which were skillfully performed; but some of the favorable circumstances essential to the acquisition of the more complicated and various practical attainments, appertaining to this description of military force, are wanting, by reason whereof they are less accomplished, in some respects, as artillerists, than as infantry soldiers.

Peculiar circumstances have hitherto existed, and we fear, will continue to exist, which present obstacles to our improvement in artillery to the extent that is to be desired. In Europe, this arm of the national force has received the greatest attention, and the most vigorous efforts have been made to improve its efficiency. We think it highly important that the particular notice of the government should be directed to this subject, to the end that the artillery may, if practicable, be placed on a better footing. Our army is so disproportioned to the extent of the line of defence to be guarded, that the regiments of artillery are called away by the public exigencies from their appropriate duties as artillery corps, to aid the infantry and dragoons in the police and protection of our extensive frontiers. The fortifications on the coasts are, consequently, left, as they came from the hands of the engineers, comparatively un manned and unarmed. The artillery soldier, who requires constant experience, has an opportunity to learn, at most, but the manual of the piece, and such simple rudiments of duty as may be acquired in a short period. The artillery officer has but little opportunity of gaining experience, and still less of adding to his stock of theoretical information. Under these circumstances, it is thought that the means of instruction in artillery, at this academy, should be as ample as the nature of the institution will permit. In the course of the first three years, the cadets are instructed, about three months in each, in the manual of the piece, and in the manoeuvres of a field battery. During the encampment of the fourth year, they attend recitations in artillery tactics and psychology; go through a course of target practice with guns, batteries, and mortars; and a course of practical instruction in the duties of the military laboratory. At the same time, they act as officers in the manoeuvres of the field battery. After the encampment of the fourth year, three months are devoted to the study of ballistics, and the general subjects relating to artillery.

A new text book, we are informed, has been recently adopted, which, with the notes of the present instructor on the manufacture of cannon, projectiles, gunpowder, &c. it is believed, will lead to improvement in this branch of instruction.

We are also informed that an arrangement has been made for a supply of horses required for a field battery, which will render the exercises with field pieces more perfect.

The instructor of the artillery department is taken from the line of the army, and stationed temporarily at the academy. This situation is not, we understand, peculiarly desirable to an officer of the line, and while held by him precludes him from staff appointments, which are generally attended with increased rank and emolument.—These circumstances would seem to indicate the propriety of instituting a regular and permanent professorship for this important, if not the most important, branch of the military art. The practice and policy of other countries, particularly England and France, and the greatest pains are taken to improve the artillerists, on the suggestion we have made on this subject. In addition to the instruction given in artillery at this institution, the schools in those countries pursue a practical course, occupying about two years, during which every thing is taught relative to the preparation and application of the materials of war, and to the use of every kind of ordnance and military machine required in constructing, defending and attacking fortifications. The object of this practical course is to render the officer and soldier quite familiar with the duties they may be called on to perform in all conceivable emergencies.

To supply, in some degree, the deficiencies necessarily resulting from the want of such a practi-

cal course, a collection of models of the various kinds of cannon, projectiles, gun-carriages, military implements and machines, which might be obtained without much expense, would be of essential service. They might be used in the lecture room, and so explained, even in the absence of practice, as to leave a lasting impression on the mind.

The department which, in the official register of the institution, comprehends geography, history and duties, is under the care of a professor and an assistant professor; the former being also the chaplain of the academy; and the latter an artillery officer, selected from the army of the United States. These professors also instruct in constitutional and international law, and in rhetoric and English grammar.

The proficiency of the cadets in this department was of unequal character in all the different branches belonging to it; but, as a general remark, it may be stated that their acquisitions have been as extensive as could be expected during the short portions of time which they have been enabled to devote to these various branches of knowledge, some of which, (constitutional and international law), have been but recently introduced into the course of study. We feel obliged to add, however, that no examination was had in history, no instruction having yet been specifically given in that study; the whole time of the cadets having hitherto been otherwise occupied.

Connected with some of the subjects assigned to this department, we cannot omit to state, emphatically, that it has not yet been found practicable to give any instruction expressly in *English composition*; a deficiency which, in our opinion, most urgently calls for remedy. The education of young men who are destined to serve in the capacity of officers, cannot be deemed complete without an exact knowledge of their own language, and this is to be acquired only by the practice of composition.

In the department of the French language, the cadets attend recitations of an hour daily, five days in the week, during the first year of their connexion with the academy; and, in the next year, three days in each week. In the higher classes of the last two years, the language is not taught, but the instruction received by the cadets during the preceding two years, together with their private reading, and the constant use of, and frequent reference to, French books, in their daily studies, have a tendency to preserve a sufficient knowledge of, and familiarity with, the language; but they have not the requisite facilities of learning to converse with ease and fluency in it.

A knowledge of the principles and skill in the art of drawing, is an acquisition important in its relation to every branch of science, and especially those connected with the duties of an officer of the army. In this department some improvements have been made within the last year, which appear to be judicious, and cannot fail to be highly advantageous to the students. Instruction is given in drawing during the second and third years of the academic course. The cadets acquire a knowledge of the elements of this science, and attend, successively, to the delineations of the human figure, to landscapes, with the pencil and India ink, to topography; and, finally, they acquire a knowledge of light, shade and coloring.

The room at present appropriated to the instructions in drawing, possesses many advantages over the one formerly used for the purpose, in regard to size, the distribution of light, and other conveniences.

We were much gratified in perceiving that a common room, 75 by 22 feet, is now fitting up for the exhibition of drawings and painting of those cadets who have distinguished themselves in this department; and that excellent illustrations of light, shade and coloring, are prepared to be placed in the panels of this room for the instruction of the student. The latter is the result of the laudable industry of the present professor, executed during his leisure hours.

The examinations upon mathematics were thorough and impartial. They gave the most convincing proof of the diligence and application of the cadets, and exhibited an accurate and minute acquaintance with the different branches of mathematical science. In the oft-repeated charge that more time than is requisite is devoted to the study of mathematics, we cannot concur. The course, when compared with that in other institutions of our country, it is true, is more comprehensive and thorough; but, mathematics being the basis upon which military education must be founded, the course here is sufficiently limited, and could not be shortened without failing, to a certain extent, in obtaining the objects contemplated by the establishment of this institution. In truth, it is so inter-

woven with the whole course of studies, that it could not be altered without a change in almost every other department.

In natural philosophy and astronomy the cadets performed the demonstrations with facility, and responded to the questions proposed with great accuracy. It was very evident that analysis had not been pursued as an ingenious speculation of abstractions, but as revealing the laws that govern the phenomena of nature, and as confirming their truth.

In this department, the only change, within the last year, has been the introduction of a new work upon optics, prepared by the professor of natural philosophy. This work is more in unison with the scientific pursuits of the country than the one previously used; and the accurate knowledge and familiar acquaintance of the cadets with all the laws and properties of light, were the strongest recommendations of its utility, and its admirable adaptation to the ends for which it had been introduced.

During the last year, the philosophical apparatus has been removed from the hotels, where it had been temporarily placed, to a room in the new building, and neatly arranged. This room is, however, in many respects, unsuited for it; and it is proposed to remove it, as soon as practicable, to a building now in the course of construction, in which better facilities will be afforded for the study of practical astronomy. The additions made to the apparatus, during the last year, have been such as have been demanded by the onward progress of science. They are valuable, and have placed at the command of the professor more effectual means for thorough instruction in this department. We would recommend that every facility should be afforded for instruction in practical astronomy, a branch of knowledge of essential importance and value to the civil engineer; and, the more certainly to secure this object, we would also suggest that there should be added a large transit instrument, a mural circle, and an equatorial stand for the large telescope at present belonging to the collection of astronomical instruments.

The department of chemistry, mineralogy and geology, has, within the last year been placed upon a proper basis, by the creation of a distinct professorship of these branches.

The apparatus in this department is in good condition, but scarcely commensurate in extent with the demands of a science, the rapidity of whose progress is unceasing, and whose continued progress calls constantly for new instruments of illustration and research.

In connection with this department, we cannot forbear to ask the attention of the government to the importance of more ample provision for the pursuit of the sciences of geology and mineralogy—sciences now deemed indispensable to a proper knowledge of the numberless materials which nature has destined to be subjected to the practical operations of the military and civil engineer, and which, with some preparatory study at the academy, might be successfully pursued by military officers during those intervals of leisure which are generally to be found when an army is not engaged in the active duties of war. It is a well known fact that in Europe, particularly in England, the extensive cabinets of geology have been enriched, and the progress of the natural sciences has been essentially aided, by the invaluable contributions which have been made from all parts of the globe by well educated officers of the army. In our own country, the incalculable importance of geological science has been loudly proclaimed by the public voice, in the numerous geological surveys which have been ordered by the legislatures of various states in the union; and the scientific knowledge which intelligent officers might obtain by means of a geological cabinet, embracing a full suite of European as well as American specimens, would enable them to render essential service to their country, not only by the direct practical results of science, but by the no less important advantage of establishing a solid and lasting national reputation.

Among the direct and incidental advantages of this institution, is the diffusion of knowledge on the subject of engineering, in its connection with the art of war, causes it to be highly regarded not only as an important, but a necessary object of attention, and we were highly gratified to perceive that it here receives due consideration. The examinations in this branch of instruction reflected much credit upon the cadets. Its direct utility, in a military point of view, is too obvious for remark. In constructing fortifications and fortified camps, and in improving harbors upon the sea coasts and the shores of our extensive lakes and rivers, for the benefit of internal and external commerce, the government has had, and will continue to have, occasion to employ a large number of skillful engineers; and its main reliance, in this respect, has been upon the gradu-

ates in this institution. The successful progress of the extensive works of internal improvements, in almost every section of the United States, undertaken not only by the several states, but by companies and individuals, is, in no inconsiderable degree to be ascribed to the knowledge of engineering which has emanated from this source. The proficiency of the cadets in this department of science is, we think, equal to the highest expectations of the country; and the dissemination of practical and scientific information on this subject, by means of the graduates of this academy, will continue to be, as it has been, of incalculable advantage to the great cause of internal improvement.

The library of the academy, which now contains between eight and ten thousand volumes, is a highly valuable collection, particularly in those departments which relate to military science and the branches of knowledge immediately subsidiary to that science. It is most complete in works on the military, mathematical and physical sciences, and in maps. The deficiencies are most conspicuous in works usually classed under the general head of literature, in contradistinction to science; and among these works it would be desirable that it should be supplied with a body of history, embracing the best translations of the ancient Greek and Roman histories and works of authority on the antiquities of different nations, but especially with a complete collection of the works of authority relative to American history.

We have directed our attention particularly to the fiscal concerns of this institution. The disbursements of the annual appropriations for this service are made by the quartermaster, under the authority, and with the approbation of the superintendent. An examination of the books and accounts of this department has satisfied us that its duties have been strictly and faithfully performed.

The annexed statement, A, exhibits a balance of \$53,227 24 remaining of the appropriation for 1838, unexpended on the first of January last. In addition thereto \$49,497 09 were appropriated for the year 1839. These two sums making \$102,724 33, constitute the available funds on hand at the commencement of the present year, and are applicable to the payment of the current expenses of this institution for 1839. It is further seen, from the statement and paper B, that of the latter sum, there were expended during the first quarter ending 31st of March 1839, 9,453 24, and from the last allotted period to the 31st May, the further sum of \$14,365 11 has been disbursed.

By reference to documents A, B, and C, accompanying this report, it will be discovered that of the sum of \$102,724 33 on hand, and appropriated for 1839, about the sum of \$1,000 is specially applicable to the erection of buildings and additions to the several departments connected with the military academy, and constitutes no part of the ordinary expenses of the institution. When these buildings and additions (some of which are now in progress) shall have been completed, the annual appropriations will be greatly diminished. To a statement made by the superintendent, submitted to paper A, we would refer as part of this report.

The sum annually required for the support of the military academy, is estimated by the superintendent, exclusive of the pay of officers and cadets, amounts to about \$22,000.

In connection with this subject, we have under consideration, the books and accounts of the paymaster's department, which appears to have been ably, accurately and neatly kept. It is here the accounts of the cadets are audited. Every attention necessary for the protection of their interests seems to have been bestowed in this department. Every article necessary to their comfort and convenience is furnished at the public store, with the approbation of the superintendent; the price of every article is regulated and fixed by the "board of inspectors," and when delivered, is charged to each cadet, who is required to keep an account of his own expenses. By this system the rights of the cadets are protected; frauds and impositions prevented; a wholesome restraint upon extravagance is imposed, and the principles of economy enforced.

We have, so far, but incidentally alluded to individuals officially attached to the establishment, as the subject required a reference to them.

The military, responsible and highly important duties of the superintendent of the academy, require a superior order of qualifications in the individual selected for this distinguished station.—The comprehensive views, the active energy, the inflexible determination, the rigid and unbending impartiality, blended with a due share of paternal solicitude—all which are indispensable to the full and adequate discharge of this elevated trust—are,

in our judgment, conspicuous in the character and conduct of the present commandant of the post.

The distinguished ability, eminent acquirements, persevering industry, and laudable zeal of the professors and instructors, in all the departments, have been brought in the strongest manner to our observation while in the performance of our duty as official visitors; and we are gratified to have an opportunity of bearing our testimony to reputations so well deserved and so honorably acquired. Under the best system of instruction, the surest reliance of the country is on the qualifications and fidelity of those by whom it is administered. Here no pupil is permitted to continue in a class who cannot reach a certain standard, and no compromise is allowed between the salutary results of the utmost exertion of which each cadet is capable, and the absolute necessity of retiring from the institution.

All of which is respectfully submitted by your obedient servants,

- Wm. HENDRICKS, president, Madison, In.
- Wm. H. ELLET, secretary, Columbia, S. C.
- GRENVILLE TEMPLE WINTHROP, Boston, Mass.
- JOHN PICKERING, Boston, Mass.
- JOHN MCKEON, New York, city.
- W. L. MARCY, New York.
- BYNUM GREEN, Sodas, N. Y.
- R. C. GRIER, Pittsburgh, Penn.
- Wm. R. DEWITT, Harrisburgh, Penn.
- T. M. PETTIT, Philadelphia, Penn.
- CHAS. MAGILL, Hagerstown, Md.
- JOHNSON REYNOLDS, Lewisburg, Va.
- JOHN BACHMAN, Charleston, S. C.
- CHAS. M. REESE, Athens, Ga.
- JOSEPH J. ELLIOTT, Frankfort, Ky.
- ARM. LITTON, Nashville, Tenn.
- J. W. A. SANTORD, Millidgeville, Ga.
- CHAS. C. MILLS, Irwinton, Ala.
- B. M. ATHERTON, New Philadelphia, Ohio.
- J. R. FENWICK, brig. gen. U. S. army.

OFFICIAL.

GENERAL ORDERS, No. 28.
Head quarters of the army, adjutant general's office,
Washington, July 3, 1839.

1. Promotions and appointments in the army of the United States, since the publication of the official Army Register, in February 1839, and "general orders," No. 15, of February 13.

General staff.

First lieutenant James H. Prentiss, 1st artillery, to be assistant adjutant general, with the brevet rank of captain of cavalry, 24th May, 1839, vice Turner resigned.

First lieutenant William S. Ketchum, 6th infantry, to be assistant quartermaster, with the rank of captain, 28th of February, 1839, vice L'Engle resigned.

First lieutenant James H. Stokes, 1st artillery, to be assistant quartermaster, with the rank of captain, 21st May, 1839, vice Washington resigned.

Zina Pitcher, late surgeon, to be assistant surgeon, 2d February, 1839.

Erastus B. Wolcott, late assistant surgeon, to be assistant surgeon, 12th June, 1839.

James W. Russell, of New York, to be assistant surgeon, 22d June, 1839.

Henry H. Sleimer, of Pennsylvania, to be assistant surgeon, 22d June, 1839.

John C. Glen, of South Carolina, to be assistant surgeon, 22d June, 1839.

Henry E. Crutenden, of New York, to be assistant surgeon, 22d June, 1839.

Corps of engineers.

First lieutenant Charles H. Bigelow, to be captain, 16th June, 1839, vice Eliason, deceased.

Second lieutenant P. G. T. Beauregard, to be 1st lieutenant, 16th June, 1839, vice Bigelow, promoted.

RANK.

1. Cadet Isaac J. Stevens, to be 2d lieutenant, 1st July, 1839.

2. Cadet Robert Q. Butler, to be 2d lieutenant, 1st July, 1839.

3. Cadet Henry W. Halleck, to be 2d lieutenant, 1st July, 1839.

4. Cadet Jeremy F. Gilmer, to be 2d lieutenant, 1st July, 1839.

5. Cadet Henry L. Smith, to be 2d lieutenant, 1st July, 1839.

Corps of topographical engineers.

7. Cadet George Thom, to be brevet 2d lieutenant, 1st July, 1839.

Ordnance department.

8. Cadet Franklin D. Callender, to be brevet 2d lieutenant, 1st July, 1839.

First regiment of dragoons.

26. Cadet Charles Wickliffe, to be 2d lieutenant, 1st July, 1839.

23. Cadet Edgar B. Gaither, to be 2d lieutenant, 1st July, 1839.

Second regiment of dragoons.

27. Cadet Thomas Hutton, to be 2d lieutenant, 1st July, 1839.

31. Cadet John H. Hill, to be 2d lieutenant, 1st July, 1839.

First regiment of artillery.

Second lieutenant Wm. H. Fowler, to be 1st lieutenant, 1st May, 1839, vice Hale, deceased.

Second lieutenant Isaac S. K. Reeves, to be 1st lieutenant, 21st June, 1839, vice Batts, resigned.

6. Cadet Michael S. Culbertson, to be 2d lieutenant, 1st July, 1839.

10. Cadet Joseph A. Haskin, to be 2d lieutenant, 1st July, 1839.

11. Cadet Henry D. Grafton, to be 2d lieutenant, 1st July, 1839.

13. Cadet Alexander R. Lawton, to be 2d lieutenant, 1st July, 1839.

16. Cadet James B. Ricketts, to be 2d lieutenant, 1st July, 1839.

21. Cadet Wm. S. Smith, to be 2d lieutenant, 1st July, 1839.

22. Cadet S. K. Dawson, to be 2d lieutenant, 1st July, 1839.

Second regiment of artillery.

Second lieutenant John Sedgwick, to be 1st lieutenant, 19th April, 1839, vice Conklin, deceased.

Second lieutenant William Armstrong, to be 1st lieutenant, 1st June, 1839, vice Morgan, resigned.

15. Cadet Lucius H. Allen, to be 2d lieutenant, 1st July, 1839.

19. Cadet Henry J. Hunt, to be 2d lieutenant, 1st July, 1839.

23. Cadet Augustus A. Gibson, to be 2d lieutenant, 1st July, 1839.

Third regiment of artillery.

First lieutenant Martin Burk, to be captain 1st December, 1838, vice L'Engle resigned.

Second lieutenant James M. Ketchum, to be 1st lieutenant, 1st December, 1838, vice Burk promoted.

Second lieutenant William H. Shover, to be 1st lieutenant, 1st March, 1839, vice Casey resigned.

9. Cadet Henry S. Burton, to be 2d lieutenant, 1st July, 1839.

12. Cadet James L. Rankin, to be 2d lieutenant, 1st July, 1839.

14. Cadet Henry B. Judd, to be 2d lieutenant, 1st July, 1839.

17. Cadet Edward O. C. Ord, to be 2d lieutenant, 1st July, 1839.

18. Cadet Joseph B. Boyd, to be 2d lieutenant, 1st July, 1839.

Fourth regiment of artillery.

20. Cadet William Irvin, to be 2d lieutenant, 1st July, 1839.

First regiment of infantry.

1st lieutenant J. R. B. Gudenier, to be captain, 11th June, 1839, vice Mitchell deceased.

2d lieutenant John H. King, to be 1st lieutenant, 2d March, 1839, vice Stuart resigned.

2d lieutenant Robert S. Ganger, to be 1st lieutenant, 14th March, 1839, vice Bunnett resigned.

2d lieutenant Alexander W. Reynolds, to be 1st lieutenant, 11th June, 1839, vice Gardener promoted.

2d lieutenant F. S. Mumford, to be 1st lieutenant, 11th June, 1839, vice McAlister resigned.

21. Cadet Eleazer Paine, to be 2d lieutenant, 1st July, 1839.

25. Cadet Garrett Berry, to be 2d lieutenant, 1st July, 1839.

29. Cadet William H. Korn, to be 2d lieutenant, 1st July, 1839.

George W. Wallace, of Pennsylvania, to be 2d lieutenant, 1st July, 1839.

Alexander Vaughn, of Virginia, to be 2d lieutenant, 1st July, 1839.

Second regiment of infantry.

1st lieutenant, Amos B. Eaton, to be captain, 1st March, 1839, vice Russel killed.

1st lieutenant Silas Casey, to be captain, 1st July, 1839, vice Bradley resigned.

2d lieutenant M. R. Patrick, to be 1st lieutenant, 1st March, 1839, vice Eaton promoted.

2d lieutenant William Aburtis, to be 1st lieutenant, 1st July, 1839, vice Casey promoted.

30. Cadet Edward R. S. Canby, to be 2d lieutenant, 1st July, 1839.

J. W. Martin, of Virginia, to be 2d lieutenant, 1st July, 1839.

Third regiment of infantry.

1st lieutenant E. B. Babbitt, to be captain, 1st July, 1839, vice Nelson promoted.

2d lieutenant, Widom Martin, to be 1st lieutenant, 1st July, 1839, vice Babbitt promoted.

Vernon H. Lindenberger, of Louisiana, to be 2d lieutenant, 1st July, 1839.

Fourth regiment of infantry.

Theo. H. Porter, of Pennsylvania, to be 2d lieutenant, 1st July, 1839.

Sidney Smith, of Virginia, to be 2d lieutenant, 1st July, 1839.

Fifth regiment of infantry.

Major James S. McIntosh, of the 7th infantry, to be lieutenant colonel, 1st July, 1839, vice Burbank resigned.

1st lieutenant, Robert E. Clary, to be captain, 3d April, 1839, vice Lacy deceased.

2d lieutenant William Root, to be 1st lieutenant, 3d April, 1839, vice Clary promoted.

Robert L. Brooke, of Pennsylvania, to be 2d lieutenant, 1st July, 1839.

Henry Little, of Maryland, to be 2d lieutenant, 1st July, 1839.

Sixth regiment of infantry.

Edmund H. Brooke, of Maryland, to be 2d lieutenant, 1st July, 1839.

Seventh regiment of infantry.

Brevet Major Joseph S. Nelson, captain of the 3d infantry, to be major, 1st July, 1839, vice McIntosh promoted.

2d lieutenant Thomas B. Arden, to be 1st lieutenant, 1st June, 1839, vice Wells resigned.

William B. Greene, of Massachusetts, to be 2d lieutenant, 1st July, 1839.

Thomas B. Gannett, of Massachusetts, to be 2d lieutenant, 1st July, 1839.

John C. Henshaw, of New York, to be 2d lieutenant, 1st July, 1839.

Eighth regiment of infantry.

1st lieutenant William O. Kello, to be captain, 1st May, 1839, vice Denny resigned.

2d lieutenant, John T. Sprague to be 1st lieutenant, 1st May, 1839, vice Kello, promoted.

The 2d lieutenants appointed from civil life will take rank as follows, viz:

1. Theo. H. Porter, 4th infantry.
2. W. B. Greene, 7th infantry.
3. Robert L. Brooke, 5th infantry.
4. George W. Wallace, 1st infantry.
5. Vernon H. Lindenberger, 3d infantry.
6. Thomas B. Gannett, 7th infantry.
7. Edmund H. Brooke, 6th infantry.
8. Sidney Smith, 4th infantry.
9. Henry Little, 5th infantry.
10. J. W. Martin, 2d infantry.
11. John C. Henshaw, 7th infantry.
12. Alexander Vaughn, 1st infantry.

Dates of commissions changed by and with the advice and consent of the senate.

Major Rufus L. Baker, of the ordnance, to rank from 6th July, 1838, instead of the 7th.

Major Man Page Lomax, of the ordnance, to rank from 7th July, 1838, instead of the 9th.

Major James W. Ripley, of the ordnance, to rank from the 7th July, 1838, instead of the 9th.

II—CASUALTIES. (26.)

Resignations. (17.)

Lieutenant colonel. (1.) Sullivan Burbank, 5th infantry, 30th June, 1839.

Captains. (5.) Henry S. Turner, as assist. adj. gen. 16th April, 1839.

John M. Washington, as assist. quartermaster, 11th April 1839.

David Perkins, 1st dragoons, 2d Feb. 1839.

John Bradley, 4th infantry, 30th June, 1839.

St. Clair Denny, 8th infantry, 30th April, 1839.

1st Lieutenants. (8.) Benjamin S. Roberts, 1st dragoons, 28th January, 1839.

Wm. H. Batts, 1st artillery, 20th June, 1839.

Edwin W. Morgan 2d artillery, 31st May, 1839.

Thomas Casey, 3d artillery, 28th Feb. 1839.

Richard Bennet, 1st infantry, 13th March, 1839.

James McAlister, 1st infantry, 10th June, 1839.

Alexander H. Stuart, 1st infantry, 1st March, 1839.

James M. Wells, 7th infantry, 31st May, 1839.

2d Lieutenant (1.) Thomas W. Thompson. 2d dragoons, 30th April, 1839.

Assistant surgeons. (2.) Benjamin F. Fellows, 30th May, 1839.

E. B. Wolcott, 13th April, 1839.

Deaths. (9.) Captain William A. Eliason, corps of engineers, at Alexandria, D. C. 15th June, 1839.

*Captain Samuel L. Russel, 2d infantry, near Fort O., Dallas, Florida, 23rd February, 1839.

Captain Enos G. Mitchell, 1st infantry, at Fort Roger Jones, Florida, 10th June, 1839.

Captain Edgar M. Lacy, 5th infantry, at Fort Crawford, W. T. 2d April, 1839.

First lieutenant David E. Hile, 1st artillery, at Plattsburg, N. Y. 30th April, 1839.

First lieutenant Bamebas Conkling, 2d artillery, at Fort Niagara, N. Y. 18th April, 1839.

*Killed in Florida by the Indians.

*2d lieutenant William Hurlbert, 6th infantry, at 14 mile Creek Florida, 2d May, 1839.

2d lieutenant William W. Pew, 1st infantry, at fort Roger Jones, Florida, 12th June, 1839.

Assistant surgeon John A. Breton, at Charlestown, Massachusetts, 22d April, 1839.

III. The officers promoted and appointed will report according to their promotions and appointments, and join in their proper stations, regiments, or companies, without delay; those on detached service, or acting under special orders and instructions, will report by letter to their respective colonels.

The cadets above promoted will immediately report by letter to their respective colonels, who will assign them to companies and stations, and on the 30th September, they will join according to such assignment, and report for duty agreeably to regulations.

IV. Acceptance or non-acceptance of all appointments, as well as the birth place of persons appointed, will be promptly reported by the adjutant general of the army.

By order of major general Macomb.
S. THOMAS, assist. adj. gen.

THOMAS H. BENTON.

From the Sprink (No.) Standard.

The citizens of Springfield leaning on the evening of the 30th ult. that this distinguished individual would be in town on the following morning, immediately adopted means to prepare for his reception. Notwithstanding the few hours' notice of his intended visit, a large and respectable number of our citizens were soon collected, who marched out and intercepted him about five miles from this place. After a warm and hearty salutation, the company turned and escorted him to town, where he was received with universal gladness.

Prompted by an anxiety to give an exhibition of their esteem for their worthy, long tried and faithful representative, our citizens immediately resolved to tender him a public dinner. Accordingly a meeting was called for the purpose of appointing a committee to make known this desire, and the following persons were selected: Messrs. John P. Campbell, N. R. Smith, R. A. James, R. K. Payne, W. B. Chapman, Thos. R. Hunt, C. A. Haden, Cyrus Stark, Chas. S. Yancey, J. T. Campbell and E. D. McKenney.

The following correspondence occurred between the committee and col. Benton, a copy of which has been handed to us for publication.

Springfield, 31st May, 1839.

Str: The citizens of Springfield, anxious to avail themselves of your present visit to testify their regard for your numerous and valuable services, respectfully tender to you a public dinner, to be given at such time as may suit your convenience.

We take this occasion to express our entire approbation, (and we believe it to be the almost unanimous sentiment of the people of the southwest), of your long tried services in the council of the national legislature—of your firm, consistent and undeviating support of the principles of democracy, by adhering to her cause when old friends had forsaken it, and when subjects of the most exciting character and pervading interest, convulsed our common country. They well recollect that when pretended friends were deserting, you stood firm by the patriotic president, Jackson, during his administration—an administration transcendently glorious to himself, as well as beneficial to the country. They are also satisfied of your statesmanlike and patriotic support of the interests of the west—the firmness and ability with which you supported that measure, which had for its object the peopling of the "far west" and crowning it with the culture of freemen.

With the hope that the above tender will meet your approbation, we subscribe ourselves respectfully, your obedient and humble servants.

JOHN P. CAMPBELL,
N. R. SMITH,
B. A. JAMES,
R. K. PAYNE,
W. B. CHAPMAN,
THOS. R. HUNT,
CYRUS STARK,
C. A. HADEN,
CHAS. S. YANCEY,
T. J. CAMPBELL,
E. D. MCKENNEY.

Hon. Thos. H. Benton.

Springfield, June 1, 1839.

GENTLEMEN: It gives me great pleasure to acknowledge the receipt of your kind letter of invita-

*Killed in Florida by the Indians.

tion to a public dinner, and to make my thanks for the flattering terms in which it is expressed; but it has not been my custom to accept public honors of this kind, and in my present tour over the state, it has been my plan to travel in a way to avoid all political excitement and party feeling, and to see the people generally, without form or ceremony, and without regard to political distinctions. I travel to see the people and the country, to learn their wants and their wishes, and to thank them for their past support and favors; and wish to promote an easy intercourse with all that shall do me the honor to make my acquaintance.

On the evening, I think, when we shall be more harmonious than we have been for some years past, and when experience shall prove the utility and wisdom of the great measures of gen. Jackson's administration, and reunite the friends of the country in the support of a common cause. The veto of the national bank charter, and the termination of that institution, was a measure which necessarily divided opinions in a free country, where every citizen was at liberty to think for himself; and the unprecedented efforts which were made, to make people believe that there was not gold and silver enough in the world to supply the place of United States bank notes, and that all debtors must be ruined, all prices laid to nothing, all property be sacrificed, and all labor cease for want of pay—the unparalleled efforts which were made to impress all these gloomy apprehensions on the public mind, were well calculated to distract and alarm the people; and for a time the effort was such as to delude many good citizens. But the season for mistakes and errors and division of opinion, has now passed away, and all must see that the day of the downfall of the national bank, was the day of the upraising of the national prosperity; for, with the exception of the brief intervals of artificial distress and panic, manufactured by the bank and its friends, the increase of the public prosperity has been constant and regular since that day; and now at the end of seven years from the veto we all see that the prices of labor, produce and property are, on an average, about three times as great as they were when we had a national bank, and a federal administration to rule over us. This is a result which every body can see, and about which there can be no dispute; so that the opinion must become general, that the death of that bank was the birth of American prosperity.

This is what general Jackson and his friends foresaw when they commenced their opposition to that bank. They knew that that bank, in addition to being a political machine in the hands of the federalists, was also a moneyed engine of favor to a few and oppression to the many, and systematically working to make the rich richer and the poor poorer. Its great loans were confined to a select few, and these few were the regulators, not of currency, but of prices; they regulated the prices of labor, produce and property; and they fixed the price of every thing to suit themselves, and that was at about one-third of its value. The breaking down of the favoritism and monopoly of that bank—stopping its enormous loans to a select few—stopping its transportation of our specie to Philadelphia and thence to Europe—with a revival of the gold currency, and the increase of our specie from twenty millions to about one hundred millions, these are the true causes of our present gratifying prosperity, and every friend to the liberty and prosperity of the country should now see the propriety of keeping down a national bank and keeping up a circulation of gold and silver. Nor is it sufficient to keep down a national bank; the local banks should also be kept in subordination to the laws. They should be prevented from stopping and suspending when they please, and from inundating the country with small notes, and post notes, and other pestiferous trash. The richest countries in the world, such as Holland, the Hanseatic towns, Cuba, &c. have no paper money at all. France has none under one hundred dollars, and England has none under twenty-five dollars; and all these countries, especially France and the latter, have the most overflowing abundance of gold and silver, not only enough for all their own uses, but to lend to all foreign nations, and that at the low rate of four or five per cent. per annum. Missouri can have as much gold and silver as any of these countries by following the example. I would myself banish all paper money under one hundred dollars; but twenty is the highest mark to which the Democratic party has yet come; and I shall hope to see the next legislature of Missouri act up to that mark, and save the state from the degradation, loss and misery of losing a specie circulation, and becoming the receptacle of all the small trash, all the depreciated stuff, and all the broken bank notes of the surrounding states and territories. The present paper system of the Unit-

ed States cannot stand, even if there was no pecuniary or political object in blowing it up every three or four years. A thousand banks, issuing small notes and post notes, and doing business upon each other's paper, could not stand even if all hands were in favor of saving them; but this is not the case; many are in favor of periodical explosions of the banks, both for pecuniary and political objects, and especially to cause a resuscitation of the national bank; and these will accelerate the event which would come of itself in a few years; and thus periodically afflict the country with a broken bank currency. Our state legislature can save the state from this affliction, and congress can save the federal government.

Our state legislature can save the state by excluding all paper money under twenty dollars; (I had much rather say under one hundred); congress can save the general government by establishing the independent treasury system. This latter measure is now a permanent object of the administration, and is called for by the strongest reasons of policy and necessity. Hard money payments to and from the federal government, and the keeping of its own money by its own agents, (which are the two essential features of the independent treasury), are indispensably necessary to save the federal government from bankruptcy every time the local banks shut up or blow up; also to prevent such banks from expanding their currency upon the credit of the federal government; also to keep up a sufficient quantity of gold and silver in the United States to make it safe not to have any banks at all, and to prevent an exclusive circulation of paper money; also to prevent the resuscitation of a national bank. The democracy of the union are now nearly united in support of this great measure; and, if not established soon, the next explosion of the independent states will do the business. I look upon the establishment of the independent treasury system as an event which, sooner or later, must take place; but it may be that another "suspension" must be added to the argument before it can be carried.

You speak in exalted terms, gentlemen, of the benefits of general Jackson's administration; and well you may, for never has any country improved and advanced as much in the same length of time as ours has done since his elevation to the presidency. At home and abroad prosperity and honor have been accumulating upon the country since that day. According to the predictions of his opponents, every species of evil was to result from his election; according to the fact, every species of good has ensued from it. According to these predictions, we were to have wars with all Europe, a military tyranny at home, and the ruin of all domestic industry. On the contrary, we have had peace with all the world, trade with all nations on the best of terms, and compensation made to our citizens by many nations to the amount of seven millions of dollars, for spoiliations committed on them under former presidents. Instead of a military despotism established on the ruins of a republic, we have now the same constitution that we had before; and we have it better understood, better observed, and better guaranteed by the increased intelligence and vigilance of the people, and the increased responsibility of public servants. Instead of the ruin of domestic industry, we have more industry, and a better reward for labor, than we ever had before. Such were the predictions; such are the facts; and it will now belong to the page of history to record the error of the one and the truth of the other, and to present the administration of general Jackson as the most transcendently glorious and universally beneficial which ever blessed any portion of the human race.

It is not possible, within the limits of this brief letter, to enumerate, even by name, all the great measures which have signalized and illustrated the administration of general Jackson, and blessed and benefited the country; but who can forget the payment of the national debt, the abolition of duties on near fifty millions of imports, and his earnest recommendation to congress to abolish the tax on salt, and give to the country the free, cheap and plentiful use of that article of universal and prime necessity, without which neither man nor beast can take his daily food in health and comfort? Who can forget the indemnities, sent over in gold, to the amount of so many millions, from France, Spain, Denmark, Naples and Portugal? Who can forget the gold bill, which had been dead for thirty years, and which has already given us near thirty millions of that coin, being nearly three times the average annual amount of the notes circulated by the late United States bank? Who can forget the silver bill, which legalized the circulation of foreign silver, and has replenished the country with silver?

Who can forget the veto of the bank charter, which killed the vampire which was sucking the life-blood from the south and west—which broke the machine which was governing our elections—and which destroyed the "regulator," which was enabling a few favorites to "regulate" the price of all produce, labor and property, and to take every thing at the one-third of what they now have to pay for it? Who can forget the removal of the Indians, which freed all the southern and western states from the incumbrance of a useless population, threw open a vast and fertile region to the production of cotton, and thereby created a new market for all the produce of the more northern states, for all their manufacturers, and new employment for the shipping of the northeastern states? Who can forget the recommendation to graduate the price of the public lands, to give preference to settlers, and to sell the lands, not with a view to screw money out of the people; but with a view to promote the settlement, and to increase the cultivation and improvement of the country? Who can forget the most wise and patriotic treasury order of 1836, which instantly operated as a pre-emption law in favor of settlers, and which had the same effect upon the speculators who were then monopolizing the public lands (with the paper of banks which were going to stop payment) that the discharge of a blunderbuss would have upon a flock of blackbirds on a wheat stack? Who can forget these measures, and so many others, all tending to promote the peace and prosperity, and by virtue of which the wealth of the country has been doubled in a few years, the market prices of staple productions have been trebled in many instances; and the laboring man, whether bond or free, is multiplied into three such men, in point of profitable production, as he was when we had a national bank and a federal administration? Who can forget or deny these things? But let us look forward. The repeal of the salt tax, the graduation of the price of the public lands, and the passage of a new pre-emption law, are three great measures which you are now to expect from the congress of the United States; and such is my opinion of the justice and equity of each of these measures, and such my confidence in the eventual success of all that is right, that I fully count upon seeing them all adopted, and beholding the day when you will get the best of salt at three bits for the measured bushel at the river towns; when every settler will be protected in his improvement from the day he makes it; and when inferior lands will be sold for a price adapted to their quality. You also want laws to preserve and protect the permanent circulation of gold and silver among you; and that is a case in which congress can aid you by establishing the independent treasury; and it is a case in which, without the aid of congress, or of any other state, you can help yourselves, by the easy and simple process of excluding all small paper and all depreciated paper from the state.

I am greatly gratified, gentlemen, with my visit to your quarter of the state. It was the last to be settled, because longest encumbered by an Indian population. For a long time it was a sealed book to the people of the other parts of the state; but the removal of the Indians has opened the book, and displayed to view its fair and ample pages; and already the southwest quarter of Missouri is known to a great distance, and is attracting an immense emigration. Taken in its full extent as embracing the valley of the Osage river, part of the waters of the Gasconade, and that fertile region of which the Ozark mountain (as this beautiful table land is called) is the centre; taking your section of the state in this extent, and viewing its various resources and capabilities—its lead and iron ores, pineries and other timbers, its happy mixture of prairie and woodland, its various fertile soil, both valley and upland, its matchless supply of the purest water, its double facilities for navigation by the Missouri and Arkansas waters, its exact adaption to stock-raising, and the unquestioned salubrity of its climate; viewed under all these aspects, and your quarter of the state rises to a high degree of consideration, and merits the day which it will occupy in importance with either of the other three quarters of the far-famed, justly-famed and transcendently favored state of Missouri. To all these natural advantages there is one other of an adventitious, and, perhaps, temporary character, which you at present enjoy, and I hope may long be blessed with—and that is, that there is no bank within upwards of a hundred miles of you, and that you have a more plentiful supply of gold and silver currency at this day, than any bank-ridden portion of the union has even of paper money.

Respectfully, gentlemen, your friend and fellow citizen,

THOMAS H. BENTON.

Messrs. JOHN P. CAMPELL, &c.

CHRONICLE.

Light houses and light boats in the U. States. From a schedule accompanying a report of one of the departments, published by the Army and Navy Chronicle, we find that the number of light houses and beacons in the United States, on the 1st January, 1838, was—in Maine, 27—New Hampshire, 4—Massachusetts, 39—Rhode Island, 10—Vermont, 1—Connecticut, 10—New York, 30—New Jersey, 1—Pennsylvania, 23—Delaware, 7—Maryland, 1—Virginia, 7—North Carolina, 7—South Carolina, 3—Georgia, 3—Ohio, 12—Mississippi, 4—Florida, 3—Michigan, 7—Alabama, 2—Louisiana, 3.

White number, 205—light boats, 23.

Improved light for light houses. Since the 1st of April, the lamps which are used in the lantern of the Boston light house, have been filled with other material than oil. We understand that a gentleman of this city has discovered a mode of manufacturing a combustible liquid, which will burn more brilliant than oil—and which emits no smoke or gas—and, of course, whenever it is used, there is no necessity to clean the glasses—and the light will be as brilliant at four o'clock in the morning, as at eight o'clock in the evening. We learn that he has made a proposal to the government, to furnish material for lighting up all the light houses on our coast, with a brighter and more uniform light, than is the case at present, and that an estimate certainly not exceeding what is now paid for oil.

The experiment is now being tried on the Boston light house, and thus far it succeeds admirably—and promises to equal in excellence all that is claimed by the inventor. It is not likely, however, that any change will take place along our coast until the experiment is fully and fairly tested. [Boston Mercantile Journal.]

An appalling incident. On the 4th inst. a collection of citizens had assembled at Moak's Hollow, in the town of Sharon, to celebrate the day. While a party was promoting the street, led by Henry Horton, who was playing on a violin, a horse attached to a wagon took fright, and passed furiously among them—struck Smith with one of the files of the wagon, which pierced nearly through his body, lifted him up from the ground, and carried him in that wretched condition for several rods with great velocity and coming to a descending part of the road, the horse fell upon the unfortunate victim, and slid a considerable distance down the declivity, mangled him in the most horrid manner. Of the persons in the wagon, one jumped out without injury, and the other was thrown some distance, by passing some obstructions, but received no mortal effect. [Canaloholic Radii.]

Information has been received at Boston from Halifax, stating that the fishing schooners Battle and Hyder Ali had been condemned in the vice admiralty court, for encroaching on the British grounds; and the schooner Sheelard and Mayflower, had been released on paying all expenses.

The Havre packet, which left New York on Tuesday, is supposed to have taken out \$300,000 in specie.

The grand jury of the United States circuit court, recently held at Detroit, have made a presentment, in which they express the opinion that English consulars here, have been engaged in contracts to import citizens of that place, by entering into stipulation with them to array themselves against the United States in case of a war with England.

The Upper Canada Herald says, that the British government are about to erect a block-house on Fighting island, which commands both channels of the Detroit river.

The Portland Argus says, that the West India yellow fever is making sad havoc with New England sailors. We have recorded the death of several within a few weeks, of our own townsmen, and of those who reside in our vicinity. The brig Charles Miller, which arrived here yesterday, lost by this terrible disease, before she sailed from Havana, a contract upon the departed citizens of this city—also William Cox, a seaman; and on the passage, Mr. John Cook, of Wakefield, N. H. (a passenger), died July 6th.

Debt of New Grenada. It appears from the late message of the president of New Grenada, that the foreign debt of that republic amounts to \$16,554,875, and the domestic debt to about \$3,850,000. "As to the foreign creditors," says the message, "although they have a right to demand, not only the payment of back interest, amounting to about \$13,417,549, but also that which shall hereafter be due on the amounting to the sum of \$93,892 per annum, it is necessary to confess, however painful it may be, that the republic is absolutely unable to discharge in full its extensive obligations; for it must pay in preference to other credits, the expenses necessary to its own existence. If creditors, disregarding their true policy, should exact the amount of the loans and interest, they would compel the republic to declare itself bankrupt." [N. Y. Jour. Com.]

The secretary of state has returned to Washington, from his northern tour.

Admiral Sir Isaac Coffin. The following characteristic letter from the admiral, who is now in his 81st year, is published in a late London paper. "Fear'd I may suddenly 'slip my wind,' and in the hurry of departure, forget to order my bankers to send adieu £100 for the naval school, which has always had

my fervent prayers for its success, I herein send the necessary document."

Rhode Island. The friends of the administration in Rhode Island, have nominated Thomas W. Dorr and Benjamin B. Thurston, as their candidates for congress. The whig candidates are Messrs. Cranston and Tillinghast, the late members. The election takes place on the 27th of August.

Mormon troubles in Illinois. The Shelby Republican gives the following version of the difficulties in that county, which it was reported the troops had been called out: "Some of the inhabitants of that county—many of them said to be old residents,—embraced the Mormon faith. These, while pursuing their ordinary avocation, were beset by a mob, and assaults committed upon them. In order to enjoy the equal rights secured by the Breese law, warrants to arrest the offenders. Judge Breese issued warrants against fifteen of the mob, and authorised and directed Col. James W. Vaughan, to call out his regiment to assist in arresting them. The col. ordered out a part of his regiment, but part of his men refused to obey the order, and the mob increasing, the military retreated."

Galvanism. There is now in operation, at No. 53 Gold street, in this city, a machine, propelled by a galvanic battery, on four electro magnets, which furnishes a mechanical power already applicable and useful for many purposes. The motive wheel of this machine is five feet in diameter, weighing four hundred pounds, and the magnets, when under the action of galvanism, causes it to revolve forty or fifty times a minute, for many hours in succession. Nothing can be simpler than the operation of this machine, which is on a plan entirely new, and quite different from that of the machines propelled by this power, which have heretofore been exhibited to the public.

The vivid sparks of electricity which are constantly emitted, while this engine is in motion, bear evidence to the tremendous energy of the power now brought under the control of man for useful purposes of life. No reason can be assigned, we believe, why this power cannot be increased indefinitely. Incalculable benefit would be conferred upon society by the discovery of this new and simple mechanical power, if it were only available from that of a single man, to that of one or two horses, where the employment of steam is dangerous and expensive. We advise the friends of science and the arts to visit this machine, as it may be seen daily in operation, at the place above mentioned. [N. Y. Com.]

We have been furnished with the following statement of the amount of duties paid in this district, for the first quarter of the present year, compared with the same quarter in the last.

Amount of duties paid in the district of New York, during the first quarter 1838, and first quarter 1839.

1838	\$2,407,767 73
1839	4,309,500 21
Difference	\$1,901,743 43

Baltimore inspections. The following is the amount of inspections in the city of Baltimore, for the quarter ending 30th June, 1839, (exclusive of returns made to the state), viz:

107,665 barrels wheat flour	
122 half do do	Balt. do
2,600 barrels rye do	do do
45 half do do	do do
131 lbsds. corn meal	do do
2,122 barrels do	do do
77 half do do	do do
515 barrels beef, foreign packed	do do
51 do do do	Balt. do
15 hf. do do do	do do
23 do do do	foreign do
6,729 barrels pork do	do do
101 lf. do do do	do do
27 barrels do do	Balt. do
17 hf. do do do	do do
204 barrelslard	do do
17 hf. do do	do do
10,657 kegs do	do do
363 do butter	do do
15 hf. bbls. do	do do

It is stated in the New York Gazette, that when the upper deck of the steamboat Sampson fell, on the 4th instant, one of those who were wounded by the accident, placed his worthy doctor, Dr. Wood, a respectable physician of the city, being on board, very fortunately felt the pulse of Mr. Henriques, then supposed to be dead, and discovered that he was alive. The doctor promptly gave the patient some brandy and water, when he began to revive. The crowd then collected around the doctor, and insisted that the patient should be bled. The worthy doctor declined, and told them that he would not commit murder by bleeding; that the patient was too much injured to admit of the loss of any more blood. The silly belief that it was necessary on all occasions of accidents to bleed, led the doctor in bad repute with the passengers, but his judicious treatment of the worthy doctor, saved the gentleman's life. The course pursued by Dr. W. was approved by two of the most eminent surgeons of New York, who held the

opinion that had he yielded to the solicitations of the passengers and bled the patient, he could not have survived.

The steamboat Antelope, which left St. Louis some months ago, for the mouth of the Yellow Stone river, was wrecked, having fired to reach her respective destination, by about 400 miles, on account of low water.

The St. Louis papers mention the arrival there, of six hundred tons from the Yellow Stone river, with 24,000 buffalo robes, worth \$100,000.

The town of Salem, Mass. with a population of fifty thousand, had only three deaths during the month of June.

There were 145 deaths in Philadelphia last week. The number of deaths in the city of New York, was 164.

In Baltimore, the number was 53.

The Cincinnati Republican cautions its city readers against purchasing butter and cheese brought to that market, without first being assured that they are not infected with the poison from the weed that causes what is known in that quarter, as the milk sickness.

Trade of the west. The Cincinnati Daily News states that from the 12th of January, to the 8th of July, of the present year, there have been 1,770 steamboat arrivals at that city—one-fourth of the number being boats of the largest class.

At one of the celebrations of the fourth, in Virginia, the following good 'un was handed in and drank. Judge Lynch: If ever found within the limits of the Old Dominion, he shall assuredly have a trial by jury—his own code to the contrary notwithstanding.

Air—Rogues march. The Philadelphia, Wilmington and Baltimore rail road company, has declared a half yearly dividend of four per cent. payable on the 1st of August.

Exploring expedition. The Journal of Commerce publishes a letter from Guayaquil, under date of 21st May, which says—"By the Gorafilia, in the remarkable short passage of 14 days from Valparaiso, I have learned of the arrival of a part of the exploring expedition, viz.—the Peacock and Relief.

A letter from Havana, in the Journal of Commerce, states that the government of Cuba has offered to sell or rent the rail road from Havana to Gair's Bay, thirty-two miles long, for the sum of \$3,000,000. The government will give it for \$2,000,000. Since last December, it has taken upwards of \$1,000 per day for freight and passengers, and it might be made still more profitable, as the country through which it passes will grow daily more populous.

Affecting scene. The funeral of the unfortunate seaman, named Remsen, one of the crew of the North Carolina, who was murdered on Friday night, which took place on Saturday, was a most interesting and imposing spectacle we have noticed for many a day.

After the ceremonies were over, preparations were made to remove the body to its last resting place, when, as it was borne out of the house, it was followed immediately by two elegy-men, and next in order, about 200 persons, who, as they passed, sang the following on board the North Carolina. They were all dressed neat and trim, in white pantaloons, white stockings and pumps, a blue jacket and tarpanlin hat. They walked two and two, all perfectly sober, and inent upon the melancholy duty they were performing. As the mournful procession passed through the street in solemn array, we observed that the deceased, his fellow sufferers and imposing spectacles we have noticed for many a day.

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An editor killed in an affray. J. W. Moore, esq. editor of the Red River Whig, was killed in the street of Alexandria, Va. on the 1st July, by King Holstein. Moore had previously been challenged by Holstein, but refused to fight him on the ground that he was not a gentleman. This expatriated H. to such a degree that he armed himself with a gun and brace of pistols, waited for Moore in the street, and in the first place snapped his gun at him. That missing fire, he drew a pistol and shot him dead.

Shot men afterwards walked through the town and made his escape, the sheriff being afraid to arrest him. [N. O. Picayune.]

Court of common pleas—unprecedented. The many well founded and grievous complaints of "the law's delay," would soon cease, if law courts generally could get through their business with such despatch as did the court of common pleas of this city, during the last term. Every case on either the argument or trial side, was heard and disposed of in the respective courts, litigants had an opportunity, if willing or prepared, to try their causes. This we believe, is altogether an unprecedented occurrence in the annals of any of our law courts. [N. Y. Jour. Com.]

The only two surviving "life guards" of Washington, were in the procession on the fourth of July, in Newburgh. Their names are Benjamin Eaton and Robert Blair. On entering the church, they were respectively addressed by the Mayor, by six other revolutionary soldiers—the mixed ages of all being 551 years.

NILES' NATIONAL REGISTER.

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BALTIMORE, JULY 27, 1859.

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE foreign news published in the present sheet is of great interest, indicating as it does a great and disastrous revolution in the commercial relations of this country with England, in which our merchants and planters will be the principal sufferers; England it will be seen is also distracted by the movements of a new and powerful political party,—and there is a speck of war in the east, which some think indicative of a general war in Europe. We refer our readers to the details from which they can form their own conclusions.

THE PRICE OF COTTON. In June last we published a *private* "cotton circular" which was distributed, erroneously, to the bank of the United States, the object of which was to keep up the price of cotton in the European markets. In the present sheet we have published another circular, issued about the same time, and for the same object, but which has only recently been made known to the public through the columns of the *Macon Telegraph*, in which the plan is detailed at some length, and a convention proposed to be held in Macon, in Georgia, to carry it into effect. As an appendix to that circular, we have also published in the present sheet, the manifesto of the Manchester cotton spinners, in which the plan proposed, tho' only known to the parties to a limited extent, is denounced as "one of the most rash and insane speculations of modern times."

THE ENGLISH NEWS has had a most depressing effect upon the New York market. The following, which we find in the *Star*, discloses some of the plans devised to counteract the evils which it threatens to the commercial community.

We learn that a committee of gentlemen have called, or are about to call on the banks of this city, with the view of inducing them to ship coin to England, and draw against it, say to the amount of from three to five millions of dollars. It is said that the operation can be carried on with a reasonable profit, selling exchange from nine and three quarters to ten per cent. The idea of sending abroad a portion of our specie has been the subject of conversation for many weeks past in Wall street. It is one of the articles which can now be shipped at a profit.

The demand in London, owing to a present deficiency there, and the over supply in other parts of Europe, and to some extent in this country, will necessarily produce an equalization in the course of trade. The advantage of sending out coin in known and considerable quantities is this: that it will be ascertained sooner, and with greater accuracy when an equalization has taken place, and at once the operation of shipping will be suspended. A different course is likely to result in an unnecessary accumulation of coin in London, from the fact that it will be shipped there from all quarters, with a view to profit, and in amounts unknown, until there shall be an over supply.

We are not sure that the banks ought to be the principals in sending out the coin, because it is out of the line of their ordinary business; but we are sure that they should pay it out to their bill holders and depositors without hesitation or concealment. In this way the quantity going abroad will be known with certainty both here and in London; and shipments will immediately cease as soon as a sufficient supply is furnished there. The supply must be furnished either directly by the banks to their customers, or indirectly through brokers.—See how the matter now works.—A merchant who is under the necessity of making a remittance abroad, being unable to purchase exchange upon satisfactory terms, instead of going to the banks, whose bills he holds, or in which he has money deposited, covertly puts his funds in the hands of a specie broker, with directions to purchase the required amount; and lest he should create ill feeling, he endeavors to keep the fact secret that he is shipping coin. The consequence is that we can neither know here nor can they know with accuracy in England, when their deficiencies are supplied; and shipments will go on long after the necessity of making shipments shall have ceased.

The moment the bank of England finds itself with a surplus of coin on hand, the rate of interest will be forthwith reduced. Cotton will advance in price, American speculators will be firm, and the
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surplus coin will return to this country. It is after all a mere settlement of balances. England has the gold to-day, and in fifteen days it is back again into the United States. When they are short we send our surplus; when we are short, they send their surplus to us.

MR. CLAY is at present on a visit, for the first time in his life, to the Falls of Niagara, and is expected at Saratoga springs on the 10th of next month. He has every where been received with the most distinguished marks of courtesy. Whilst at Buffalo, though determined to avoid all public display, he was publicly welcomed by a committee on behalf of the citizens. The address of the chairman of the committee and Mr. Clay's reply, are published in the present sheet. He recently crossed over the river at the Falls to witness the parade of the 43d regiment, the colonel of which politely invited him to review it, an honor he declined in favor of his friend general Porter, by whom he was accompanied.

APPOINTMENT BY THE PRESIDENT. William Selden, of Virginia, to be treasurer of the United States, in the place of John Campbell, superseded. Mr. Selden entered upon his official duties on the 22d inst. Mr. S. was a candidate for congress at the recent election in Virginia.

The "Globe," of Monday last, in reply to some statements that Mr. Campbell was removed because he was a conservative, assigns the following as the reasons which actuated the president.

"Some of the indiscreet friends of the late treasurer, Mr. Campbell, are very abusive towards the president on account of his removal. Whether ignorant of the true facts, or fully acquainted with them from him, their course is equally censurable and unjust to impute bad motives to the president, or to assign false causes for the removal. Whether Mr. Campbell is a conservative or not, and whether he is opposed to the president or not, and if so, ought not to be employed under him, are questions not necessary to be discussed on this occasion; because we learn that since Mr. Van Buren's administration commenced, Mr. C. has, from his infirm condition, been absent from his office more than one-third of the whole time. That during the remaining two-thirds of the time he has not been able to attend at all to the correspondence of the office, even so far as to affix his signature to it; and that in respect to the other business, he has omitted entirely to supervise and sign the drafts, treasury notes, &c. after having been filled up for him, but has been in the habit of merely signing blank notes and blank drafts to the amount of millions on millions, leaving them to be afterwards filled up and issued by his clerks, without the slightest interference on his part as the head of the office.

"The president, on ascertaining these facts, undoubtedly considered that Mr. Campbell's infirmities prevented him from devoting that personal attention to his official duties which the laws and the public security render proper.

"For these reasons, and not for the political ones blazoned about by the opposition, we understand that Mr. C. was notified that a change in the office had become necessary.

"So far from proscription or unkindness existing in this case, Mr. C. has, under these circumstances, been treated with marked forbearance and courtesy by the president, and all connected with the administration."

MR. WEBSTER. There are many speculations afloat, whether the above named gentleman, by his late letter to the citizens of Massachusetts, withdrawing himself from before the people as a candidate for the presidency, intended also to decline the nomination, which he has already received for the vice presidency. We answer that we have evidence for saying, he did not. [Gettysburg, Pa. Star.]

COL. JOHNSON. "The impression appears to be very general that the present vice president of the United States will not be a candidate for re-election." [Richmond Enquirer.]

GENERAL ANDREW JACKSON arrived here yesterday, and stopped with his fast friend and fellow soldier, general Armstrong, until this morning, when with

him he departed for White's creek springs, accompanied by Judge Catron and others. It affords us sincere pleasure to state, that the health of the venerable ex-president is very much improved. He is expected to return to this city to-morrow. [Nashville Union, July 12.]

THE HON. ABRAHAM VANDERVEER, a representative in the last congress from the state of New York, died at Brooklyn on Sunday last. He was a friend of the administration, a moderate politician and much esteemed for his personal character.

MISSISSIPPI. United States senator R. J. Walker, who had determined to decline a re-election, has, at the instance of the friends of the present administration, consented to offer again. A meeting is called in the Natchez papers by the friends of S. S. Prentiss, to start that gentleman in opposition to Mr. Walker.

MR. FOSTER, OF TENN. In reply to a letter addressed to him, the hon. E. H. Foster, whig senator from Tennessee, elected in the place of Mr. Grundy, states that, in the event of a majority of his political opponents being elected to the state legislature, he will resign his seat. He says:

"What my friends and the public generally may think of this, my intended course, I know not, I have reason to fear that with some people, it may subject me to no inconsiderable censure. However this may be, I trust and hope, that no difference of opinion on the main point will deny my heart the undivided approbation of all. Could I suffer the lust of office to predominate over the pride of sentiment, and the noble and elevated endearments of private life, I should not be without multiplied examples in the highest ranks of consistent democracy, to excuse the pertinacity which might tempt me to cling to a commission long after the instrument had been spoiled of its brightest gem, 'public confidence.' I rebuke not, neither do I envy, those who garnish themselves with such doubtful honors; but my nature and my disposition must undergo a great change before I consent to imitate their example. With me, the private station is the post of honor; whenever I shall become satisfied that my constituents desire to dispense with my services."

NORTH EASTERN BOUNDARY. Among the passengers in the Great Western are col. Mudge and other gentlemen, appointed by the British government as commissioners on the north eastern boundary.

The New York Express says that the newspapers in Canada and the lower provinces have discovered to their consternation that the geologist of the United States has been appointed by the British government to settle the boundary question. The fact seems to be, that Mr. Featherstonhaugh, who has recently made a geological survey for our government in the western states, and returned to England last winter, has received the appointment of geologist to the commission about to be organized for a new survey of the boundary. The New Brunswick papers seem to look upon this as conclusive evidence that the American claim is to be allowed without any trouble.

TEXAS. The dates from Houston are to the 11th inst.

The rumored arrival of four thousand Mexican troops in the vicinity of Matamoros produced some excitement among the people of Texas, who were preparing to meet them and give a good account of them.

A considerable detachment of Texan troops had marched towards the northern frontier, to repel an invasion which the savages threatened in that quarter.

This cotemporaneous movement of the Indians and Mexicans, indicates some kind of combination and concert between them.

We are happy to learn that the indemnity due by the government of Texas to the United States for the seizure of some merchant vessels some years since, was yesterday paid to the honorable Alice LaBrache, in behalf of his government. The amount was something over twelve thousand dollars. [New Orleans Bee.]

MEXICO AND TEXAS. The correspondence which has taken place between colonel Bee, the late Texan envoy of Texas, and general Victoria, the military commandant of Vera Cruz, is published in a number of the Iris, a Mexican paper, on the 22d of June. The instructions from the supreme government in the city of Mexico, required general Victoria not to receive colonel Bee as an agent of Texas. He was required to say to colonel Bee:

1. That he might represent in writing to general Victoria the object of his mission, not in any public character, but as a commissioner from the revolted colonies of Texas.

2. That if the object of his mission was to ask the recognition of the independence of Texas, gen. Victoria should reply that the government of the republic could give no replies, and that colonel Bee should be immediately required to re-embark.

3. That general Victoria should treat colonel Bee altogether as a private individual, but that he should guard his movements, and prevent all communication with the revolutionary spirits.

The secretary of state for the home department should remark that colonel Bee arrived in the United States packet Woodbury, and that the United States consul at Vera Cruz, delivered his communication to general Victoria. These circumstances prove how much interest the United States government and its agents continue to take in the dismemberment of this republic.

In consequence of his instructions, general Victoria required the Texan envoy to re-embark in the first vessel sailing from Vera Cruz. [Globe.

EVENTS IN PERU, BOLIVIA AND CHILI. Extracts from late files of "El Araucano," published at Santiago de Chili.

The province of Potosi, in the republic of Bolivia, has pronounced against the confederation with Peru, and the following declarations have been adopted by the legislature:

1. The Peru Bolivia confederation shall be abandoned, because we lose by it our independence and become a colony of Peru.

2. We repudiate the authority of general Santa Cruz, because he has used his power in a most tyrannical and arbitrary manner, and has arrogated power which was not imparted to him.

3. We nominate general Jose Miguel de Valasco, as president of Bolivia.

4. We declare that Bolivia has not had the slightest part of the crimes of general Santa Cruz, committed at home or abroad.

FROM JAMAICA. By the John W. Carter, at New York, we have files of Kensington, Jamaica, papers to the 27th June inclusive; they contain but little of interest, however, beyond a repetition of the exasperated state of feeling that exist between the present governor, sir Lionel Smith, and his supporters, and the planters of the island.

The governor and the magistrates are charged with conspiring against the general interests of the people, and parson Knabb, who threatened some time since to head a mob of blacks, is still active in his mischief. He has published an article wherein he terms the whites of Jamaica calumniators, thieves, infidels, women-floggers, &c. The governor has prosecuted the editor of the Despatch for a libel, in republishing from the New York Albion, an article cautioning the governor against letting loose the public felons, convicts, &c.

By a recent statement it appears that the island contains 55,000 white inhabitants, 100,000 free colored and 311,000 newly emancipated apprentices. There are 135,000, white and black included, who can vote, and the emancipated are acquiring freeholds giving a decided contradiction to the statement in the house of commons, of there being but 5,600 whites on the island.

The annexed we find in the New York Star: The Jamaica Standard gives alarming accounts of secret meetings of free negroes in Westmoreland, for the purpose of considering the propriety of adopting the desperate course of "fighting for their houses and grounds!" The same paper says that the whites will have to resort to self-defence, as the government has neglected to provide arms and ammunition for the towns. In reviewing matters in Jamaica, we should not be at all surprised to hear of a general massacre of the whites throughout the island, worse than that of St. Domingo. It is very clear that the planters are desperate, seeing themselves plundered and impoverished, and that they would meet death with firmness as a relief to their sufferings.

Sir Lionel Smith is accused of having suppressed important information to the government at home. In evidence to us we find the following report of justice Wills, dated as far back as September 9, 1838, but not despatched by sir Lionel, till January

5, 1839. The report of justice Wills contains this passage:

"It appears scarcely one-third of the late apprentices have returned to their work, and I regret to say they are not performing labor continuously.

"There is only one property where the whole of the late apprentices are at work."

A subject of such excitement at the moment is that of restricting the negroes to limited portions of ground. This the government oppose. A planter writes: "I repeat again, take away their grounds"—that is to say, the grounds where a negro plants corn, cocones, yams, &c. for sale, instead of giving his labor for hire, to make sugar, or the staple commodity of the property he lives on. Leave the negro laborer his house and small garden, with his fruit trees—say one rood, and no more, around his house, and no where else—then he must work for hire, money wages, and his maintenance."

The government party were rejoicing in the anticipation of the passage by parliament, of the Jamaica bill.

THE COURT MARTIAL. We understand that the United States court martial, now in session, in this city, for the trial of major Brant, of the U. S. army, has completed the examination of the testimony on the part of the government, and have entered upon the examination of witnesses on the part of the accused. The major, we are informed, has dispensed with the testimony of one witness in Florida, and we therefore presume that the investigation will be closed sooner than was anticipated.

[St. Louis Republican.

U. S. MINT AT NEW ORLEANS. The New Orleans Express of the 15th inst. contains the following:

Thomas Sidell, esq. the United States district attorney, left the city on Friday last for Washington, carrying with him the record of an investigation which has been going on, night and day, for more than a month, at the mint, during which many curious facts came to light. Mr. Sidell conducted the investigation on the part of the government, judge Woodruff and Wm. D. Boyle, esq. on the part of some of the other officers.

ILLINOIS. There are, as we learn from the Louisville Journal, two important constitutional questions before the supreme court of Illinois, now in session at Springfield. One is in regard to the tenure of the office of secretary of state, and the power of the governor to appoint where there is no vacancy; in other words, to remove the incumbent at pleasure. The other is whether foreigners not naturalized have the right of voting under the constitution. The latter question comes up under a difficulty growing out of the adoption of the town charter of Galena.

BREAD STUFFS. The Pittsburg Gazette of Monday afternoon states that flour was selling there on that day at \$3 50 per barrel. In some parts of Ohio, it is added, wheat had fallen within three or four weeks past from \$1 50 down to 75 cents per bushel. At Louisville, it will be seen, wheat was selling at 75 cents, but it was expected to fall to 62½ cents. The certainty of abundant crops has occasioned this great decline in prices.

In the Baltimore market, new wheat continues to come in very sparingly. The supplies do not yet equal the demand, and common to best reds command \$1 20 to \$1 30 per bushel. The stock of flour of all descriptions in market is considerably under 10,000 barrels. City mills held at \$5 50; Howard street, \$5 87½. [Balt. Amer. of yesterday.

NEW YORK CANALS. The tolls collected on the New York state canals during the first week in July in each of the five years past are as follows:

1835,	\$35,473
1836,	41,495
1837,	30,721
1838,	26,682
1839,	29,764

Showing an excess in 1839 over 1838 of \$1,082, and an excess in 1836 over 1839 of \$1,731.

The tolls collected on the New York state canals during the second week in July of each of the five past years are as follows, viz:

1835,	\$36,432 06
1836,	48,906 83
1837,	29,421 04
1838,	37,726 71
1839,	32,733 50

WHEAT AND FLOUR. The wheat and flour arriving at the Hudson river in this and the preceding year, during the first two weeks in July, is as follows:

	Bush. wheat.	Bbls. flour.
1838,	34,537	58,846
1839,	8,134	38,800

Showing a falling off of 26,403, and 20,046 Being together equal to a falling off of 25,326 barrels of flour in two weeks.

The total arrival at the Hudson river in this and the preceding year, up to the 14th July, is as follows:

1838,	361,866 bbls. flour.
1839,	332,866 "

Showing a falling off of 28,500 " In the arrival at the Hudson river, notwithstanding there was up to the 14th June, an increase of \$58,527 barrels in the quantity of wheat and flour coming in at Buffalo from Ohio, Michigan and Illinois, over the former year. [Argus.

FLOUR. The wheat harvest, as far north as Maryland inclusive, is already in; and notwithstanding some local exceptions, particularly in lower Virginia, it is on the whole one of the richest that ever was gathered. There is every prospect of a similar result in Pennsylvania, New York, Ohio, Michigan, and other grain growing states; so that we may safely calculate upon a large surplus for exportation, and that the price of flour will be regulated by what it is worth for that purpose. This will depend, in part, upon the scantiness or plentifulness of the crops in other countries. By the last accounts, the wheat prospects were good in England, and we have as yet no intimation of short crops any where except in Chili. But at all events, we shall find a demand for flour in the West Indies and South America, which we can supply if we will do it cheap enough; and with reference to the effect on exchanges, it is not material where the flour goes to, if only it goes at all. Notwithstanding the short crops of 1837 and 1838, we exported in the twelve months ending 30th September last, flour to the value of \$3,605,299. During the year to come we see not why we cannot export to the value of \$10,000,000, unless some unlooked for disaster should befall the crop in the middle and northern states. The effect of this upon our exchanges will be sensibly felt. Added to 1,600,000 bales of cotton (which the next crop will probably realise) it will turn exchanges decidedly in our favor, unless we go to importing too freely, which we are apt to do whenever we begin to feel strong.

When exchanges become favorable, the pressure upon the money market will cease, as there will then be no motive for the exportation of specie, and consequently the banks will be more free than their discounts. [N. Y. Jour. Com.

NEW KIND OF WHEAT. The Charleston, Va. Press says, "a new kind of wheat, of superior quality, and which yields much more abundantly than any hitherto raised in that county, has been secured by the present harvest on the farm of Mr. John Wyson, near Shepherdstown. Mr. W. obtained the seed from Mr. Stonebraker of Maryland, who became in possession of a small quantity by accident, two or three years since. From three bushels and three pecks sown by Mr. W. on ground not the most favorable part of his farm for wheat, he will, it is thought, have a yield of at least 125 bushels—some competent judges say 150 bushels. The heads are very large, and contain many more grains than the heads of wheat now generally grown in Jefferson county. It attracts much attention, and is evidently a new and very superior kind of wheat, well worthy the attention of farmers. In a favorable season, and land not unfavorable to the production of wheat, it is believed, it will always yield from 40 to 50 bushels per acre.

On the above, the Baltimore American remarks:—We have received some additional particulars respecting this new kind of wheat. It is called the rock wheat, from the circumstance, that some two or three years ago a single head of wheat, of peculiarly large size and product was seen growing by itself from the crevice of a rock in a wheat field. The head was carefully preserved and the grain sown, and from it has been produced the few parcels which were sown last year by different gentlemen. Two of these parcels found their way to Baltimore, and on account of their remarkably fine quality and the accompanying assurance of their productive character, were bought for seed at the rate of three dollars per bushel. They were sown in the vicinity of our city early in October last, and we are now enabled to state the result of the experiment as made by one of the gentlemen, Mr. Joel Vickers. Three and a half acres of rich, well prepared ground, have been found to produce at the rate of *forty-seven bushels to the acre*. The quality of the grain is excellent, and

many of the heads were found to contain forty-five grains of wheat. Although it is admitted that, when the character of the land and the favorableness of the season are considered, ordinary grain would have produced a full yield, yet the extraordinary produce, just stated in the case of Mr. Vickers, as well as that quoted from the Charleston Press, proves that the *rock wheat* is a valuable species, and well merits the notice of wheat growers.

REMAINS OF SOLDIERS OF THE REVOLUTION. From the *National Gazette*. The graves of several revolutionary soldiers who fell near Philadelphia by the arms of the enemy, were mentioned by us recently in an editorial paragraph, and a suggestion was made of the propriety of collecting the remains of the gallant dead in this vicinity, and erecting a monument to their memory. A correspondent in the annexed letter answers several questions satisfactorily concerning the burial place of certain patriots of '76.

Philadelphia, July 12, 1839.

To the editors of the *National Gazette*:

Gentlemen: Begging you to excuse an anonymous communication, a reader of your paper of yesterday would respectfully state, that major Witherspoon was buried at Beggstown, (now called Franklinville by its delicate inhabitants), above Germantown, in the grave of the Lutheran church, (St. Michael's), of which the Rev. Mr. Richards is pastor. General Nash was riding at the head of his brigade, and had arrived in front of the grave yard above mentioned, when a ball struck his leg, broke it, and passing on, dashed out the brains of the major, who was acting as his aid. At the middle of that portion of the yard which is in front of the church, about three paces to the left of the gravel walk, (facing towards the church), stands a headstone which bears the following inscription:

Here lies the body of
major JAMES WITHERSPOON,
of the Jersey brigade,
who fell in the battle of Germantown,
October 4, 1777.

The writer has been informed by a gentleman now residing in Germantown, to whom the public are indebted for valuable historical contributions, that captain Dwyer, of North Carolina, and major Irvine, lie together with six men, in one grave, at the east corner of the upper burial ground of Germantown, which adjoins the Concord school house.

The following extract is from an article published in the *Germantown Telegraph* of March 13th, 1839, (credited to the *Southern Literary Messenger*).
"The remains of this gifted and accomplished soldier (gen. Mercer) now sleep in Christ church yard at Philadelphia. Impelled by filial love, his youngest son, in the year 1817, sought his place of interment. The venerable Mr. Dolby, who had attended the funeral was still the sexton, and assisted in the pious search; and near the grave on the southern side of the brick enclosure were faintly inscribed the letters "G. M." A plain and unadorned marble slab now marks the grave, bearing the simple yet expressive epitaph:
"In memory of gen. Hugh Mercer, who fell at Princeton, January 3d, 1777."

AN OLD SOLDIER. At the celebration of the 4th of July, at Cedarville, Cumberland county, N. J., a short address was delivered by the rev. Mr. Osborn, in which he related many events, with which he was familiar in the revolution while serving his country as private soldier. He spoke of his being in New York on the 4th of July, 1776, and of his hearing in the afternoon the roaring of the cannon from the battery—and the reason assigned for the demonstration of joy was that congress had that day declared "that we were about to be free and independent states." The rehearsal of past dangers and successes seemed to enkindle afresh in this "soldier of the revolution" all the ardor and patriotism of his youthful days.

The rev. Mr. O. is pastor of the Fairfield Presbyterian congregation, and has filled that station, beloved and respected by people of all denominations—in fact we might say by every body—for near half a century. He is, we believe, considerably past three score years and ten, and retains all his mental and bodily faculties to an astonishing degree, and is truly an *old soldier*. He is one of the few connecting links that bind the present with the past that is yet suffered to remain with us. A few delightful journeys of the resplendent orb of day, and the last link of the chain will be broken.

[N. Jersey paper.]

NAVAL. The U. S. ship *Natchez*, B. Page, commander, arrived at New York on Tuesday last from

a cruise of several years in the West Indies and Gulf of Mexico. The last cruise was among the West India islands. She left Pensacola on the 29th ult. and proceeded as far to the windward as St. Bart's. The *Natchez* has brought home a number of officers, seamen and marines of the squadron of commodore Shubrick; most of the officers, we believe, have returned for the purpose of facilitating or obtaining their promotion, and most of the seamen and marines in consequence of their terms having expired. List of the officers of the *Natchez*: Benjamin Page, esq. commander; John D. Wright, 1st lieutenant; J. M. Berrien, 2d do.; A. C. Maury, 3d do.; Stephen Decatur, acting 4th do.; J. D. J. Maston, acting master; George Blackwell, surgeon; Sterret Ransay, esq. purser; J. Thompson Mason, assistant surgeon; midshipmen—N. E. Collins, Mar-rast, Brown, Plantou, Morgan and Bissell; V. Hall, boatswain; John D. Benthall, gunner; J. White-man, sailmaker; E. Leedon, purser's steward.

Passengers—J. Miner, esq. of Virginia; S. Yard, U. S. Navy

Pensacola, July 13. The United States schooner *Oscego*, lieut. Shubrick, arrived here on Monday last from Key West. The *Oscego* is one of the small craft fitted out to operate on the Peninsula against the Indians.

In our last was contained a hasty and imperfect notice of the difference in relation to a point of professional etiquette which had occurred between the commanders of the French and American squadrons. As was stated in the article alluded to, after the exchange of national salutes, commodore Shubrick called a visit to the *Oscego* on board the *Verecile*. He was not received with the usual salutation of guns, in consequence of which he addressed a note to the admiral, inquiring why he failed to accord to him the honors to which he was entitled as a commander-in-chief. An elaborate correspondence ensued on the subject of etiquette, which was conducted in the most temperate manner, and terminated without producing any unpleasant feelings. We by no means intended, as some persons seem most gratuitously to suppose, to impute any want, on the part of com. Shubrick, of courtesy to the French admiral. On the contrary, we understood at the time that com. Shubrick visited the French admiral not so much with the expectation of receiving the salute which he deemed due to his rank as the commander of an American squadron, as with the determination to leave unperformed no act of courtesy which could possibly be expected of him.

The United States schooner *Shark*, lieut. com. The Bigelow, bound to the Pacific, went to sea from Hampton Roads on Monday.

A long sixty-eight pound gun, intended to throw Paixhan shot, has been placed on board the United States steam frigate *Fulton*, for the purpose of making experiments at Sandy Hook

THE NORTH CAROLINA 74. *Naval apprentices again.* The broad pennant of commodore Ballard was hauled down from the North Carolina yesterday, and the blue pennant of commodore Ridgeley, commander of this station, hoisted in its place. This ship is to be retained at the navy anchorage in our harbor, where she now lies, as a school of practice for naval apprentices, under the direction of captain Gallagher, aided by lieutenant Marshal, (late of the Hudson receiving ship), as executive officer. The last mentioned gentleman has for sometime had the superintendence of the admirable school for apprentices on board the *Hudson*. The pupils will now be transferred to the North Carolina, which it is believed will accommodate a school of 1,500. What a capital nursery this for young seamen. There will be in time as much competition among families to get admission for their children in this practical navy seminary, as there has been to obtain a cadet's commission in the celebrated military school at West Point.

[N. Y. Star.]

MILITARY ACADEMY. The following are the names of the five most distinguished cadets of the military academy, in their respective classes, as determined at the general examination held at West Point during the month of June, 1839.

First class.

1. Isaac I. Stevens, of Massachusetts.
2. Robert J. Butler, of Virginia.
3. Henry W. Halleck, of New York.
4. Jeremy F. Gilmer, of North Carolina.
5. Henry L. Smith, of Maine.

Second class.

1. Paul O. Hebert, of Louisiana.
2. Wm. P. Jones, of Virginia.
3. John McNutt, of Ohio.
4. Chas. P. Kinsbury, of North Carolina.
5. William Gilham, of Indiana.

Third class.

1. Zealous B. Tower, of Massachusetts.
2. Horatio G. Wright, of Connecticut.
3. Masillon Harrison, of Virginia.
4. Smith Stansbury, of Maryland.
5. Josiah Gorgas, of New York.

Fourth class.

1. Henry L. Eustis, of Massachusetts.
2. John D. Kurtz, of District of Columbia.
3. George W. Rains, of Alabama.
4. Wm. S. Rosecrans, of Ohio.
5. Richard W. Johnston, of Virginia.

RAIL ROAD TRAVELLING. The editor of the *Boston Daily Advertiser* holds the following language with reference to the rate of travelling on rail roads in this country and in England:

We believe that experience on the good rail roads in this country has shown, that a rate of twenty miles an hour, exclusive of the time allowed for the regular stops, is easily maintainable, on an extended line; but that a much greater speed than this cannot be advantageously maintained, without considerable additional expense, and greater hazard of occasional derangement of the regular system. This derangement is a more serious inconvenience on a line of rail road consisting of a single track than in England, which is double, like the principal rail roads in England.

We learn from a statement in a late London paper, that a change has lately been made, in the hours and rates of the running of the mail trains, on the London and Birmingham rail road, by which they are made to travel the distance of 116½ miles, in five hours; and—deducting 25 minutes for four stops—4 hours 25 minutes, travelling time. This is equal to 25½ miles an hour including stops. This is a greater degree of speed than is regularly realized within our knowledge on any rail road in this country, though not greater than is frequently attained in single journeys; and this regular rate we presume would be practicable unless with the hazard of frequent failures, only on a double road, where the movements of the train are not confined, by the necessity of meeting at particular points.

It appears from the statement above referred to, that there is a day and night mail, from London to Birmingham and Liverpool. The day mail leaves the Euston Grove station, in London, at half past 9 o'clock in the morning, and arrives at Birmingham in 5 hours.

The night mail leaves Euston Grove at half past 8, P. M., and completes the journey to Birmingham in five hours and a half.

The Wilmington and Raleigh rail road company, have just placed another passenger car upon their road.

And the Petersburg, Richmond and Fredericksburg companies have also been obliged to extend their means of accommodation. Travelling on the inland route has greatly increased, and is increasing.

A new locomotive engine, constructed by M. Arnault, was tried a few days since at St. Gaude, on a rail road formed in curves so abrupt and multiplied, as to amount almost to a zigzag line. The means of traversing a succession of sinuosities, has long been a problem with the constructors of rail roads. The experiment in question was made on a large scale with several wagons and upwards of 30 passengers.

RAIL ROADS. The British consul in New York has published a card stating that a committee of the British parliament has been appointed to report on railways, and in order to render such report valuable, it is intended not only to embrace all the rail roads in Great Britain and Ireland, but also the rail-ways in the United States of North America, in operation or in progress of construction; and that, with a view to acquiring such information, a number of queries have been transmitted by the British secretary of state to the consuls in the United States. These queries ask for the length, the dimensions, cost, &c. of each road, the kind of power used, the cost per ton, the number of passengers and amount of freight conveyed, the rates of charge, expense of moving power, and in fact, every particular connected with the construction and operation of rail roads. [Bull. Amer.]

IMPROVEMENT OF THE OHIO RIVER. From the *Pittsburg Gazette* of July 1. This noble stream, which is the main artery of the trade of at least ten states of this union, was fated last year to sink very much in the public estimation of its value. The extraordinary drought, which parched vegetation and dried up the streams in every section of the union, did not spare this beautiful river. The consequence was, that the plying of our noble steamers was arrested, and immense trade of the country

along the Ohio, and that supplied by it, was laboriously and inadequately carried on by keel boats, &c. The difficulties and disappointments thus produced, excited general attention to the matter, and the noble Ohio was stripped of all the honors which twenty years of faithful service had earned, and the project of a canal along its banks, even to Cincinnati, was seriously discussed in some quarters.

Another year has come round; it is now the first of July, 1839, and it will be seen the river is now in very fine condition, and since Saturday steamboats have arrived from New Orleans, the Arkansas river, St. Louis, Franklin, on the Alleghany river, and Brownsville on the Monongahela.

This morning various boats are delivering their cargoes, accumulated at various points in the great valley, while others are taking in what freight can be collected, to be delivered at various points above and below us.

The Ohio has now been navigable, without interruption, for almost five months, and during that time from six to nine hundred steamboats, with their various cargoes, have arrived here from the most distant ports—from the Falls of St. Anthony on the north, New Orleans on the south, from Peoria on the Illinois, Delphi at the head of the Wabash, and various other widely separated rivers and towns. As many, or probably more, have departed, freighted with the products of our own and foreign countries, to supply the wants of the rapidly increasing millions of our fellow citizens between our city, the Rocky Mountains on the west, the British possessions on the north, and the Gulf of Mexico on the south.

This much has the Ohio already done for us this season, and it is uncertain how much longer may continue to serve us; but what has been done may well be set off against the future, the unprecedented failure of last year, and should regain to our noble river that high ground in public estimation which, prior to last summer, it enjoyed.

Two seasons together, one of drought, the other of a good stage of water, are calculated to attract public attention to the value of this great channel of trade, and to the importance of some improvement of it; not certainly by spending millions in making a canal or rail road along its banks, but by such alterations as can be effected by the expenditure of a few hundred thousand dollars.

BRITISH NORTH AMERICAN POSSESSIONS. The Canada papers mention that the British government is making active preparations for the erection of strong fortifications at various points in its North American provinces. For instance, Bermuda is to be strongly fortified, permanent barracks are to be built at Laprairie with stone towers to defend them, Martello towers are to be erected at Montreal. Fort Wellington at Prescott is to be completed. Fighting Island is to be fortified, and government has purchased several pieces of land in various parts of the province of Kingston, with a view of commencing public works for its defence, on a very large scale. It has been erroneously supposed that these measures have connection with anticipated difficulties with the United States, but the true explanation of them, in our opinion, is to be found in the fact, that they are deemed indispensable to the preservation of the power of the mother country against the outbreaks of her own discontented subjects in the provinces. The presence of a strong military force, distributed at suitable fortified points, may enable the British government to maintain its rule over the Canadas for many years to come, but without such precautions these provinces would, at a much earlier day break up the existing relations. [Belto. American.

THE JUDGE, THE SAILORS, AND THE LANDSHARKS. On Saturday, judge Story delivered an opinion in the circuit court, in a case involving claims for salvage. The reporter of the Boston Advertiser, alluding to the fact that some of the claims had been bought of the sailors on speculation, remarks:

Judge Story directed the clerk to take no notice whatever of any assignments, but to pay over the money, in all cases, to the persons to whom it was awarded, or those to whom they or their counsel requested it to be paid. His honor remarked that seamen, of all men, were the most imposed upon, and their landlords and others would often contrive to cheat them, not only out of their money, but also, more easily, of any claims they might have for future remuneration. He did not know but the people, who had obtained assignments in this case were honest enough, but his experience in like cases, and his knowledge of the character of seamen, made him distrust every thing of the kind, and induced him to make the rule inflexible, that money must

be paid to the claimants themselves, or to responsible members of the bar for them, or to the persons they directed at the time the money was decreed. It was whispered in the bar that many of these claims had been bought up for a mere song, and the clerk said he had received notice of three assignments that morning, one of them without any date.

DESECRATION OF THE MONUMENT OF MR JEFFERSON. We were very much surprised to see during a late visit to the grave of Mr. Jefferson, that the granite monument has been much mutilated and broken by visitors; and that the marble slab over the grave of his wife has also been broken. We trust the good people of the United States, who travel here for the purpose of seeing the place where the body of this immortal man is laid, will desist from thus desecrating this monument. We consider it worse than sacrilege to be breaking in pieces a monument erected over the ashes of one of the most illustrious statesmen and patriots. We never should dare exhibit as a relic, even the smallest particle of stone which we had been guilty of breaking from the monument of the sage of Monticello. More than 1,000 strangers annually visit the grave of Mr. Jefferson. We hope for the future, that all visitors will desist from like depredations.

The editors in the United States can put a stop to this evil, by cautioning the people against it, and we hope they will do so. [Charlottesville Rep.

BATES COOKE. A new work has just been published by J. De Veaux, esq., of Niagara falls, to aid the tourist in his examination of the falls, whirlpool, &c. &c. which among other interesting matter, contains the following characteristic anecdote on our present state comptroller. The Argus calls Mr. Cooke a "federalist." Let those who read the subjoined anecdote tell us of what Mr. Cooke's "federalism" consists.

AN ESCAPE FROM INDIANS.
"Though few the numbers—theirs the strife,
That neither spares nor seeks for life."

Another incident, which occurred on the memorable invasion before alluded to, took place on the Ridge road, a few miles east of Mr. Molyneux's public house. The roads had been deeply broken up, and were frozen in that state, and it was impossible to proceed with wagons; a very little snow enabled the inhabitants slowly to move along with sleighs. They were fleeing from a relentless and cruel enemy. The rear of the fugitives was brought up by a two horse sleigh, driven by a young man, who was walking by the side of his horse. In the sleigh lay his brother, who, one week before had had his leg amputated just below the thigh. His condition was very feeble, and to proceed rapidly, rough as the roads then were, would have been death to him. There was no alternative, but to continue the moderate pace at which they were moving. The driver was armed with a rifle. At that, and distrustfully behind him, he alternately looked; for he knew the foe was near at hand. At length, the war whoop, with its accompanying yells, broke upon their ears. The disabled brother besought the other to leave him to his fate, and by flight to save his own life.

"No," he replied, "if we are to die we will perish together." The party of Indians that pursued them were in full sight; and one, far in advance of the others, called to them to stop, making threatening gestures, and raising his rifle. With the same slow pace the horses proceeded; the driver coolly collecting himself for the conflict, in which there were such fearful odds against him. The Indian bearing forward, and was within a few paces of the sleigh, when the young man suddenly turning himself, quickly raised his rifle, and firing, fatally wounded his pursuer. The savage plunged forward, fell, and his body rolled out of the road. A yell of vengeance from the band in the road, came like a knell of death upon the brothers. At that moment a friendly party of the Tuscaroras were seen descending the adjacent mountain; and the well directed fire they opened upon the British Indians, obliged them precipitately to retire. The driver of the sleigh was the hon. Bates Cooke, and the invalid was his brother Lathrop Cooke, esq. Mr. B. Cooke, at the battle of Queenston, was pilot of the boat, that led the van on that occasion; the boat was brought to the exact point, resting on the men, though fired upon by the sentinel who gave the alarm, were landed without loss.

MILITARY FORCE OF PARIS. The effective force of the garrison of Paris, according to the National, is shortly to be increased by a regiment of cavalry. This reinforcement is urgent. Its necessity has been shown, we are told, not by the official administration of the war department,

which is forbidden to interfere in any but matters connected with accounts and correspondence, but by the grand military council sitting at the chateau. All the barracks of the capital, adds the National, are crammed with soldiers from top to bottom; the old one, as well as those constructed since 1850, and the extensive fabrics lately purchased for the same purpose, are already inadequate for the accommodations of the garrison. It would be in consequence difficult to provide lodgings for this reinforcement of cavalry. But the Pavilion Marcan cavalierly solves difficulties of this kind and decided that Paris should be blessed with a new barracks. "At this rate," continues the National, "Paris will shortly absorb the whole army of the interior. Every year the effective force of the troops charged with its safe keeping, augments in an incredible proportion. There are at present within its walls 23 battalions of infantry, three entire regiments of cavalry, four batteries of artillery, two companies of veterans, and the horse and foot municipal guards, that is to say, at least 17,000 bayonets, 2,000 cavalry, and 24 pieces of artillery. Round Paris we find a similar accumulation of military force. There are eight batteries of artillery at Vincennes; two regiments of cavalry at Versailles, one at Rambouillet, one at St. Germain, one at Compiègne, one at Melun, one at Fontainebleau, one at Meaux, &c. and regiments of infantry at Versailles, Ruel, Courbevoie, St. Denis, Vincennes, &c. This is nearly incredible; in less than twelve hours 500,000 men can be assembled on the Boulevards and quays, and in twenty-four hours upwards of 1,000,000. And this army, more numerous than the one with which Napoleon twice conquered Italy, is not deemed sufficient but must still be increased.

VEHICLES. An English paper, in order to show the immense traffic in the streets of London, says:

On Wednesday, the 16th of January, from six in the morning until 12 at night, passed by the Pantheon, 317 gentlemen's two wheel carriages, 935 four wheel, 890 omnibusses, 521 two wheel and 752 four wheel hackney coaches, 91 stage coaches, 372 wagons and drays, 1,407 light carts and sundries, total 5,515. By Stafford place, on Friday, the 18th January, the total is 4,753, out of which 1,213 were omnibusses. On Tuesday, the 22nd of the same month, by Newman street, the total was 6,992; and on Saturday, by Stalford place, the total is stated to be 5,943. On the 26th of January, by Stafford place, between the hours of twelve at night and six in the morning, gentlemen's two wheel carriages 6, four wheel ditto, 4, one omnibus, hackney carriages, two wheel ditto, 3, four wheel 139, stage coaches 2, wagons and drays 28, light carts and sundries 58, total 224. The greatest number of gentlemen's four wheel carriages, and hackney four wheel ditto, appear to have passed on Tuesday, the number of the former on that day being 1,211, and of the latter 1,288.

A gentleman who happened to be in New York a few days since, states that having an idle half hour on his hands, he about four o'clock in the afternoon, commenced counting the vehicles that passed a certain house in the Bowery. The result in thirty-nine minutes, was as follows:

Carriages,	38
Omnibusses,	67
Wagons,	33
Drays,	82
Aggregate,	220

This, he it remembered, was at a late and comparatively dull hour in the afternoon, and in the course of thirty minutes. Any one who will make the calculation, will find that in a matter of this kind, the commercial emporium on this side of the water, may fairly compete, every thing considered, with the great metropolis on the other. [Phil. Enquirer.

FOREIGN NEWS.

By the arrival of the steam-ship Great Western, the New York editors have received Bristol papers of July 6th, the date of the sailing, with London papers of the day previous. The Great Western brings out 110 passengers. The British Queen was to leave England for this country on the 10th of July.

The news brought by the Great Western is of considerable importance. War, it will be seen, has broken out in the east. The pacha of Egypt has been solemnly deposed by the sultan. The commercial intelligence is gloomy. There existed an uncommon scarcity of money in England, and our great staple had suffered a decline in her market.

A London paper of July 1st, has this paragraph: "Among the passengers who have reached this country, by the Great Western, is a gentleman de-

legated on a special mission by the post office department at Washington, to the authorities of our general post office. The object in view is one which will produce the greatest advantages in facilitating the commerce between Great Britain and the United States. If we are correctly informed, the special messenger from Washington is to make full inquiries into the plans of Mr. Rowland Hill, for the establishment of a uniform penny postage, with the view of extending the system to the United States, at the earliest possible convenience.—Should the government of the United States adopt Mr. Hill's plan, letters will pass throughout the whole continent of the United States at the same rate as it is intended they shall shortly do in this country.

The boundary question.—Appointment of a commission.—Mr. Featherstonhaugh.—The London Morning Herald of June 29th, contains a report that the British government had appointed "two commissioners with instructions to proceed immediately to the disputed territory, for the purpose of surveying it." The same paper adds:

"Of these commissioners, one is stated to be a gallant officer of engineers: the other is alleged to be a Mr. Featherstonhaugh, a gentleman whose connection with the government of the United States, has, recently, been of a somewhat intimate kind. Mr. Featherstonhaugh has resided for some time in America. He enjoys the title of "geologist to the United States;" and he was, a very short while ago, a salaried servant of the federal government.

We would not be understood to disparage the professional eminence of Mr. Featherstonhaugh—nor to question his integrity. But we do entertain very strong doubts as to the prudence of such an appointment. The British government might, surely, find men, in every way qualified to conduct the required survey, without the necessity of employing a gentleman who has just left the service of the other party to the dispute."

At a drawing room held by the Queen, at St. James's palace, on the 20th June, Mrs. Webster, major and Mrs. Van Buren, Mrs. Chase, of Louisiana, Mrs. Paige, Mrs. Frederick Broun, Miss Murray, Miss Low and Mrs. Samuel Jandon, were presented to her majesty by Mrs. Stevenson, the lady of the American minister.

The following were among the company at her majesty's state ball—the American minister and Mrs. Stevenson, Mr. Webster, of the senate of the United States, Mrs. and Miss Webster, major and Mrs. Van Buren, Mrs. Paige, Mr. Vanderpool, of the house of representatives of the United States, Mrs. Vanderpool, major Chase, United States engineer, Mrs. Chase, Mr. Benjamin Rush, secretary, and Mr. M. R. Singleton, attache to the legation of the United States.

On the 19th, the Jamaica bill was passed in the house of commons, by a majority of 10—vote, 267 for, 257 against. It was however lost in the house of lords, a majority of 69 appearing against it.

The Canada bill shared the same fate.

On Friday, June 28th, lord John Russell, on the subject of the Canada bills, said that it was not the intention of the government to proceed with them, except on the maturest consideration, and after affording the amplest opportunity for inquiry. It was therefore intended to send the bill for the union of the Canadas, after its second reading, to those provinces, that it might be fully known and discussed.

The government education bill was passed in the commons on the 20th, by a majority of only five.

Mr. Grote's motion for the ballot was brought forward on the 18th. Mr. Macaulay spoke in favor of it—sir Robert Peel and lord John Russell, against it. The motion was lost by a majority of 117—the vote being, for the motion, 216; against it, 333.

The great chartist petition was presented, in the house of commons on the 4th, by Mr. Atwood. It was literally rolled into the house, being a cylinder of parchment about the diameter of a coach wheel.

Sir Lionel Smith has been transferred from the government of Jamaica, to that of Manritas. Sir Charles Metcalf succeeds him at Jamaica.

We understand that the London Morning Chronicle, and the American merchants, residing in London, are about to give a splendid dinner to Mr. Webster, the eminent American statesman, now on a visit to this country.

His excellency, the American minister, entertained his royal highness, the duke of Sussex, and a distinguished party, at dinner, at Portland-square on Friday evening.

The Canadian prisoners.—John G. Parker and seven other Canadian prisoners are to be released—

lord John Russell sent to them, demanding whether they would enter into security, not to enter the province of Upper Canada, or to approach near its borders, provided the government should release them. The prisoners returned an answer. They say, that having no desire to enter Upper Canada, they are willing to enter into the required bonds; and asked to be permitted to enter the province at any future period, provided either of them can obtain the permission of the colonial government to do so.

The plan for the erection of the new Protestant college at Bath, to be called the Queen's college, has now been decided on. It is a very beautiful specimen of the Elizabethan style of architecture, with an elegant square tower in the centre. Lord Powerscourt has given another donation of £50 towards the erection. [Bath Gazette.]

Riot at Birmingham, Thursday, July 4th.—This evening the bull ring meetings of the chartists have been brought to a crisis. At eight o'clock this night, the usual hour of meeting, there was a large assemblage of the people, accompanied by banners, &c. To the great surprise, however, of the mob, about a quarter past eight, a party of the London police arrived, and immediately proceeded to arrest the leaders and disperse the meeting. The metropolitan police were sent down by the home office, and arrived only a few minutes before they attempted the dispersion of the chartist multitude. It is impossible, in a few lines, to describe the confusion which ensued after the attacks of the police. The mob resisted, and although the London police were well organized, and most determined in their efforts, the number of the chartists to whom they were opposed, and their evident preparation to meet any attack, led to the temporary defeat of the police. For about ten minutes the fight was fearful, and I am sorry to add, it is feared that in more than one instance, the consequence will prove fatal. The police were driven back into Moor street, and, for a short time, it was apprehended that the mob would succeed in an assault upon the prison. Fortunately, the 4th royal Irish dragoons, headed by colonel Chatterton, and accompanied by Mr. Scholefield, the mayor, arrived in time to afford protection to the civil authorities; and, as I am informed by a bystander, a gentleman of influence in the town saved the public office from popular fury.

The 4th Irish dragoons, together with the rifle brigade, immediately encompassed the bull ring, and stopped every avenue leading to it. The mob, upon their appearance, took to flight in all directions, and, at the time I write, the town is in a state of great excitement.

Several of the London police are seriously injured, and it is feared that one inspector is fatally wounded, by a stab in the side. A magistrate, in expectation of his death, is now taking his deposition. Five of the police have been conveyed to the public office, some of whom are unquestionably seriously injured. [Times.]

Fifty men and boys were killed by an explosion in a coal mine at south Shields, June 28th.

American flour was quoted at Liverpool on the 2d of July—sweet 34s. 6d. a 36s. 6d.—sour 22s. 6d. a 34s.

We notice the death, in Paris, of lord Wm. Bencefield; and at Madrid, by suicide, of M. Maria Delgado, director of the astronomical observatory in that capital.

The Dutch troops have quietly taken possession of the territory which Belgium has been forced to cede. On the 21st June, they entered Venloo, without any demonstration on the part of the inhabitants.

It is announced in the London Sun of the evening of the 5th July, that the lady Flora Hastings died at 2 o'clock on that morning, a victim (we presume from what we see in the papers) to outraged sensibilities.

The Thames tunnel is expected to be opened for foot passengers in about fifteen months.

On the 20th of June, considerable excitement was occasioned in the money market, by the publication of a notice of the bank of England, to the effect that thereafter the rate of interest on bills of exchange and bills discounted, would be established at 5½ per cent. and that in accordance with a resolution of the directors, all advances by the bank would be made at 5½ per cent. and that only upon the same terms.

London money market, July 4. This being the weekly meeting of the bank directors, the speculators and moneyed interests are anxiously waiting to learn the result of their deliberations with respect to advancing the discount to 6 per cent. Some persons are of opinion that they will wait a post day or two, to give time for their late operation of five and a half per cent. act on the foreign exchanges. Consols are not quite so good as they

closed, and may be quoted at 93½ for the account; exchequer bills 25 27; India bonds 28 30; bank stock 191 192; India stock 255 257. In the foreign market most of the prices are nominal, as they closed; Spanish active 19½; Portuguese 34½; three per cents 20½ 21; Brazilian 77; B-gian 102½; Colombian 32½ 33½; Mexican 26½; Dutch two and a half per cents 51½ 5½; five per cents 102½.

Evening. The news from the east caused some additional depression of stocks to-day. The apprehension that the bank directors would advance the rate of discount subsided, as it was learned before the close of business that the charge of 5½ per cent. would not be disturbed for the present, and subsequently to this there was a trifling reaction. Consols left off at 92½ to ¼ for the opening. Exchequer bills 25s. to 27s. premium, and bank stock at 191 2.

Liverpool cotton market, July 1.—The cotton market is exceedingly heavy. The prices have declined from 3d. to 1d. per lb. The sales for this week have been 3,550 bales Mobile, Alabama and Tennessee at 7d. to 9d., and 3,550 New Orleans at 7½ to 10½. Throughout the week the market was quite dull, closing heavily at a reduction of ¼ on American.

Liverpool market, July 3. Prices ¼ lower than the quotations of the 25th ult. July 4th. 1,200 bales at yesterday's prices—demand still limited.

FRANCE. The southern provinces of France have been visited with violent storms of hail.

The Journal de St. Sever, in the Landes, states that a storm, of the same nature, was so destructive in that department, that the damage in a single arrondissement is estimated at 3,000,000 francs. In the environs of St. Sever, the hail fell in such quantities, and of such size, that sixty-seven quails and forty-two partridges were battered to pieces, and the whole of the poultry not under cover during the storm were killed. Several persons were severely wounded by the hail. The roofs and windows of the houses of St. Sever were nearly all broken.

SPAIN. London, July 5. We have received the Madrid journals to the 26th June. The army of the centre was under the command of a colonel; the two generals (Ayerbe and Noguera) being ill at Saragossa.

It is said that general Sanze is to take the command in Aragon, and that he will be replaced in Galicia by Francisco Narvaez.

We have Bayonne letters of the 29th June. Don Carlos was still at Durango. Espartero had made no further movement. The Maritzino troops occupied Amurrio, Menagritia, Calpedazca, and Arceiz; Marotto occupied Llodio, Laguarda, Aquerduca, Areata and Arozio. This differs from previous reports, which stated that Marotto having abandoned Llodio, it had been taken possession of by the Christians. It is said that desertion makes great progress in Espartero's army.

The garrison of Pampeluna has reinforced Diego Leon at Lozaria. He proposes to attack the fort San Victorio.

The visit of the Duke de Nemours to Seville has given rise to an absurd tissue of reports in some of the Madrid papers of the 25th ultimo; according to which, France is to intervene with an army commanded by the duke, as well as by a fleet on the coast. His royal highness is to marry the young queen, the eldest son of Don Carlos is to marry a German princess, with whom a project of the kind already exists, and Don Carlos himself is to retire to Rome.

GREEK AND EGYPT. War in the east. The London papers of July 4th, announce, on the authority of letters from Constantinople of June 12th, that the sultan has not only declared war against Mehemet Ali, the pacha of Egypt, but as supreme caliph of the faithful and representative of the prophet has issued sentence of excommunication against him and his son Ibrahim, deposing them from the government of Egypt and Syria.

This sentence was pronounced on the 9th, the retah, or bull of malediction, being prepared by the grand mufti, after a grave consultation of the most learned doctors of the mussulman law. The 14th being Friday, the Mahomedan Sabbath, the sentence of excommunication was to be read in all the mosques.

The Turkish fleet left the Golden Horn in two divisions. The first sailed on the 8th, and the second on the 9th ultimo. They were to rendezvous at Gallipoli, with some 1,000 mariners were waiting on the board, with large quantities of military and other supplies. The fleet consist of thirty-four sail of all sizes, well equipt and the crews were in high spirits. Previous to the sailing of the second division, the sultan, though in extremely bad health, went on board the Mahomdi, the admiral's ship, to say a few words of encouragement to the officers and men, and to give them the benediction of the prophet.

The reception of his highness was most enthusiastic. Among the Englishmen on board, were captains Walker, Conolly and Lee, the first of whom the sultan raised to the rank of rear admiral. General Jochans, a French officer, who served with distinction in Greece and Spain, was likewise on board, but known to be in the confidence of the sultan, and one of the mainsprings of the expedition, he has declined any recognized rank, choosing to appear as the friend of the captain pacha. The sultan having taken leave of the officers, withdrew amid the roar of artillery. The destination of the fleet was Alexandria, which it was reported in Constantinople, Mehemet Ali had left in a defenceless condition.

The sultan's final resolution being communicated to the European ambassadors, an imperial firman was prepared, which was despatched on the 13th ult. by the Stamboul steamer, to Hafiz pacha, in which that general is invited with the pachas of Syria and Egypt.

German papers contain letters from Constantinople of the same date, of which the following summary is given.

They announce that the Egyptian army in Arabia, under Kirschid pacha, has entered Bassorah; that lord Ponsonby declared that the time for tergiversation was past, and that for acting was come at last; and that Admiral Roussin was in the greatest distress, France having assumed something like the protectorship of Mehemet Ali. On the 24th ult. news reached Vienna from Alexandria to the effect that war had commenced in good earnest in Syria, and that the troops of Ibrahim pacha fell back from all their positions, fighting as they retreated, so that the Turkish army was encamped in the territory of Mehemet Ali. They likewise state that 5,000 Egyptians deserted to Hafiz pacha at the first onset.

It appears that Ibrahim was not himself present at this engagement, being at the time at Aleppo; for the instant the news reached him he commanded the division stationed there to advance and meet the enemy in the field. To have allowed Hafiz to approach Aleppo undisturbed would have been to permit him to be joined by the divisions commanded by the pachas of Bagdad and Mossul—an error which Ibrahim is too good a general to commit. England and France must now declare themselves; and if they would prevent Europe from being involved in the blaze of this war, they must unanimously act with good faith. No time is to be lost.

London, July 5. In the French chamber of deputies on Wednesday, the debate on the situation of affairs in the east was continued. The debate was opened by a speech from M. Joutroy, the reporter of the committee, arguing in favour of preserving the independence and stability of the Ottoman empire. The grant was voted by a very large majority, there being 257 for, and only 26 against.

Declaration of war by the sultan against Mehemet Ali and Ibrahim pacha.

Paris, Wednesday morning, July 3. The French government has received the following telegraphic despatches, which are of vast importance. I transmit also an important letter from Alexandria, which I have just received from my private correspondent.

Telegraphic despatches from Marseilles, dated July 2. "The English packet Homer, coming from Malta, announces that on the 14th June, news had been received from Constantinople of a first engagement, in consequence of which the Turks had gained possession of several villages of the beylic of Aintab, (read Aintab). This advantage has caused the war party to prevail, and it has been decided in council that Hafiz pacha should give orders to advance. The first division of the Turkish fleet was seen on the 15th in the Dardanelles." "The French consul at Alexandria to the president of the council.

"Marseilles, July 2." "Mehemet Ali has given orders to Ibrahim pacha to stop, wherever he might be, on the arrival of captain Callier, and to wait for the issue of arrangements made by the great powers. The Egyptian squadron has gone out of port, but without hostile intentions. It has gone to cruise on the coast of Syria. (Signed), A. FOX. "The administrator of telegraphic lines."

This last despatch, though it came from Marseilles yesterday by telegraph, is without date from Alexandria. This diminishes slightly from its value. Captain Callier, who is mentioned therein, is a French officer of the staff of great reputation. He was sent by the emperor, and is employed on a diplomatic mission. It was also one of the learned paravans named by the prince de Polignac, and at the head of which was M. Nuehad. This officer followed the operations of the army of Ibrahim pacha during the campaign of 1833, and he

then saw how little attention Mehemet Ali paid to the remonstrances of the French government. In 1833, from St. Jean d'Acre to Kutaya, Ibrahim received three times orders to stop, to listen to the French and English negotiators; and then three times immediately afterwards he was ordered to press on hostilities. The French government has not made known what were the instructions it has given to captain Callier; but though he is a brave officer, it is not at all probable that he will succeed in preventing Ibrahim pacha from engaging in war with Hafiz pacha.

A letter from Vienna, by express, says: "News have been received from Constantinople to the 12th instant. The Turkish fleet sailed—the last on the 12th; and proceeded to the Dardanelles. A courier has since left to announce to Hafiz pacha, the speedy arrival of the fleet, and to take to him a firman naming in success to Mehemet. He is ordered to attack Ibrahim as soon as the fleet shall arrive off the coast of Syria."

A letter from Constantinople of the 12th, announces that Kirschid pacha, the chief of the Egyptian Arabian corps, has entered Bassorah.

Latest news from Alexandria. The following private letter from Alexandria is the last intelligence which has reached Paris, except the telegraphic despatch, the date of which is not known: "Alexandria, June 10.

"War is inevitable. The first news the pacha has received is not favorable to his flag, but he is not discouraged. Ibrahim writes in good spirits. He was aware that the Turkish army had received orders to attack him, and he is preparing to give them a warm reception. He was getting ready for a great battle which could not be avoided. Great efforts are made here by the English and French consuls to keep Mehemet Ali from commencing the attack; but Mehemet Ali has rejected all the counsels, as he finds that whilst he is negotiating with the consuls, the Turkish troops are advancing in Syria. Mehemet appears to listen to all that is said to him; and no doubt the French government believes as it did in 1833, that it will stop the progress of Ibrahim pacha in Syria. This will not be the case. The public despatch says one thing, the private despatch says the other. Mehemet and Ibrahim will sacrifice their last soldier before they will abandon their pachalies in Syria, and all the powers of Europe cannot make him give up on this point. He will pay the tribute, and will acknowledge the porte as suzerain, but this is the extent of his concessions. You must not be deceived in Europe by the pacific appearances of Mehemet, or by what you hear of his being willing to listen to the advice of the great powers. The fleet sails to Syria, and takes out men, money and ammunition. You may have an engagement with the Turks. You may rely on my conveying assurance that the pacha will not make any concessions of territory in Syria to the porte, except what shall be taken at the point of the sword."

From our London correspondent.

North and South American Coffee House, London, Thursday, July 4, four o'clock, P. M. The rumors of war in the east have at length assumed a more definite shape. Letters from Constantinople of the 11th inst. state that on the 9th war had been formally proclaimed in the Turkish capital against the rebellious pacha of Egypt; and the writers even go so far as to report the speech made by the sultan to the crews of his fleet on the occasion. The questions now asked are, what part will France take? what part will Russia take? what part will England take? will there be a general war in Europe? To the three first questions, lord Palmerston would probably decline to give any answer. To the last would say "no;" and that is the common sense view of the case. But it must not be disguised that there is a devilish spirit abroad in favor of war and bloodshed, to restrain which will require great wisdom and great firmness on the part of the leading governments. The French ministers have demanded an extraordinary credit from the chamber of deputies, for the purpose of augmenting their fleet in the Mediterranean.

Notes exchanged by the French and Russian cabinets.

Note of the French charge d'affaires at St. Petersburg. The undersigned charge d'affaires of his majesty the king of the French, is instructed to express to the cabinet of St. Petersburg the profound affliction which the French government has experienced on learning the conclusion of the treaty of the 8th of July last, between his majesty the emperor of Russia and the grand signor. In the opinion of the king's government, that treaty imparts to the mutual relations of the Ottoman empire and of Russia a new character, against which the powers of Europe have a right to pronounce themselves.

The undersigned is therefore, instructed to declare, that if the stipulations of that act were here-

after to bring on an armed intervention of Russia in the internal affairs of Turkey, the French government would hold itself wholly at liberty to adopt such line of conduct as circumstances might suggest, acting from that moment as if the said treaty existed not. The undersigned is also desirous to inform the imperial cabinet that a similar declaration has been delivered to the Ottoman porte by his majesty's ambassador at Constantinople.

I. DE LAGRÈNE.

Reply of the Russian minister of foreign affairs.

The undersigned has received the note by which M. I. de Lagrene, charge d'affaires of his majesty the king of the French, has communicated the deep regret which the conclusion of the treaty of the 8th of July between Russia and the porte has caused the French government, without stating at the same time either the motives of that regret, or the nature of the objections to which that treaty may give rise. The undersigned cannot be acquainted with them—still less can he understand them. The treaty of the 8th of July is purely defensive; it has been concluded between two independent powers, exercising the plenitude of their rights, and it does no prejudice to the interests of any state whatever.

What could, therefore, be the objections which other powers might deem themselves justified in raising against such a transaction? How, above all, could they declare that they consider it of no validity, unless they have in view the subversion of an empire which the treaty is destined to preserve? But such cannot be the design of the French government. It would be at open variance with all the declarations it made in the last complications in the east. The undersigned must, therefore, suppose that the opinion expressed in M. de Lagrene's note rests upon incorrect data, and that, better informed by the communication of the treaty which the porte has recently made known to the French ambassador at Constantinople, his government will better appreciate the value and usefulness of a transaction concluded in a spirit as pacific as conservative.

That act changes, indeed, the nature of the relations between Russia and the porte; for, to a long enmity, it makes relations of intimacy and confidence succeed, wherein the Turkish government will henceforth find a guarantee of stability, and, if need be, means of defence calculated to insure its preservation.

It is in this conviction, and guided by the purest and most disinterested intentions, that his majesty the emperor is resolved on faithfully fulfilling, should the occasion present itself, the obligations which the treaty of the 8th of July imposes upon him, acting thus as if the declaration in M. de Lagrene's note did not exist. N. F. ESSELRODE.

St. Petersburg, October, 1839.

JOHN RIDGE, THE CHEROKEE INDIAN.

From the Journal of Commerce.

The newspapers announce the assassination of John Ridge, and his father, major Ridge. Both these individuals were extensively known. Ridge senior, called in his own nation and elsewhere, major Ridge, was a distinguished chief in the Cherokee nation, has frequently visited Washington, and was a man of uncommon ability and influence. His son John, was educated at the Cornwall school, Connecticut, where he married a respectable white lady. She accompanied him back to his tribe, and is now, with her children, west of the Mississippi, at the late residence of her husband, Honey creek, near the corner of Arkansas and Missouri. John Ridge was about thirty-eight years of age; was formerly a practising attorney among the Cherokees, and at one time president of the senate of that nation. In the year 1832, John Ridge and Elias Boudinot, both Cherokees, visited this city, Boston, &c. and addressed several meetings in behalf of their nation. Those who heard Mr. Ridge will remember his gentlemanly bearing and stirring eloquence. At a subsequent period, the Messrs. Ridge, father and son, were induced to cease their opposition to the removal of the Cherokees west of the Mississippi, and to become the warm advocate of that measure. Mr. Ross, and the party among the nation who opposed the removal, accused Major Ridge and his son of having been bribed to forsake what they considered the true interests of their people.

Since the emigration of the Cherokees to the west of the "father of waters," John Ridge has been engaged in trade, and has visited this city two or three times, where he has purchased goods largely. His last visit was in May, when he paid for the principal part of his purchases in post notes of the United States. He was accompanied by two young gentlemen of the Cherokee nation, who were also engaged in trade. He was a man of distinct wealth and power, pleased with rich apparel and

ornaments, jealous of his supposed rights, enterprising, and seemed to be an affectionate husband and father.

During his visit here in 1832, Mr. Ridge was invited to attend a mouthly concert, and to make an address. He would be happy, he said, to attend the meeting, but he wished to be excused from speaking, as it seemed to him inconsistent in one who did not profess religion, to address a religious meeting. He was, however, urged to make some remarks, and complied. He began by saying that he stood before them, he was ashamed to say, as one who had not embraced Christianity himself, and yet he could relate many facts showing the beneficial influence of religion upon those who had been converted in his nation. He related several striking facts. Among them was one respecting an eminent Cherokee who had been reclaimed from deep degradation by the power of the gospel. He had sunk so low, by his intemperate habits, that he was generally called "Wicked Richard," but by the grace of God, he had been restored to his right mind, was a judge of the supreme court, and during vacations often went about addressing his countrymen powerfully on the subject of religion.

Mr. Ridge spoke with exultation of his intention of having his two sons educated at a New England college, and appeared to be engrossed with literary pursuits, and a desire to promote the intellectual and moral good of his nation.

We are truly sorry to find a confirmation of the murder of John Ridge, a Cherokee chief, personally known to us, and to many into whose hands his sheet will fall. He was a gentleman of polished manners and sterling sense; a fine speaker and an amiable, excellent man. He early perceived a necessity of a removal to the west, and assented to the treaty which afterwards gave rise to so much discussion and censure, both in and out of congress, as having been made with only a small part of the nation, and which was subsequently modified so as to suit the views of John Ross, the principal chief. Between Ross and Ridge there has not been a friendly feeling since the date of the treaty, but we trust it will turn out that Ross is not the murderer—At least we hope so. [Journal of Commerce.

Outrage among the Cherokee Indians near Fort Gibson. Murder of John Ridge and his father, &c. By a letter received in this city yesterday, from one of our citizens at Fort Gibson, Arkansas, we are informed that about a week since, the celebrated chief John Ridge, and his father, two of the most prominent persons in the nation, were most brutally and savagely murdered, and that John Ross, the leader of the opposition party, has, in consequence thereof, been compelled to take up his head quarters at Fort Gibson, for personal security.

[Natchez Courier of July 2.]
Note. We knew John Ridge, and concur in the just eulogy of the Journal of Commerce. Ridge was the patriot of his tribe. Ross, a half bred, ambitious and avaricious, was made the instrument of the opposition in congress to frustrate the measures of the administration, and the true interests of the Indians. He kept multitudes of them starving in Georgia, when abundance would have survived among them in the west. Ridge is a sacrifice to the success of his efforts and growing popularity.

[Globe.]
Extract from Little Rock, July 1st. News has arrived here that the Cherokees are quarrelling among themselves; that Ross has waylaid and shot Ridge; as they returned from the great council; that both of their parties are actively preparing for a fight; the general Arbuckle told them they must not fight, and that he would provide them. Ross told the general they would fight in spite of him. There is trouble brewing among the Indians on our frontier, and if they once get a going, our situation here will not be enviable, as we are only about 150 miles from the line, and it is said they can raise, if combined, 20,000 men. I mean if all the tribes join. We have plenty of arms and ammunition here. If the above is confirmed, and any thing worth relating happens, I will write again soon. [Id.]

THE SONS OF MURAT.

The countess of Lipona, ex-queen of Naples, has appointed Joachim Murat, son of Lucien Bonaparte, her residuary legate, and has left to him every thing left to her by the emperor Napoleon—the his sword, bed, portrait, &c. The will directs that he shall be educated and live in France. Her daughter, Letitia, and Luigia (countess of Popoli and Rasponi), will receive what the law accords them, and the two sons will retain every thing that will remind them of their brave and heroic sire. We see it stated that these young men reside in this country—in what part we are not told; and are practising as barristers. Their absence

from their mother is said to have greatly increased the anguish of her last moments. [Bos. Trans.

The two sons of Murat referred to in the above paragraph, are Achille and Lucien. Achille, the eldest son, was on board the frigate in which his father sailed on that desperate and fatal expedition to recover the throne of Naples. At that time he was some ten or twelve years old. Subsequently he passed several years in Austria, and on coming of age, emigrated to the United States. He purchased a plantation near St. Augustine, in Florida, and devoted himself to the study of the law, and was admitted to practise as an attorney and counsellor.

About the year 1825, the Seminoles, who at that time occupied what is known as Middle Florida, were induced to cede their lands, and to retire southward into the peninsula. Murat, in company with his friend, col. Gadsden, of South Carolina, was one of the first adventurers who explored the country thus ceded. They built a hut in the midst of the wilderness, and employed themselves in land hunting, that is, in seeking out fertile tracks which might be purchased to advantage. These gentlemen entered plantations some fifteen or twenty miles west of Tallahassee: Murat called his plantation Lipona, the title assumed by his mother, which is formed from Napoli, the Italian of Naples, by reading the syllables backward.

Among the French, and other foreign settlers in that vicinity, Murat commonly went by the title of the prince, though the state which he kept did not exactly correspond with the notions we are apt to attach to that title. He might be met in the woods, on a lean horse, dressed in the common homespun of the country, with a long whip in his hand, hunting cattle, with the outward style of what is known in that country as a Georgia cracker, rather than that of the heir and claimant of the throne of Naples. Having settled in the woods, he availed himself of his liberty, and seemed to cast off all regard for the mere forms and shows of artificial society. His domestic establishment was on the same careless plan. It is related of him, that one day a large party from Tallahassee having come out to pay him a visit, he sent for his cook to inquire what there was in the house for dinner. "Nothing at all," replied the cook—a circumstance rather apt to happen in the days of his bachelor house-keeping, when things went with him pretty much at sixes and sevens. Just at the moment of this alarming announcement, the overseer came in to say that he had driven the cattle of the plantation, and to inquire of Murat what mark he should put upon them. It is to be observed, by the way, that in Florida, the cattle belonging to the several settlers run wild in the woods, the whole time.

Once a year, however, they are hunted and driven up, for the purpose of marking the young cattle—every proprietor having a particular mark, generally a slit of some kind in the ear, by which his particular cattle are distinguished. "What mark?" said Murat, "why, cut off their left ears, and bring them all in directly to the cook!" This was done accordingly, and Murat's guests were soon served with a dinner consisting principally of cow's ears, dressed in every variety of style. To this day, in riding through the woods in that vicinity, if a cow happens to be seen mutilated of her left ear, she will be pointed out with the observation, "there goes one of Murat's cattle."

That Murat is a philosopher and no epicure, will appear from the following anecdote. One day at a dinner party, the conversation turning on the different modes of viands, Murat declared that during his early residence in Florida, he had made trial in the way of eating—divesting himself of all prejudices—of all the various birds and beasts which he could lay his hands upon. "Crow soup," said he, "is fine; alligator's tail is excellent; but turkey buzzard is not good; I have no prejudices, but it is not good."

Subsequently Murat married a daughter of Mr. Willis, the navy agent at Pensacola, and a grand niece of general Washington. Mr. Willis had emigrated from Fredericksburg, Virginia, to Florida, bringing his daughter, a beautiful young widow, with him, and at that time resided at Tallahassee. Mrs. Murat is a lady of uncommon beauty, spirit and good sense. An excellent housekeeper, she has put Murat's domestic establishment upon a somewhat more orderly footing.

The French revolution of 1830 excited new hopes in the mind of Murat. He mortgaged his property, raised what money he could, and set sail for Europe. He spent some time in England, and John Randolph observed of Mrs. Murat, that she was the only American he had ever met abroad, of whom he was not ashamed. Brought into society esteemed the most aristocratic, exquisite and recherche, she made no attempt to imitate the affectations, and never condescended to re-echo the senti-

ments of her new associates, but maintained the simple elegance of her native manners, and on all fit occasions expressed opinions and sentiments proper to an American woman, though discomfited enough from the prevailing sentiments of her new associates.

After waiting in vain for a repeal of the law which excludes the family of Napoleon from the French territory, and finding that any ambitious hopes he might have entertained, had little prospect of fulfilment, Murat went to Belgium, and obtained a commission of colonel of cavalry in the army of Leopold. He had originally received a military education. Afterward, however, when Leopold married a daughter of the king of France, he found it necessary to dismiss Murat from his service, who returned to Florida after an absence of three years.

Returning to Florida, Murat resumed the occupation of a planter and lawyer. Previous to his visit to Europe, he had been for several years a postmaster, under the appointment of the United States government. Subsequent to his return he was appointed judge of the county court of Jefferson, in which office he gave good satisfaction.

Achille Murat has little of the personal appearance of his father. He is of small size, and his constitution has suffered severely from the effects of a neuralgic shock, experienced some years ago, that he appears to be much older than he is. His face presents a striking resemblance to the portraits of Napoleon. He is a man of great accomplishments, being thoroughly versed in the Italian, German, French and English languages, all which he speaks with perfect fluency. He has a great taste for mathematics, and is well acquainted with all the most recent works in that department of science.

He is a man of reflection, but in many points his opinions are rather visionary. He has a strong disposition to engage in speculations, but in these undertakings has been generally unsuccessful. His most sure resource has been an annuity which he has received from his mother. Large sums of money recovered from his father's estate, have from time to time come into his hands, but they have generally been spent soon after they have been received.

Joachim Murat, the younger brother has resided, we believe, principally in the state of New York, where he has acted as agent for Joseph Bonaparte, for the sale of certain lands belonging to him in the northern part of that state. He lives now, we believe, in New Jersey. [Boston Atlas.

WASHINGTON'S DIPLOMA.

From the National Gazette.

Files of old continental journals frequently furnish us with matter of an interesting character, for those who are fond of reading about revolutionary times. This being the season of collegiate commencements, we present a document as not ill-timed, which to many may be a novelty. It is a translation (evidently) of a diploma, given by Harvard university, conferring the degree of LL. D. upon general Washington. It is worthy of remark, that when this compliment was paid to the commander-in-chief of the continental army, he had in that capacity performed no single exploit, except the movements by which the enemy was forced to evacuate Boston. His general abilities and acquirements (lord Brougham to the contrary notwithstanding) were known and acknowledged by the nation and its representatives, who, from a number of military officers, neither experienced nor waiting in thorough education, selected Washington as the most able on all accounts to lead the armies of his country, and consequently to sway her destinies.

This diploma we do not remember to have seen in Marshall's life of Washington, and have looked through Sparks' without finding it. It may be worth while to mention, that when it was conferred, collegiate honors were not so cheap as in our day, when institutions of learning are prone to give parchments, rather for the sake of spreading their own names, than on account of any special merits in the grantees. Harvard university also made general Jackson a doctor of laws, and a British faculty of arts, recently bestowed the same distinction upon the Russian grand duke. How well they deserved the title, is not so apparent to our apprehension as to the erudite gentlemen, who testified with their names to their superior knowledge and talents.

"The corporation of Harvard college, in Cambridge, New England, to all faithful in Christ, to whom these presents shall come, greeting.—Whereas, academical degrees were, originally, instituted for this purpose: that men, eminent for knowledge, wisdom and virtue, who have highly merited of the republic of letters, should be rewarded with the honors of those laurels; there is the greatest propriety

in conferring such honors on the very illustrious gentleman, GEORGE WASHINGTON, esquire, the accomplished general of the confederated colonies in America, whose knowledge and patriotic ardor are manifest to all; who, for his distinguished virtue, both civil and military, in the first place, being selected by the suffrages of the Virginians, one of their delegates, exercising himself with fidelity and singular wisdom for the defence of liberty, when in the utmost danger of being forever lost, and for the salvation of his country, and then at the earnest request of that grand council of patriots, without hesitation, left his delightful seat in Virginia, and the affairs of his own estate, that, through all the fatigues and dangers of a camp, without accepting any reward, he might deliver New England from the unjust and cruel arms of Great Britain, and defend the other colonies; and who, by the most signal suites of Divine Providence on his military operations, drove the fleet and troops of the enemy, with disgraceful precipitation, from the town of Boston; which, for eleven months, had been shut, fortified and defended by a garrison of seven thousand regulars, so that the inhabitants, who suffered a great variety of hardships and cruelties, while the omnipotent power of their oppressors was so free in their depredations; the neighboring towns are also freed from the assaults of arms, and our university has the agreeable prospect of being restored to its ancient seat.

Know ye therefore, that we, the president and fellows of Harvard college, in Cambridge, with the consent of the honored and reverend overseers of our academy, have constituted and created the said George Washington, who merits the highest honors—doctor of laws, the law of nature and nations, and the civil law—and have given and granted to him, at the same time, all the rights, privileges and honors, to said degree pertaining.

In testimony whereof, we have affixed the common seal of the university to these letters, and subscribe them with our hand-writing, this 3d day of April, in the year of our Lord, 1776.

SAMUEL LANGDON, S. T. D. president.

NATHANIEL WASHINGTON, S. T. D.

JOHN WYNTHROP, mat. and phi. p.

ANAM ELLIOT, S. T. D.

JOHN WADSWORTH, leg. and eth. pro.

MARYLAND.

From the Baltimore Post.

On this day, the 20th of June, two hundred and seven years ago, the original charter of Maryland was granted to Cecilius, lord Baltimore, by Charles I. The grant, however, was obtained by his father, George Calvert, who had been secretary of the privy council of James I, a post which he resigned in 1624, upon his conversion to the Catholic religion. This change of faith, notwithstanding, lost him nothing of public favor, for his high moral worth caused him to be knighted in the succeeding year, at which time he was the representative in parliament of the University of Oxford.—His death, just at the moment of the grant, left the charter in the hands of his son, Cecilius, who, far from possessing the enterprising spirit of his parent, abandoned the settlement of the projected colony to the personal supervision of his brother Leonard, who was constituted his lieutenant general.

The colony, raised under the charter, consisted of about two hundred persons, chiefly, if not entirely, of the Roman Catholic faith, and many of them gentlemen of family and fortune. They embarked from the Isle of Wight on the 22d of November, 1633, and reached Point Comfort on the 24th of February. After a short rest, they sailed up the Potomac, in search of a suitable site for settlement. They took formal possession of an island, called St. Clements, and thence proceeded about forty leagues up the river to Piscataway, an Indian town, from which they returned with the intention of locating nearer the mouth of the river. In retracing their steps they entered the St. Georges, or, as it is now named, the St. Mary's river, sailing up which, some six or seven miles, they came to an Indian town called Yaocoma. This was purchased from the aboriginal possessors, and on the 27th March 1634, the colony disembarked and there laid the foundation of the old city of St. Mary's and the state of Maryland. From this pilgrim colony commences the true history of our state—history marked by many events, at certain eras, as striking in reproach of man's intolerance, as grateful, at others, to the feelings of the philanthropist, and in its later chapters, most cheering to the believer in the humanizing creed of man's capability of self-government, and his full and free enjoyment of those inalienable rights secured to him by "nature and nature's God."

The history of Maryland, of which so much remains to be collected to do it perfect justice, is

particularly marked by four or five eventful periods, each of which might be dilated upon, by a capable hand, with much instructive and valuable detail. The illegal possession of Kentland, by Clayborn, prior to the Calvert grant, would open the introduction to such a work, with a chapter full of the romance of enterprise, address and courage. The first proprietary government from 1632 to 1683, would afford details of pilgrim constancy, trials and sufferings, rich with deep interest. The Protestant revolution and the royal government thence ensuing, from 1683 to 1715, would elucidate, among other things, the tyranny of religionism which must ever be the result of that impious union of church and state, which would measure with its Procrustean standard, the consciences of men and their deep responsibilities to their creator. The restoration of the proprietary, from 1715 to 1763, would be gradually marked with that progress of improvement and prosperity, which, with its coincident enlightening of opinion, prepared the colony rightfully to estimate its strength, and eventually to contend for those rights, which, after the treaty of 1763, the crown would have infringed by its compact and other similar measures of oppression. The statistics of this era afford the most pleasing evidence of colonial prosperity. As we have seen, the settlement at St. Mary's was composed of about 200 pilgrims; in 1733 the whole number of taxable inhabitants was 31,470. In 1748 the population had increased to 130,000, or 94,000 whites and 36,000 blacks; in 1756 it was 154,183, or 107,963 whites and 46,223 blacks; and in 1761 it amounted to 164,007, or, 114,232 whites and 49,675 blacks. In this position, as to her population, and with an export of her products in 1861, in the articles of wheat, lumber, corn, flour, iron, skins and furs, amounting to about £50,000 currency, and in tobacco to about 28,000 hogsheads, valued at £140,000, Maryland found herself at the opening of the revolutionary era. A review of this memorable period would be crowded with incidents, as creditable to the valor of her sons in the field as honorable to their civil administration. The Patriotic and colonial government was one of the "old thirteen," she pointed, with pride, to her Smallwoods and Howards, her Carrolls and Chases; and, if from the laying of her corner stone at St. Mary's, to the day when she assumed the glorious position of a free and sovereign state, that justice has not yet been done to her history in all its requisite details, the time, it may be trusted, is not far distant when some grateful son may stand out from among her offspring, able and willing to enter upon the task of patriotism, and burnish up the records of her history, from the dust and corosions of time and neglect. It will be a labor, in which truthfulness, patience, energy and high enthusiasm can only hope to accomplish all that such a history demands. The true incitement must be patriotism; the reward must be the lasting gratitude of future generations.

A SCRAP OF HISTORY.

It may be interesting, if not new to our readers, to be informed in what way the state of Connecticut became possessed of that portion of the state of Ohio, known as the Western Reserve.

The original charter of the state of Connecticut was granted by Charles II, in 1662. That charter defined the limits of the state as follows:

From the south line of Massachusetts on the north, to Long Island Sound on the south, and from the Narragansett river on the east, to the Pacific ocean on the west.

It will be seen by reference to a map, that these boundaries would enclose not only what is now the state of Connecticut, but also portions of the states of New York and New Jersey—nearly one-half of Pennsylvania—all the northern portions of the states of Ohio, Indiana and Illinois, and a goodly part of the territories of Iowa, Missouri and Oregon. There was a clause in the charter, however, which excepted from its operations all the portions above then occupied by prior settlers. This exception excluded such parts of New York and New Jersey as were within the prescribed limits. A dispute arising between New York and Connecticut, as to the boundaries between these states, it was settled by commissioners, appointed by the king in 1664, who decided that Maroonce river should be the western boundary of Connecticut.

For nearly a century thereafter, Connecticut neglected to claim or settle any part of their territory west of New York, and the charter being granted to William Penn in 1681, embracing all that part of the same which lies within the present state of Pennsylvania, a dispute ultimately arose between the two colonies, as to the right of possession in the disputed territory. Both colonies sold the same land, and each guaranteed to the purchasers undis-

turbed possession. This excited innumerable quarrels, and resort was often had to force of arms to expel the intruders.

In 1770, the legislature of Connecticut transmitted to England certain questions to be presented to the most able lawyers, respecting her title to lands west of New York. The answers were favorable to her claims, and determined the colony to maintain them. The revolutionary war happening soon after, suspended further proceedings until after the close.

In 1781, the two states agreed to appoint commissioners to determine the dispute. An act of congress was passed granting to these commissioners full powers to act in the final settling of this long pending controversy. The commissioners met at Trenton, in November, 1782. After a full hearing of the matter in question, they decided that Connecticut had no right to the lands in dispute. Here the matter, so far as Pennsylvania was concerned, rested.

The state of Connecticut, notwithstanding, still claimed to all lands lying west of Pennsylvania, and extending to the Mississippi river. To avoid future troubles, however, the legislature agreed to cede all of these lands to congress, with the exception of a tract of one hundred and twenty miles in length, lying immediately west of the west line of Pennsylvania. This cession was accepted, and was considered to be an indirect acknowledgment that her claim was well founded.

This tract is known as the Western Reserve, and includes the counties of Ashtabula, Trumbull, Portage, Geauga, Cuyahoga, Medina, Lorain, Huron and Erie. A part of the tract was granted by the state to the inhabitants of New London, Fairfield and Norwalk, whose property had been destroyed by the British troops during the war. The remainder was sold in 1795, and the money arising from the sale appropriated to the purpose of constituting a perpetual fund for the support of schools in the state. (Ohio City Transcript.)

THE BATTLE OF BRANDYWINE.

We had been in the saddle about an hour, under the intrepid Pulaski, who with his own hands, examined our swords, pistols and other equipments, as if assured that the struggle would be a deadly and a long continued one. The day was one of the most beautiful that ever broke over the earth. We were about half a mile from the main body, ranged along a green slope, facing the west, our horses about four hundred in number, standing as so many marble statues; until just as the eastern sky began to redden and adulate, and cloud after cloud to roll up and heave like a great curtain up the wind, and the whole heaven seemed discharging all its beauty and brightness upon one spot. I happened to turn about and saw the tall Pole (Pulaski) bare-headed, tilting his horse, like some valiant wrecker came up out of the solid earth to worship upon the very summit of the hill behind us; it might be, (for the noble carriage of the man, the martial bearing of the soldier, would permit of either interpretation, it might be in the awful employment of devotion or in the more earthly one of martial observation—but he suddenly reigned up his charger, shook the heavy dew from the horseman's cap, replaced it and leaped headlong down the hill, just as the bright dash passed away on the horizon; followed by a loud report, and the next instant a part of our ranks were covered with dust and turf, thrown up by a cannon ball that struck near the spot he had just left.

Our horses plucked up their ears at the sound, and all at once, as if a hundred trumpets were playing in the wind, came the enemy in his advance. Pulaski unsheathed his sword, called out a select body and set off at full gallop, to a more distant elevation, where we saw the enemy advancing in two columns; one under Knipphausen, which moved in steadiness, in a dark solid mass, towards the spot occupied by general Maxwell; the other, under Cornwallis, which seemed to threaten the right flank of the main body. Intelligence was immediately sent to Washington, and reinforcements called in, from the spot we had left.

We kept our position, awaiting for a whole hour the sound of conflict; at last a heavy volley rattled along the sky, a few moments passed, and then another followed, like a storm of drum heads. The whole air rung with it; another and another followed; then gradually increased in loudness, came peal after peal till it resembled a continual clap of thunder, rolling about under an illuminated vapor. But Pulaski, with all his impetuosity, was a general, and knew his duty too well to hazard any movement till he should be able to see with certainty the operations of the enemy in the valley below.

Meanwhile, several little parties which had been sent out, came in, one after the other, with the in-

telligence that Knyphausen had broken down upon Maxwell in magnificent style—been beaten back again; but that he had finally prevailed—and that Maxwell had retreated across the river. A thin vapor had risen from the earth below us and completely covered the enemy from our view. It was no longer possible to follow him, except by the sound of his tread, which we could feel in the solid earths, jarring ourselves and our horses; and now and then, a quick glimmering in the midst, as some standard raised above it, some weapon flourished, or some musket shot through it like a rocket.

About an hour after, a horseman dashed through the smoke on the very verge of the horizon, and after scouring the fields, for a whole mile in view, communicated with two or three others, who set off in different directions; one to us with orders to hurry down to the ford, where the commander-in-chief was determined to fall on Knyphausen with all his power before Cornwallis could come to his aid. It was a noble but hazardous game—and Pulaski, whose war horse literally thundered and lighted along the broken and stony precipice by which we descended, kept his eye wearily to the right as if not quite certain that the order would not be countermanded.

We soon fell in with general Greene who was posting all on fire, to give Knyphausen battle, and in the next moment saw Sullivan in full march over a distant hill towards the enemies flank. This arrangement would doubtless have proved fatal to Knyphausen, had not our operations been unfortunately arrested at the very moment we were prepared to fall upon him, man and horse, by the intelligence that Cornwallis had moved off to another quarter. It was a moment of irresolution—doubt, it was the death blow to our hopes to victory. Greene was recalled, and Sullivan commanded to halt.

Hardly had this happened, our horses being covered with sweat, and froth, fretting in the bit like chained tigers, and covered with dust, it being an excessively hot and sultry day, when a heavy cannonade was heard on our right flank, and Greene, to whose division we had been attached, was put into motion to support Sullivan who had left horse some hours before. The truth now broke upon us like a thunder clap. The enemy had passed us, concentrated, we supposed, and fallen on our right.

I shall never forget Green's countenance, when the news came,—he was on the road side, upon an almost perpendicular bank, but he wheeled where he was, dashed down the bank, his face white as the bleached marble, and called to us to gallop forward with such a tremendous impulse, that we marched four miles in forty minutes. We held on our way in a cloud of dust, and met Sullivan all in disorder; nearly a mile from the ground, retreating step by step at the head of his men, and shouting himself hoarse, covered with blood and sweat, and striving in vain to bring them to a stand, while Cornwallis was pouring in upon them an incessant volley.

Pulaski dashed out to the right, over the fences, and there stood awhile upright in his stirrups, reconnoitering, while the enemy, who appeared by the smoke and the dust that rolled before them in the wind to be much nearer than they really were, redoubled their efforts; but at last Pulaski saw a favorable opportunity. The column wheeled; the wind swept across their van, revealing them like a battalion of spirits, breathing fire and smoke. He gave the signal; Archibald repeated it; then Arthur; then myself. In three minutes we were ready for the word.

When Pulaski, shouting in a voice that thrilled through and through us, struck sparks into his charger; and in half a minute, so fierce and terrible was his charge, before we were able to come up to him. What can he mean? Gracious heaven! My hand convulsively, like that of a drowning man, reigned up for a moment when I saw that I was galloping straight forward into a field of bayonets; yet he was the first man! and who would not have followed.

We did follow him, and with such a hurricane of fire and steel, that when we wheeled, our path lay broad before us, with a wall of fire on the right hand and on the left; but not a bayonet or a blade in front except what were under the hoofs of our horses. My blood rushes now, like a flash of fire through my forehead, when I recall the devastation that we then made, almost to the very height of the enemy's column.

But Pulaski, he who afterwards rode into their entrenchments on horseback, sword in hand, was accustomed to it, and broken over the fence, aware of his peril if he should give them time to awake from their consternation, he wheeled in a blaze of fire with the intention of returning through a wall

of death more perilous than that which shut in the children of Israel upon the Red sea.

But not the wall had rolled in upon us, and we were left no alternative but to continue as we had begun.

The undaunted Pole rioted in the excess of his joy! I remember well how he passed me, covered with sweat and dust, riding absolutely upon the very points of their bayonets. But at last they pressed upon him, and horsemen after horsemen fell from their saddles; when we were all faint and feeble, and even Archibald was fighting on foot over his beautiful horse, with Arthur battling over his head, we heard the cry of "Success! success!" Immediately we felt the enemy give way, leaving this way and that, finally concentrating beyond us.

"Once more! once more!" cried Pulaski, and away he went breaking in upon them as they were forming and traoping down whole platoons, in the charge, before a man could plant his bayonet or bring his gun to an aim; our aspect as we came thundering upon them was sufficient; the enemy fled, and we brought off our companions unhurt.

I have been in many a battle, many a one that made my hair afterwards stand when I dreamed of it—but never in one where carnage was so dreadful, and firing so incessant as that which followed the arrival of Greene. But the enemy had so effectually secured his exposed points by ranks of men kneeling with plated bayonets, that we could make no impression upon them, although we rode upon their faces and again, discharging our pistols in their faces.

MR. KING OF ALABAMA.

Mobile, May 24, 1839.

Hon. Wm. B. King: Sir: Your fellow citizens of Mobile, aware of your eminent public services in the station which for nearly twenty years you dignified and adorned, and entertaining the highest respect for your private character, have deputed us to invite you to a public dinner, to be given at such time as may best comport with your convenience. In accepting this invitation and naming a day that will be most agreeable to you, you will greatly oblige your numerous friends in this city.

We have the honor to remain your fellow citizens,

John B. Hogan,
T. Sanford,
Wm. R. Hallett,
Henry Center,
Hugh Monroe,
Wm. Magee,
John H. Woodcock,
James G. Lyon,
John F. Pyles,
P. Phillips,
M. J. McRae,
Henry Myers,
D. D. Kane,

H. Chamberlain,
Moses Ryan,
Robert L. Crawford,
S. V. V. Schuyler,
B. B. Breedin,
David White,
John H. Bragg,
William Austin,
John Gayle,
B. Tardy,
John Forsyth, jr.
John K. Collins,
R. Lee Fearn.

Mobile, May 26, 1839.

GENTLEMEN: I have the honor to acknowledge the receipt of the invitation of my fellow citizens, of Mobile, to partake of a public dinner at such time as may suit my convenience. I can but regret that my arrangements will necessarily render my stay in Mobile so short that I am compelled to decline their flattering invitation, and to deprive myself of the pleasure of meeting them at the festive board. I cannot, however, be insensible to this manifestation of the personal respect and political confidence of my republican fellow citizens. It is the highest—and indeed it is the only reward for public service, worth, with me, a moment's consideration: for coming as it does from those distinguished for their intelligence and moral worth, it carries with it the strongest evidence that I have been faithful to the principles of the constitution, and with whatever ability I may possess, have honestly discharged the duties of the station in which for the last twenty years, it pleased my fellow citizens of Alabama to place me. From early life I have been identified with the republican party.—My youthful energies were exerted in sustaining those principles for which Jefferson, Madison, and the purest and wisest of our country contended.—With them I was opposed to alien and sedition laws; then; I am equally opposed to gag laws now. I was and ever have been opposed to the latitudinarian construction of the constitution. I believe with our democratic republican fathers, that the only security for the rights of the states was to be found in conferring the action of the general government to the powers expressly granted, and such incidental powers as were plainly and undeniably "necessary and proper," to carry the granted powers into effect.

I am, and ever have been, a state rights man; a strict constructionist; I hunt up no vagrant power, on which to bottom legislation, nor upon any supposed grounds of expediency, seek to extend the granted powers by implication. For a U. States bank, internal improvement, and a tariff for protection, I find no warrant in the constitution; hence I disregard all arguments, drawn from real or imaginary advantages; adhere to that sacred instrument, and oppose them all; for experience has shown that every departure has been attended with serious evils, and on more than one occasion has threatened to shake the government to its very foundations.

On a strict adherence to the provisions of the constitution, must depend the security of our most vital interests, the preservation of our dearest rights. It is the only effectual shield against the unprincipled efforts of those who would with a demonic spirit involve us in all the horrors of a servile war, and drench our fair field with blood, and should the day unfortunately ever arrive, when the powers of this government shall be placed, and retained, in the hands of those who would create a corporation, to strengthen the executive arm, and control the institutions of the states; impose taxes to enrich one branch of industry at the expense of all the others, and deprive our citizens of the freedom of speech; then will the days of this glorious and free republic be numbered. To the present truly republican administration I have given my most cordial support, and so long as it continues to administer the government upon the principles set forth by Mr. Van Buren, in his inaugural address, I shall unhesitatingly do so.

I regret, gentlemen, that neither time nor the limits of this letter, will enable me to give at large my reasons for supporting that much abused and misrepresented independent treasury plan. I know that untiring efforts have been, and are making, to mislead the public mind on that subject; but I also know that it is undergoing a thorough examination by an independent and enlightened people, and on their decision I rely with confidence.

Tender, gentlemen, to my republican fellow citizens my grateful acknowledgments for their distinguished attention, and accept for yourselves the assurance of my high respect and sincere regard. Your fellow citizen,
WM. R. KING.
To John B. Hogan, T. Sanford, W. R. Hallett, Henry Center, H. Monroe, and others, committee.

THE CILLEY DUEL.

The following extract from a speech recently delivered by Mr. Graves to his constituents of Louisville, and reported in the Louisville Journal, throws some light upon the unhappy duel which was the subject of so much speculation at the time it occurred:—

"I met colonel Webb one day in Washington, and having experienced the most unkind and unmerciful civilities from him some time before in New York, during my visit to that city, I naturally felt disposed to extend to him that courtesy which one gentleman owes to another under similar circumstances. After talking to him for some time, he said that he had a favor to ask of me. I replied, that any thing which one gentleman might ask of another, and which I had it in my power to grant, I would cheerfully do for him. He then handed me a paper, and said he would feel greatly obliged if I would deliver that from him to Mr. Cilley. Aware of Mr. Cilley's previous remarks on colonel Webb, it instantly struck me that the paper was a challenge, and I hesitated to take it. I asked col. Webb whether it was a challenge, and told him that, if it was, I should decline having any thing to do with it, being opposed in principle, to duelling myself, and acting as the representative of a district which I believed to be opposed to it. I also told him that I was totally ignorant of the etiquette of duelling, and, therefore, a very unfit person, on that account, if I even had not insurmountable objections of another kind to prevent me from interfering. Col. Webb then assured me that the paper was not a challenge; that it was merely a note of inquiry, to which a definite answer was required. He also assured me that, if a challenge should subsequently be found necessary, he would employ some other person than myself to bear it. Upon these assurances, totally unconscious, as I was, that any possible mischief could arise out of my carrying a simple paper of intertigation from one gentleman to another, I took the note and went to THE WORKS. I sent one of the attending boys for Mr. Cilley, who came out to me, and I then told him that col. Webb had requested me to hand him that paper. He said he supposed it was a challenge, and that he could not receive any thing of the kind from colonel Webb. I told him that colonel Webb

had assured me it was not a challenge, and with this assurance I had become the bearer of it; that I would not have consented to be the bearer of a challenge to him, as I had the kindest feelings towards him, and was opposed to duelling; but that I hoped he would consent to take the note, as I feared his refusal would place me in an embarrassing situation. I added that I was wholly ignorant of the etiquette in such cases, and had never contemplated or thought of such an event as his refusal to take the communication. He said he should be glad to have time to consult some friends on the propriety of his taking the communication; and I, thinking it advisable that I myself should inquire into the etiquette of my situation, agreed to receive next morning his answer whether he would take the paper or not. I left him then, and consulted my friends, Mr. Menefee, Mr. Crittenden, Mr. Wise, &c. on the subject. To my extreme regret, those gentlemen all confirmed my painful suspicions of the responsibility that would devolve upon me in the event of Mr. Cilley's persisting in his refusal to take for me the communication, of which I had innocently and unsuspectingly consented to be the bearer. The next morning I waited on Mr. Cilley for his answer. He told me that his friends had advised him not to accept any communication from colonel Webb; but he added that he had no objection in saying to me that he had no personal disrespect for colonel Webb, and had only spoken of him in debate according to the privileges of the house, without intending any thing of a personal or private nature. I conscientiously thought that this ought to be sufficient to satisfy col. Webb, and so expressed myself to Mr. Cilley. I left him, and consulted my friends, and was never more happy in my life than when they agreed with me in opinion that the declaration of Mr. Cilley ought to be regarded as satisfactory.

"We soon found, however, that some of Mr. Cilley's most violent political friends were impeaching my personal veracity by denying that he had made any admission at all in regard to the communication of offering me a personal disrespect to colonel Webb, and that he had said to me that his refusal to receive colonel Webb's note was predicated upon grounds having no connexion with the character and standing of that gentleman. I, therefore, in accordance with the advice of all my friends, again spoke to Mr. Cilley, and told him that what had passed between him and me had not been in the presence of a third person, and that I thought it might be proper that he should commit to writing what he had said to me in regard to colonel Webb, and place it in my hands. He said that he had not the slightest objection to doing so, and that he would retire to his room and send me the required writing forthwith. I took my seat in the house, and waited several hours, but did not receive the expected communication. Still resolved, however, to have every thing amicably adjusted, if possible, I again waited on Mr. C. in person, to remind him that he had neglected to send me the promised communication, of which he had said to me. He then told me that he had concluded, upon mature deliberation, that the better way would be for me to address him a note, making an inquiry as to the conversation that had passed between us upon the occasion in question; and that, if I would do this, he would make the promised response promptly and cheerfully. Without a moment's hesitation, I consented to do this, and instantly wrote the proposed inquiry, in as few words as possible; and, waiving all ceremony, (for I sincerely thought and fervently hoped that all difficulty was at an end), presented, in person, my note, marked in the testimony No. 1, to Mr. Cilley. He said he would forward me his reply as speedily as possible. Soon afterwards, I saw him in conversation with Dr. Duncan and others, and, subsequently, his reply, marked No. 2 in the testimony, was handed to me by Dr. Duncan.

"Upon receiving that most unexpected note, I read its contents in the face of Dr. Duncan as distinctly as I afterwards read them in the face of myself. I saw that Mr. Cilley, notwithstanding all his verbal promises to me, was disposed to confound an imputation upon my veracity, and hence I felt it my duty again to consult my friends. Acting entirely under their guidance—the guidance of men whose honor, whose pacific disposition, and whose aversion to blood the world has never doubted—I wrote the note marked No. 3 in the testimony. I charged my friends and advisers, while they were framing that note, to consult my honor, and, through me, the honor of the state which I represented, without any reference whatever to my personal safety, which I could not, in the slightest degree, allow to be consulted when my honor and that of my state were concerned. They and I felt equally that I could not take any other steps than those actually adopted, without backing out of the affair

disgracefully and dishonorably. I had fully learned the responsibility of my situation. Gentlemen of the highest honor had informed me of the etiquette, which, till then, I was ignorant of, and I could not for a moment hesitate between the alternatives of honor and disgrace. I then felt, as I now feel, that it would be far better for me to lay down my life than to risk my own honor and the honor of Kentucky. (Great cheering.) I still feel that it would have been far better for me and for you that I should have fallen on that occasion, than that one foul stain should have been reflected on you through your representative. (Great cheering.) True, I was, and am—I have always been—opposed, in principle, to duelling. I was wholly inexperienced—totally ignorant of its etiquette and code; but those on whose experience and high sense of honor I could faithfully rely, were my advisers; and I did not hesitate one instant in placing myself entirely at their disposal. I promptly told those friends not to suffer their conduct in the business to be influenced, in the slightest degree, by any thing that could, in the most remote manner, tarnish my fame or the credit of the state, which had honored me with its confidence and trust. I had never handled a duelling pistol with hostile views in my life. I had ever detested the idea of practising with pistols to acquire dexterity in their use, from a feeling of decided disapprobation. From my very boyhood I had been imbued with a detestation of the practice. And, with regard to rifle shooting, I do not think I had ever fired half a dozen shots without a rest, and even with that I had but indifferent success. My opponent, on the contrary, was well skilled with both weapons, and confident of success. The chances were entirely against me, yet I did not hesitate one moment. We met at a time, place and distance, and with weapons, all of his own choosing, and the result is known to all; it would be painful to dwell upon it longer. If I erred in what I did, it was because I could not see how it was possible for me to act otherwise. I felt assured, and I still feel assured, however deeply I deplore, and must ever deplore, the fatal event, that the stars were conspired to take were in conformity with the best advice and opinions of great men, whose sense of honor and propriety is unquestioned.

"I thank you, fellow-citizens, for the patience and attention with which you have honored me. If you think that you can still repose in me the same confidence and the same trust as heretofore, I shall not fail, on my part, to merit that confidence, and to preserve your honor with my own, or yield up your trust when I cannot maintain both untarnished." (Great cheering.)

RECEPTION OF MR. CLAY AT BUFFALO, NEW YORK.

From the Commercial Advertiser and Journal.
Below are the addresses of the hon. H. J. Stow, in behalf of the city, and the reply of the distinguished senator, at the Park, on the occasion of his visit, on Wednesday, the 17th inst. It is due to Mr. Stow to say, that the report of his remarks by no means does justice to his really able and eloquent address.

MR. CLAY—Sir: The municipal authorities and people of this city, ever ready to extend courtesy and hospitality to strangers, have made it my pleasant duty, on this occasion, to express their sentiments and feelings towards a statesman whom they, as men, as freemen, as Americans, have been accustomed to honor and respect.

We have, indeed, for years, fondly anticipated the day when we could assure him, personally, of the regard for one whom, though separated by distance, has been bound to us by ties as sacred as those that gather round our homes.—For such are the emotions diffused by generous patriotism, that we feel a friendship towards, and attachment for—nay, almost an intimacy with those who have rendered service to our country.

We say that we have anticipated that day, because we believe that if there be any part of our wide-spread country more peculiarly than any other, deserving the curiosity of even a stranger, it will be found in our immediate vicinity. We think that perhaps in no part of all the earth has the Creator impressed upon his work such evidences of his beneficence and power. But, to an American, there are connected with these scenes recollections scarcely less attractive than are the works of nature to a foreigner and stranger.

Were we not justified, sir, in our anticipations, had we not a right to expect that the eloquence, which has so often reverberated alike on the Mississippi and Niagara, would have drawn fresh inspiration from "these mighty scenes in nature's morning made?"

Could we have supposed that you would have so long forborne the gratification of viewing those

fields rendered memorable in that conflict, the successful progress and termination of which owed so much to your own exertions?

We will not, however, speak of past disappointments. We now, with warm hearts and ready hands, greet your visit to our city; and trust you will here find a reception which shall remind you of a western welcome and a happy home. But, sir, gratitude must not be lost in the gratulations of the day. We must recur, for one moment, to the past. We must allude to the time when all there was of this city, all there remained on this frontier, of man's works, became the spoils of war. And though it is with pain we call to your attention our past sufferings, it is with gratitude we now seize the hand which was raised for our relief; it is with pride and pleasure we hear the voice which invoked for us assistance in the day of our distress.

We cannot, sir, contemplate with pride, as we do, our rising city, its increasing population, its spreading commerce, and its excellent, though, to a great extent, artificial harbor, without being often reminded of the distinguished advocate of the cause of domestic industry and internal improvements.

Nor can we, sir, speak of the prosperity of the new states, on which so much of our own future greatness must depend, without expressing our approbation of the system in regard to the public domain, which you have proposed.

As citizens of an old state, and one of the states, too, which contributed largely to the national domain, we have witnessed, with peculiar gratification, the disinterested patriotism which induced you, a resident of a western and comparatively new state, to guard the common property of all.

It is to the same patriotic spirit, however we may differ as to expediency, we attribute your exertions to compromise the two differences which have threatened the integrity of our union?

It is the same magnanimity of mind which has induced you, sir, to sustain the cause of suffering humanity in every quarter of the globe—which gave courage and countenance to reviving freedom on the plains of Marathon and Plataea—which has caused your voice to be heard wherever liberty has needed aid from the country of her birth, to where "Cortes and Pizarro's arrow flew."

Here, on this spot, two years ago this day, we received and welcomed your great compatriot, the "defender of the constitution." And, sir, it is fitting that we thus honor those who have done so much to honor us. For the sake of our children, for the benefit of our whole community, as an example for representatives, as friends, as freemen, we welcome HENRY CLAY.

MR. RECORDER AND FELLOW-CITIZENS: The journey which has brought me in the midst of you, was undertaken to afford me an opportunity which I had long desired, to see, and enjoy, the beauties of viewing some of the lakes, the country bordering upon them, the wonderful cataract in your neighborhood, and the Canadas—I had no wish, during its performance, to attract public attention, or to be the object of any public demonstrations. I expected, indeed, to meet, and I take great pleasure in acknowledging that I have every where met with individual kindness, personal respect, and friendly consideration. But, although it is my wish to pass on quietly without display or parade, I am penetrated with sentiments of gratitude for the manifestations of attachment and confidence with which I am honored in this beautiful city of the lakes. I thank you, most cordially thank you, for them all.

I am happy to learn that the public measures to which, in the national councils, I have rendered my humble support—here have commanded your approbation. The first of these, in time and importance, was the last war with Great Britain—upon its causes, and upon its results, we may look back with entire satisfaction. In surveying this theatre of gallant distinction upon the lakes and upon their shores, I have felt my bosom swell with patriotic pride. Nor can any one fail to recollect the names of Brown and Scott, and Porter and Harrison, and Shelby and Perry, and their brave comrades, who so nobly sustained the honor, and added to the glory of our country. And it is most gratifying to behold the immense augmentation, on this frontier, of its military strength and security, since the last war. The satisfaction which is derived from witnessing the tranquillity which now prevails on our border, would be complete if we were not forced to recollect that the violation of our territorial jurisdiction, in the case of the Caroline, remains to be satisfactorily atoned for.

During the progress of that war, as in the war of the revolution, cut off from the usual supplies of European fabrics, our armies and our population generally were subjected to extreme privations and

offerings. It appeared to me, upon its termination, that the wisdom of government was called upon to guard against the recurrence of the evil, and to place the security and prosperity of the country upon a sure basis. Hence, I concurred; most heartily, in the policy of protecting American manufactures, for a limited time, against foreign competition. Whatever diversity of opinion may have existed as to the propriety of that policy originally, I think that all candid men must now admit that it has placed this country at least half a century in advance of the position in which it would have been without its adoption. The value of a home, as well as of a foreign market, is incalculable. It may be illustrated by a single example. Suppose the three hundred thousand bales of cotton now manufactured in the United States, were thrown into the glutted markets of Europe, who can estimate the reduction in the price of that great staple which would be the inevitable consequence?

The compromise of the tariff was proposed to preserve our manufactures from impending ruin threatened by the administration of general Jackson, and which would have been inflicted at the succeeding session, and to avert from the union the threatened danger of civil war. If the compromise be invariably maintained, as I think it ought to be, trust that the rate of duty for which it provides, in conjunction with the stipulations for cash duties, our valuations, and the long list of free articles, inserted for the benefit of the manufacturing interest, will insure it reasonable and adequate protection.

Intimately connected with the strength, the prosperity, and the union of our country was that policy of internal improvements of which you have expressed approbation. The national road and the great canal, projected or executed by your Clinton, both having the same object of connecting the eastern and western portion of the union, have diffused a spirit throughout the land which has impelled the several states to undertake the accomplishment of most of the works which ought to be performed by the present generation. And after the distribution of the large surplus recently made from the common treasury, but little now remains for the general government directly to do, on this great subject, except those works which are intended to provide, on navigable waters, for the security of commerce and navigation, and the completion of the Cumberland road.

I have been very glad, during my voyage upon this lake, to find that an erroneous impression had existed in the mind of the proprietors of the barriors. I had feared that the expenditure of public money had been often wasteful and unnecessary upon works on the lake shores. There are, probably, a few instances in which it might have been properly avoided; but I am now fully persuaded that, in the general, the expenditure has been necessary, wise and salutary.

In sustaining the great systems of policy to which I have just adverted, I was actuated by the paramount desire which has influenced me throughout my whole public career of reserving, in all its integrity and vigor, our happy union. In it is comprehended, peace, safety, free institutions and all that constitutes the pride and hope of our country. If we lift the veil beyond it, we must start back with horror at the scenes of disorder, anarchy, war and despotism which rise up before us.

And it is most proper and expedient to leave the case of the several states, those internal improvements, within their respective limits, which are the wants of society require, there is no great and lasting resource to which I think them fairly entitled. The public domain has accomplished the object to which it was dedicated by our revolutionary fathers, in satisfying the land bounties which were granted to the officers and soldiers of the war of independence, and contributing to the extinction of the national debt. It is in danger of being totally lost, by loose and improvident legislation; and under the plausible pretext of benefiting the poor, of laying, in the hands of speculators, the foundations of principalities. I have thought that the net products of the public domain should be equitably divided among all the states. In their hands the fund would assist in the execution of those great and costly works which many of them are unable to undertake, and some find it difficult to complete. The withdrawal of the fund from the hands to which it is devoted, and the corrupting influences which it exerts, fluctuating as the revenues, from year to year, would scarcely be felt by the general government in its legitimate operations, and would serve to impress upon it the performance of the necessary duty of economy and strict accountability.

This is not a suitable occasion, and, perhaps, I do not fit person to expatiate here, on the con-

dition of our public affairs; but I trust that I shall be excused for saying a few words to those who concur in opinion with me, without intending the slightest offence to any present, if there be any present, from whom it is my misfortune to differ. We believe that there is a radical mal-administration of the government; that great interests of the country are trodden down; that new and dangerous principles and practices have been introduced and continued; that a fearful conjunction of the purse and the sword in the same hands, already alarmingly strong, is perseveringly attempted; that the constitution has been grossly violated; and that by the vast accumulation of executive power, actual and meditated, our system is rapidly tending towards an elective monarchy. These are our convictions, honestly and sincerely entertained. They prescribe to us the duties which we have to perform towards our country.—To correct past evils and to avert impending dangers we see no effectual remedy but in a change of our rulers. The opposition constitutes the majority—unquestionably the majority of—the nation. A great responsibility, therefore, attaches to it. If defeated, it will be defeated by its own divisions, and not by the merits of the principles of its opponent. These divisions are, at the same time, our weakness and his strength.

Are we not then called upon Mr. Recorder and fellow-citizens, by the highest duties to our country, to rise free institutions, to posterity, and to the world, to free above all local prejudices and personal partialities, to discard all collateral questions, to disregard every subordinate point, and in a genuine spirit of compromise and concession, uniting hand and hand, to preserve for ourselves the blessings of a free government, wisely, honestly and faithfully administered, and, as we received them from our fathers, to transmit them to our children? Should we not justly subject ourselves to eternal reproach, if we permitted our differences about mere men to bring defeat upon our country? Our principles are indelible, but men have but a fleeting existence, and are themselves liable to change and corruption during its brief continuance.

If my name creates any obstacle to cordial union and harmony, away with it and concentrate upon some individual more acceptable to all branches of the opposition. What is a public man worth who is not ever ready to sacrifice himself for the good of his country? I have unreflectingly desired retirement. I yet desire it when, consistently with the duties and obligations which I owe, I can honorably retire. No veteran soldier, covered with scars and wounds, inflicted in many severe battles, and hard campaigns, ever received his discharge with more pleasure than I should mine. But I think that like him, without presumption, I am entitled to an honorable discharge.

In conclusion, Mr. Recorder, allow me to express to the city government, through you, my respectful and especial acknowledgments for its liberal tender of the hospitalities of the city; and to you my thanks for the friendly and flattering manner in which you have communicated it.

GOVERNOR EVERETT'S LETTER

TO THE YOUNG WIVES OF GREENFIELD.

Wate-town, 23th June, 1839.

GENTLEMEN: I have received your letter of the 14th instant, requesting me in behalf of the young men's association of Greenfield, to join them in the approaching celebration of the fourth of July. I feel myself under great obligations to you for this invitation; but as the executive council holds a stated quarterly session, in the first week of July, it will be out of my power to leave Boston at that time.

You will be pleased to accept my thanks for the favorable estimate, you are kind enough to place on my public services. Individually, I can claim no merit, but that of having zealously exerted myself to serve the commonwealth, to the best of my ability. But it may be justly claimed for the course of policy, established by all the branches of the government under my respected predecessors, and not knowingly departed from by me, that it has eminently promoted the prosperity and sustained the character of the commonwealth. The greater part of the most important public concerns is within the exclusive jurisdiction of the general government; and Massachusetts, in common with her sister states, has of late years suffered deeply from causes not within her own control. But in every case within the sphere of reach which the state government may be truly affirmed that her citizens have for years enjoyed, and are now enjoying as large a share of prosperity as falls to the lot of man. The rich inheritance of blessings received from our forefathers has been faithfully administered; and the pure principles of representative republican gov-

vernment, which they transmitted to us, have been steadily adhered to. A liberal and enlightened spirit of reform has pervaded our legislation; the statute law has been revised, and some of its harsh provisions softened, and a commencement has been made of reducing the common law, as far as crimes and punishments are concerned, to a uniform written text. The culture of the soil has been encouraged; the natural resources of the commonwealth have been explored and developed; and our territory, for the first time has been scientifically surveyed. The buildings requisite to the improved penitentiary discipline have been erected at the state's prison; the state lunatic hospital has been founded and supported; other institutions of a more beneficial character,—hospitals, asylums, and infirmaries,—have been liberally patronized by the state; a productive school fund has been established, and the public countenance especially extended to the cause of popular education. Not only have these and various other objects of public utility been effected within the last few years, without recourse to taxation, but the usual direct tax, which had been levied from the settlement of the country, has ceased to be laid; while at the same time, the support of the courts of probate, a considerable portion of the expenses of the administration of justice, and the expenses of legislation, (all of which were formerly charged upon the people,—the last named article being at the present time by far the heaviest item of public expenditure) have been defrayed from the treasury.

But the most important feature of the policy which has prevailed of late years, remains to be stated. The credit of the commonwealth has been judiciously and efficiently applied in aid of the construction of rail roads which will soon establish a direct connection for business and travel between the western shores of Michigan and the seacoast of Massachusetts. In two or three years, we shall have direct access to that vast system of communication natural and artificial, which exists in New York, and the states and territories northwest of the Ohio, to an extent unequalled on the surface of the globe. The accomplishment of this object will form an era in the history of the commonwealth. No anticipations have as yet been formed at all, adequate to its importance. It will be felt in the increased prosperity of every section of the state, and will infuse new life into every branch of our industry. By the construction of the western rail road and the late branches already in progress of contemplation, (one of which will unquestionably pursue the line of Connecticut river), Massachusetts will reap her share of the fruit of the stupendous appropriations for canals and rail roads, and of the immense capital invested in steam navigation on the lakes,—by New York, and the states and territories west,—which was largely as if those appropriations and investments had been made for her territory, or a plan projected by ourselves. By the loan of the state's credit to the amount of four or five millions of dollars, (the immediate effect of which is in a high degree beneficial, in applying that amount of foreign capital to the employment and reward of domestic labor and industry), we connect ourselves with a system of public works, on which not less than seventy five millions of dollars will have been expended. All this is effected without taxation; without imposing the burden of a dollar on the people of the commonwealth; and such I am rejoiced to say, is the reliance placed in Europe on the stability of our councils, on our resources, and our good faith, that notwithstanding the attempts made among us, (thoughtlessly I trust), for party purpose, to shake the public credit, by statements of the financial condition of the commonwealth utterly destitute of truth, the stocks of Massachusetts continue to command the highest price paid for American securities in London.

The prosperous condition of the commonwealth, is well adapted to awaken devout thankfulness to Providence, and a grateful remembrance of the services and sacrifices of our revolutionary sires. It forms a just subject of contemplation for the day you celebrate. Deeply regretting that I cannot have the pleasure of listening with you to the eloquent, accomplished and patriotic citizen, whom you have selected as your orator, and of joining with you in the rational festivities of the occasion, I remain, gentlemen, with great respect, your obliged friend. EDWARD EVERETT.

To Messrs. W. Thornton Davis and George Field.

NEW HAMPSHIRE AND THE SUB-TREASURY, PUBLIC LANDS, &c.

In the house of representatives of the New Hampshire on Saturday the 6th of July last, Mr. Wells, from the select committee to which he was referred, so much of the governor's message as relates to the keeping and disbursing of the public revenue, made

a report accompanied by the following resolutions, which were subsequently passed in both houses, by large majorities, and approved by the governor.

1. *Resolved by the senate and house of representatives in general court convened,* That in the opinion of this legislature, all connection between banking corporations and the government of the U. States should be dissolved.

2. *And be it further resolved,* That in the opinion of this legislature, no medium or currency should be received in payment of the revenues of the general government except gold and silver.

3. *And be it further resolved,* That in the opinion of this legislature, the independent treasury is the only system for receiving, paying and disbursing the public revenue, recognized by the constitution of the United States.

4. *And be it further resolved,* That the senators from this state in the congress of the United States be instructed, and the representatives requested, to use all proper exertions to effect the adoption of the independent treasury.

5. *And be it further resolved,* That the secretary of state be required to transmit a certified copy of these resolutions to each senator and representative from this state in the congress of the U. States.

The following has also passed both branches of the legislature, and been approved by the governor.

Whereas certain propositions have been before the congress of the United States, having for their object the distribution of the proceeds of the sales of public lands, and whereas such a measure in the opinion of this legislature, is not only unconstitutional, but is calculated to diminish the public revenue and increase indirect taxation, by affording a pretext for the continuance of a high tariff, therefore,

Resolved by the senate and house of representatives in general court convened, That our senators in congress be instructed, and the representatives from this state be requested to oppose every attempt which shall be made to divide the proceeds of the sales of the public lands among the several states, or to make any other disposition thereof except for the constitutional purpose of providing for the common welfare and general defence of the United States.

And be it further resolved, That the secretary of state be directed to furnish each of the senators and representatives in congress from this state, with a copy of this resolution.

Mr. Swasey introduced the following joint resolutions:

Whereas the legislature of this state, are, and ought to be sovereign within the territorial jurisdiction thereof;

And whereas the legislature of this state, exercising the authority delegated temporarily by said sovereign, is not bound to enact such laws as the rights, interests, and well-being of the state demands;

And whereas the rights, interests and well-being of the people of the state demand, that all bodies associate or corporate within the limits of this same, and of whatever name, and for what purpose created, be subject to the laws thereof;

And whereas no legislature of the state has, or ever had, under its present constitution, any right or power to enact any general or special law, or grant any act of incorporation which a subsequent legislature duly constituted, may not, and of right ought not, to alter, amend or abrogate whenever the public good shall require such alteration, amendment or abrogation.

Therefore, be it enacted by the senate and house of representatives in general court convened, That from and after the passage of this resolution, it shall be deemed lawful and competent for the legislature of this state, to alter, amend or abrogate any act of incorporation heretofore granted, or which may hereafter be granted, under or by the laws thereof, or which is, or may be found to exist within the territorial jurisdiction of the same, under any name, and for any purpose whatever, when in the opinion of the legislature the public good may require such alteration, amendment or abrogation to the contrary notwithstanding. *Provided, however,* that whenever the legislature shall abrogate as aforesaid, any act of incorporation heretofore granted, and in which the right of such abrogation is not declared, then, and in that case, if the personal rights of individuals are injuriously affected by such abrogation, the legislature, upon due information thereof, shall make such provision for compensating such individuals for said injuries, as justice and equity may demand.

RECEPTION OF MR. ELLIS.

U. S. Frigate Constitution, near Vera Cruz, Mexico, June 19th, 1839.

MY DEAR SIR: I take pleasure in saying to you, that we arrived here on the 17th inst. all well. Salutes were exchanged between this ship and the

city of Vera Cruz; a customary thing with nations holding friendly intercourse with each other.

The hon. Mr. Ellis was landed this morning, with the national honors usual on such occasions—a salute of 17 guns, and manning the yards, with the crew nicely dressed in white, and standing up on the yards, supported by the life lines, while the salute is being fired. He was accompanied on shore by commodore Claxton, and five of the lieutenants, as his aids or suite. There were three boats fitted up in the best man-of-war style; the first, with judge Ellis, commodore Claxton and the flag lieutenant; the second, four lieutenants of the ship; the third, two of the "young gentlemen," (this is the man-of-war title for the midshipmen.)

On landing at the quay, they were received by the American consul and the American merchants, from whence we passed up to the residence of Mr. Ad and received his hospitality in a glass of wine. At this place, our minister was waited on by the aid of the governor, and was tendered a guard of honor, for the protection of his person and property, and to escort him to the city of Mexico. This is one of those civil things which tend to give evidence of the friendly feelings that are entertained for us by the Mexican government; for doubtless, gen. Victoria had his instructions from his government, and coming from a man like gen. V. who, it will be remembered, was the first president of the Mexican republic, and the only one that has served out his full term, it is but reasonable to believe there was much sincerity in it.—He is said to have been placed in his present position, for his law knowledge, and statesmanlike qualifications, as well as for his gallant bravery as a soldier. I was present at the official interview of our minister and commodore with the governor, and can therefore tell you that I was favorably impressed with the various qualities of the man; he is about 5 feet 9 or 10 inches high, with a stoop in his walk, occasioned by lameness in one leg, some 55 or 60 years of age, with a fine head, well covered with rich rolling locks of black hair, somewhat bleached by the many sunny days of a tropical climate, and the fatigues of war and diplomacy. These combinations are enough to produce the knitted brow and wrinkled front of any man, who has lived to the age of 60 years or more. The interview between judge Ellis, commodore Claxton, and gen. Victoria, was very gratifying, leaving an impression on my mind, that Mexico was an honorable debtor, and that she would pay to our citizens, through the government, all just claims they have against her. When fully satisfied of the justice of the claims, I doubt not but that speedy arrangements will be made for the liquidation of them, and the adjustment of all differences. Then will come a renewal of all those friendly relations which should exist between the two republics, and which would tend so much to the interest of both countries.

After the interview, we returned to the lodgings of judge Ellis, took our leave of him, and returned to the ship. Judge E. expressed himself to me in warm terms on the pleasures of the passage from New York, and the continued kindness and attention he had received. I cannot but say to you, that I was very much pleased with the judge—a gentleman of elegant manners, and agreeable in conversation—just such a minister as is every way suited to make a passage in a man-of-war, pleasant to himself, and agreeable to all. [*U. S. Gazette.*]

THE NEW BANKS OF NEW YORK.

The following letter and proposition explain an arrangement entered into by the new banks, for the redemption of country bills. By this arrangement, they will bear a uniform and regular rate of discount in this city:

New York, July 17, 1839.

In pursuance of a resolution of the convention representing a portion of the *state security banks*, organized under the general banking law of this state, held at Syracuse on the 26th inst. the undersigned met in this city on the 11th inst. to ascertain and recommend the most favorable and judicious arrangement for redeeming the notes of the country associations.

The convention at Syracuse had scarcely adjourned, when the three associated banks in this city, who have hitherto redeemed the notes of the safety fund banks of the interior, issued a notice to the country institutions that the existing arrangements for the redemption of their notes would be terminated at the end of thirty days. It is stated in the circular issued by the redeeming banks in the city, that it is beyond their ability to furnish the large amount of funds required to maintain the redemption of country paper under the arrangement of 1838, renewed in May, 1839. This sudden and unexpected announcement naturally produced an

unpleasant state of alarm and apprehension, and aggravated the existing embarrassments in the money market, which had already assumed a most serious character. In the endeavors of the committee to discharge the duties imposed upon them, difficulties have been encountered which could not have been anticipated by the convention at Syracuse. All the propositions which we have been enabled to obtain from the city institutions, require that the state security banks in the country should place funds in deposit with their correspondents here, in advance, sufficient at all times to redeem their notes as they may concentrate in the city for redemption.

Notwithstanding the unfavorable condition of financial affairs at the present moment, the committee are unanimous in the opinion that it is expedient for all the banks organized under the general banking law, to provide funds for the redemption of their notes in this city, at a discount equal to the ordinary rate of exchange. It is difficult, and, indeed, impracticable, to fix an arbitrary and uniform rate of discount, which shall be strictly equal in regard to all the local institutions of the state. In order to attain that degree of uniformity which the public interest dictates, a spirit of mutual concession must predominate. In determining the precise rate to be recommended to the country banks, the committee have experienced much doubt and embarrassment. After a full consideration of the subject in its various points of light, we have resolved to recommend that all the state security banks provide funds for the redemption of their notes in this city, at a discount not exceeding three-fourths of one per cent. Although institutions in near proximity with the city may furnish a just exception, it is believed the rate proposed does not exceed the usual and average exchange in respect to institutions located in the interior of the state.

We have endeavored to obtain the most favorable terms for the country associations, whose interest we represent. To this end, propositions were solicited from several of the city banks, and offers have been received from the North American Trust and Banking company, the Atlantic bank, and the American Exchange bank. The proposition of the North American Trust and Banking company, which is hereto annexed, has been selected by the committee as the most favorable and advantageous to the country banks.

Independently of the rate of discount proposed on notes presented for redemption by individual holders, the committee deem it advisable to recommend that the notes of the state security banks which may be remitted to the city by the country banks, including remittances from the safety fund banks, shall be redeemed at a discount of one-half of one per cent. on being regularly assorted, sealed up and presented to our city correspondent. On this subject we have conferred with the committee now in session in this city, representing the safety fund banks, and they have signified their assent to this proposition. They have also consented that the messenger employed by the safety fund bank shall carry remittances and packages for such of the state security banks as shall pay \$50 per annum towards the expense of the messenger.

In conclusion, the committee respectfully recommend that the foregoing propositions be carried into effect by each of the state security banks. It is confidently believed that the proposed system of redemption at the great commercial centre of the country, and the public confidence in the soundness and security of our issues, will insure the notes of the new banks perfect credit and a wide circulation throughout the union.

J. S. GANES, N. B. Batavia.

W. H. ANGL, Lockport.

W. H. ANGL, Watertown.

HORACE WHITE, Syracuse.

JOHN J. KNOX, Vernon.

J. B. WILLIAMS, Ithaca.

WM. K. STRONG, Geneva.

Proposition of the North American Trust and Banking company. The North American Trust and Banking company propose to the committee representing the state security banks of this state, to open an account with those banks, and redeem their notes at such rates as they may direct. The North American Trust and Banking company will allow an interest of five per cent. on balances to be made up once in each week, and the interest to be credited semi-annually, and will charge one-eighth of one per cent. as a compensation for redeeming notes of the country institutions, which are to be sealed up and held subject to their order. The expense and risk attending the transmission of notes to be borne exclusively by the several banks. It being understood that sufficient cash is at

to be kept on deposit with the North American Trust and Banking company, by each of the several banks, to meet such redemption.

Collections will be made by the North American Trust and Banking company, at the current rates.
 JOSEPH D. BEERS, president.
 WALTER MEAD, cashier.
 New York, July 16th, 1839.

EXPORTS OF NEW ORLEANS.

The exports of New Orleans during the quarter ending on the 30th June have amounted in value to upwards of twenty-two millions of dollar, viz:

Exported in American vessels.

Danish West Indies,	\$7,554
Holland,	12,182
England,	7,919,470
Scotland,	56,781
Gibraltar,	61,394
British West Indies,	17,479
Do. American colonies,	27,549
France on Atlantic,	1,732,574
Do. on Mediterranean,	66,403
Hayti,	3,451
Spain on Atlantic,	90,135
Do. on Mediterranean,	66,403
Cuba,	251,431
Venezuela,	2,311
Cape de Verde,	2,518
Brazil,	21,854
Italy,	107,640
Trieste,	69,069
Mexico,	98,225
Texas,	166,756
\$10,734,903	

Exported in foreign vessels.

Sweden,	125,627
Danish West Indies,	7,550
England,	2,735,960
Gibraltar,	56,671
British West Indies,	744
Do. American colonies,	32,291
Hanse power,	35,014
France on Atlantic,	560,114
French West Indies,	11,821
Spain on Atlantic,	27,680
Do. on Mediterranean,	11,200
Cuba,	22,752
Africa,	15,336
Brazil,	4,725
Mexico,	25,841
Texas,	17,632
\$3,703,328	

Exported coastwise.

New York,	3,437,740
Boston,	1,906,607
Philadelphia,	869,036
Baltimore,	609,807
Charleston,	111,971
Savannah,	18,849
Richmond,	206,791
Providence, R. I.,	89,997
Portsmouth,	108,634
New London,	12,938
Hartford,	123,308
New Bedford,	9,622
Portland,	1,493
Wilmington,	2,610
Newburyport,	35,089
Thomaston,	7,273
Mobile,	351,317
Pensacola,	214,195
\$8,036,726	

Recapitulation.

American vessels,	\$10,734,903
Foreign do.,	3,703,328
Coastwise do.,	8,036,726
\$22,474,957	

Tonnage.

Cleared American in foreign trade,	7,312,170
Do. do. coastwise,	7,429,350
14,741,525—35	

JAS. W. BREEDLOVE, collector.

Collector's office, N. Orleans, June 30, 1839.

DECLINE OF SOUTHERN COMMERCE.

The report of a committee of the southern convention, which was held last April, in Charleston, furnishes the following table, showing the comparative progress of commerce at the north and south:—
 The statistics of the United States enable us to present the following statements, exhibiting at one view the rise, progress and decay of southern commerce. They are extracted from one of the documents formerly published by this convention, and

show that the time was when the people of the south were the largest importers in the country.

In 1769, the value of the imports of the several colonies was as follows:—

Of Virginia,	£851,140 sterling.
New England States,	561,000 "
New York,	189,000 "
Pennsylvania,	400,000 "
South Carolina,	555,000 "

The exports were in about the same proportion: Virginia exporting nearly four times as much as New York; and South Carolina nearly twice as much as New York and Pennsylvania together; and five times as much as all the New England states united.

The same relative proportion of imports is preserved until the adoption of the federal constitution, when we find them to be, in the year 1791, as follows:—

Of New York,	\$3,222,000
Virginia,	2,486,000
South Carolina,	1,520,000

There are no data to show the imports into the several states from the year 1791 to 1820; but the general fact may be assumed that the import trade of New York and other northern states has been constantly progressing, while that of Virginia and South Carolina has as regularly diminished. From 1821 to the present time, we have sufficient data, and they exhibit the following as the state of the import trade:

New York,	Virginia,	South Carolina.	
1821,	\$23,000,000	\$1,078,000	\$3,000,000
1822,	35,000,000	864,000	2,000,000
1823,	29,000,000	681,000	2,000,000
1824,	36,000,000	639,000	2,400,000
1825,	49,000,000	533,000	2,150,000
1827,	39,000,000	431,000	1,200,000
1829,	43,000,000	375,000	1,240,000
1832,	57,000,000	550,000	1,213,000

Thus, the import trade of New York has gradually increased from £189,000 sterling, about \$340,000, in the year 1769, and from about three millions of dollars in 1791, to the enormous sum, in 1832, of fifty-seven millions of dollars!—While Virginia has fallen off in her import trade, from two and a half millions of dollars in 1791, to \$375,000 in 1829, and \$550,000 in 1832—not a great deal more than the freight of half a dozen ships.

From these calculations, a few curious facts appear. The imports of New York were, in 1832, nearly twenty times as great as they were in 1769, and nearly twenty times more than they were in 1791. Virginia, on the other hand, imported, in 1829, about one eleventh of what she did in 1769, and about one-seventh of what she did in 1791. In a period, too, of eight years, the aggregate imports of New York amounted to three hundred and eleven millions of dollars; those of South Carolina to about sixteen millions! and those of Virginia to about five millions! New York imported, therefore, in 1832, eleven times as much as Virginia did in eight years preceding, and nearly four times as much as South Carolina did in eight years preceding. Again, New York imported in one year (1832) nearly fifty times as much as South Carolina in the same year, and about 110 times as much as Virginia.

DUTY ON WHALE OIL.

In reply to the memorial from the merchants and others of New Bedford, caused by judge Story's decision respecting a duty on whale oil, the secretary of the treasury communicates the following, which we copy from the New Bedford Mercury of the 16th inst:

Treasury department, 6th July, 1839.

GENTLEMEN: Your memorial to the president of the United States has been returned by him to this department.

He approves the views taken in the circulars of the comptroller, and in my letter to you of the 27th, and especially of the proposed remission of the foreign duties. That will leave the whole matter in a fiscal view as it stood before the late judicial decision.

He has not been able to discover any further relief that can be properly afforded by the executive.— But the inconvenience of applying to the department for remission, which will still remain, and that only, connected with the revenue, can be lessened, though it cannot be avoided entirely, till new legislation is had, or the judicial decision before mentioned is over-ruled by some other court.

All the officers of the customs will be expected, and doubtless will be happy to facilitate as much as possible, the steps which those interested may find it necessary to take to procure relief, and I feel assured that as little delay and cost will be required in any quarter as are consistent with the law.

In respect to the influence of the late decision on the safety of the whale ships abroad and the disci-

pline of their crews, it must be obvious, that the executive cannot properly interfere with the administration of the laws whether for civil or criminal liabilities, as between individuals or companies engaged in the fisheries.

But I have no hesitancy in expressing the opinion that our national vessels and consular and diplomatic officers will afford every protection in their power to American citizens and to what is in fact and good faith American property—though by inadvertence not accompanied by such papers as the circuit court have decided to be necessary and proper under particular acts of congress.

Should you consider this last suggestion of sufficient importance to have new instructions sent abroad to that effect by the state and navy departments, I entertain no doubt they will be cheerfully issued on your writing to those departments for the purpose.

In the meantime the apprehension entertained by some, that the crews of vessels departing from the United States under enrollment and licence, would, at the end of a year, be legally absolved from their engagements, is not supposed by this department to be well founded. But on the contrary the 6th section of the act of 18th of February, 1793, independent of any engagement under the act of July 20, 1790, is believed to preserve, under certain prescribed declarations of the master, all rights and privileges till the arrival of the vessel in the United States. Respectfully yours,

LEVI WOODBURY, sec. of the treasury.

Messrs. A. A. Parker, Joseph Grinnell, A. Adams, C. W. Morgan, E. M. Robinson, James Arnold, Andrew Robeson, committee of N. Bedford.

NEW COTTON CIRCULAR.

From the *Macon (Geo.) Messenger*, July 20.

At a large and very respectable meeting of the citizens of the city of Macon, called to take into consideration the annexed circular, addressed to the cotton planters, merchants, factors, and presidents and directors of the several banks of the southern states, Isaac G. Seymour, mayor of the city, was called to the chair, and Washington Poe, appointed secretary.

The chairman after stating the object of the meeting, proceeded to read the said circular—after which the following resolutions were offered by Abson H. Chappell, esq. and seconded by Mr. Jerry Cowles, and unanimously adopted by the meeting.

Resolved, As the opinion of this meeting, that cotton, the great staple of the southern and southwestern part of the union, having become in a very eminent degree, the controlling commodity of the commercial world, and the influence which it exercises over the agricultural and commercial prosperity of our own country, and especially of the cotton growing region of it, being of the most absolute and paramount character. Therefore, it peculiarly behooves the citizens of the southern and southwestern states, earnestly to deliberate whether any and what system can be applied to the cotton trade, (that shall import to it greater steadiness and certainty, and secure to the commodity, with at least some approach to uniformity, what may be properly called its due and natural price—that is to say, a price based on the proportion of the annual supply to the annual demand of consumption—thereby protecting it as far as possible from those violent, ruinous and incalculable fluctuations which are of such frequent occurrence, and which are in numerous instances, the direct offspring of artificial causes and combinations.

Resolved further, That this meeting concur in the views set forth in the circular which has been read to the meeting from the chair, and that we believe the measures therein recommended, are sanative in their character, and if carried out as contemplated, will be conducive to the interest of the cotton growing states, and therefore, should commend themselves to the consideration of every citizen of the south, whatever may be his calling or profession.

Resolved, That fully appreciating the compliment bestowed upon our city, in selecting it as the place of meeting for the proposed convention, we do most cordially, and earnestly solicit our fellow citizens of the southern and southwestern states and the territory of Florida, to meet at this place on the fourth Tuesday in October next, to deliberate on the important matters disclosed in the before mentioned circular.

Resolved, That a committee to be composed of twenty-one, be appointed by the chair, to effect the object embraced in the last resolution, and that said committee have full power to adopt such measures as to them may seem proper to obtain a full meeting of all interested in the subject set forth in this circular.

Whereupon the chair appointed the following gentlemen the committee:

A. H. Chappell, Everard Hamilton, J. Cowles, James Goddard, Richard H. Randolph, Engenius A. Nisbet, D. C. Campbell, Elias Beall, L. N. Griffin, Chas. Cotton, George Jewett, Leroy Napier, N. C. Monroe, Ambrose Baker, A. Clopton, Richard K. Hines, E. D. Tracy, Henry G. Lamar, Levi Eckley, Wm. B. Parker and Isaac Stott.

Resolved, That the chairman be added to the committee.

On motion of Henry G. Lamar, esq. it was *Resolved*, That the editors of papers in this, and all the states interested in the subject, be requested to publish the said circular and resolutions.

Resolved, That the editors of newspapers in this city, are requested to publish the above proceedings.

On motion, the meeting adjourned.

ISAAC C. SEYMOUR, chairman.

WASHINGTON POST, sec'y.

July 17, 1839.

To the cotton planters, merchants, factors, and presidents and directors of the several banks of the southern states.

CIRCULAR.

FELLOW CITIZENS: Interested like yourselves, in the cultivation and disposal of the great staple of American agriculture and commerce, we have accidentally met in this city, in the midst of a crisis which discloses some strikingly momentous features in the history of this most important branch of the trade of our country.

When the cotton crop of the United States was a mere item in its trade, and did not reach a production exceeding five hundred thousand bales it was perhaps safe to consider it as one among many articles of barter and exchange, which left entirely to the fortuitous circumstances of commerce, would find its level under the influence of the ordinary laws of trade, without the necessity of resorting to any means of precautionary protection.

Times, however, have changed. Cotton has passed from the condition of a mere article of commerce, to the performance of the mighty function of being, in a great degree, the regulator of the exchanges, and the standard of value of our country. If the nature of this matter, and its entering into our circulation, it is scarcely less the basis of our currency, than the precious metals; for the fluctuations in its price are felt with a sensibility equally as acute and searching, as any of those variations which belong to the demand and supply of these sensitive and mysterious tokens of national value.

The production of this staple, has now become so immense, that it behoves those who produce it by a large investment of capital at a high rate of incidental cost, and in a climate perilous to human health, to consider, well, whether there are not some material circumstances in reference to the mode in which this product of their labor is shipped from this country, and is brought to market at the point of its final sale and consumption, which demand the application of a prompt and effective remedy. In one word, is not the important fact disclosed, that such is the unwieldy amount of this great staple of southern industry, that it cannot be sent forward and disposed of at large remunerating prices, through the ordinary medium of the mercantile establishments of this country and in Europe, without the direct co-operation of our banking institutions. If we have become satisfied of this fact, ought we not to organize a system, which shall give perfect security to this great interest in the commerce and finances of our country? The unwise and ruinous system of sending the crop forward to houses of circumscribed means, on the other side of the water, who are incapable of holding their consignments an hour beyond the maturity of the bills drawn against such shipments, subjects in fact, nearly the whole amount of American interests to foreign combination, which might act, not only with entire concert, but with a perfect knowledge of the period, when from the maturity of the acceptances in question, property to a stupendous amount belonging to this country, may be ready for sacrifice.

The great and vital change which must be operated, to sustain American interests, by American credit. To realize at home, the resources necessary for the protection of our property abroad, without the necessity of large and inconvenient drafts on the capital and means of our great customer. In other words, the commercial reform we desire, is to send our great staple to market, without the period being determined by the date of a bill of exchange, when it is to be brought forward for absolute and unnecessary sacrifice. We believe that the steadiness in price, which would result from a portion, at least, of the cotton crop being exempt from the disastrous fluctuations arising from compulsory sales, would in the end, be scarcely less valuable to the spinner and consumer in Eng-

land, than to the grower and shipper here—a fact, which we think demonstrable from the following postulates, which we consider altogether self-evident:

1. The natural price of cotton is the effect of the fair and natural influence of supply and demand.

2. The price cannot be steady, and the article cannot be current, so as to admit of safe calculations on the part of the planter, the manufacturer, and the merchant, unless the price be natural. It is consequently the interest of these three classes, that the article should be protected on the one hand, from any great and undue speculative action, which might inflate prices above the natural rate—and on the other, from any derangement in the money market, or any other accidental cause, which might depress it below that rate. The effect of great and undue speculation being to derange the money market, and to produce re-action, with an undue depression of prices.

3. The state of the currency mainly depends on the means which the country possesses, to pay its foreign debt, by shipment of its produce. To the extent its produce or manufacture falls short of that object, exports of specie may be induced, the effect of which must be a reduction of the circulation, with depreciation of property and general distress.

4. Cotton, in this country, being by far the most paying its foreign debt, it is the interest of the community, and particularly of the moneyed institutions, that the price of it in England (the great market) should be steady, and that the article should be of current sale, so as to be the means of large and effective remittance. It follows, that the interest of the banking institutions here, are the same as those of the three classes first mentioned, namely, that the price should be natural, that it may be steady, and of easy realization.

5. The interest of the British government, of the bank of England, and of the banks of that country in respect to this article, are the same as the interests of the banks here. Their importation there being immense, and the employment of a most numerous body of the laboring classes depending on the steadiness of prices. When they are not steady, the foreign demand for manufactured cotton is reduced greatly, the operatives are thrown out of employment, and the great means of settling the balance of trade with that exportation of precious metals, are withdrawn—manufactured cotton affording by far the most important branch of their export trade.

6. Consequently, any arrangement that could be formed, by which the article would be protected from the effects of undue speculation, and from depression in the money market, and by which steadiness of price, with currency of sale, would be promoted—would save some of the greatest and best interest in both countries.

7. It is therefore proposed to form a system by which, with the commencement of the new crop, advances on cotton shall be made with the capital or credit of banks here, thereby relieving the consignee in Europe from all care or consideration, except the advantageous sale of his stock, which would promote all these interests, and afford general satisfaction on both sides of the water, provided it were done by the means, directly or indirectly, of undue speculation or monopoly.

Having thus indicated the principles on which the proposed system must find its justification and basis, we will now say succinctly as possible, detail the means of carrying it into effect.

We are far from imputing any premeditated hostility of the bank of England to American interests; on the contrary, it is one of the benevolent influences of commercial intercourse to promote peace and good will among nations and men. Hence this great engine of the commercial grandeur and opulence of Great Britain, acting under an enlightened instinct, must rather desire that its best customer should at all times be in a condition to meet her engagements with entire punctuality and success.

But there are epochs in the commerce of England, when, either from insufficient harvests, a languid demand for her manufactures, or political combinations, when the bank may from an urgent policy limit her discounts and increase her rate of interest. This event can never occur, without its having a blighting influence on any surplus of our great staple which might be unsold in England. Surely if the bank of England can exercise unavoidably an influence thus prejudicial, we may resort to our own American banks, as a means of security and protection, without the invidious clamor of combination and monopoly.

It is time that the absurd and senseless cry on the subject of banks making advances on cotton should be understood, and finally put down. The truth is that by the mere purchase of the foreign exchanges of the country, they advance on nearly every bale

of cotton subject to foreign export, and this without the security of the bill of lading and policy of insurance, on the mere personal responsibility of the drawers and endorsers of the bill. Hence these losses are most comprehensive and disastrous after every commercial crisis and revulsion.

Now we propose giving to the banks in all cases the higher protection of these securities, and that early next autumn, one or more banks in each of the great commercial cotton markets of the south should commence making advances on the crop, according to scale to be graduated amount, assuming 12-1/2 cents at home to be about the fair natural average and remunerating price of this staple, on a product of sixteen hundred thousand bales, which is about as large a return as the actual labor of the country now engaged in this branch of industry, is capable of harvesting.

The embarrassments of the southwestern states having prevented the planters in these states from making any purchases of slaves from the Atlantic states, during the last two years, whilst not less than ten per cent. of the slave labor of the south has been abstracted in the same period from the cultivation of cotton, and applied to the raising of provisions, and to the construction of those extensive rail roads now in progress throughout that portion of the union.

For these advances we propose that the banks should issue to the planters, merchants and factors of the country, on the production of the bill of lading, and the assignment of the policy of insurance, post notes of such description, and payable at such periods as a convention hereafter contemplated may suggest; notes which may be made to answer both the purposes of currency and exchange, the details of which we refer to that body. By this arrangement, however, we feel satisfied the credits can be so distributed that from the day of the shipment of our cotton it may probably be held at least six months in Europe, without the foreign consignee being under an advance of one farthing, and we think it quite easy to confer on the houses to which the shipments are confided, sufficient strength to enable them to hold over for even a longer period, should safe remunerating prices not be obtained on the maturity of the bills.

With a view of securing this strength, it is indispensably necessary that the consignments should not be too much diffused, but confined to a limited number of houses in Liverpool and Havre, who, acting as the agents of all those who will come into this conservative system, will feel a common interest, and will naturally aid and assist each other under all and every contingency.

This, fellow citizens, is but the brief outline of a great scheme, for the protection of our commerce, finance and exchanges, the details of which must be left for profound deliberation and concerted action. To accomplish this object, we hereby invite the planters, factors and cotton merchants of each district or county in the southern states, and territory of Florida, together with the banks, in each of the said states and territory, to send delegates to meet us in convention at Macon, Georgia, on the fourth Tuesday of October next, which will be on the 22d day of that month, that we may carefully consider the important matters disclosed in this circular.

We invite a candid examination of this whole scheme, for the protection, not alone of southern interests, but for the security of the commerce of the whole country.

Let it at least be tested by patient investigation and enlightened research; if by this plan one-third of the entire cotton crop of the country can be placed beyond the possibility of sacrifice, it will give security to the residue, not by entrenching it behind the guards of a speculative monopoly, but by holding it in that state of security, which the just relations of supply and demand will always in the long run, establish and sustain in the trade of a great and civilized country.

That no time may be lost, we beg leave to apprise you that an agent, having our confidence, will leave this shortly for Europe, clothed with ample instructions, to make such preliminary arrangements with the houses in Liverpool and Havre, which may, by the sanction of the convention have the proposed consummation.

We are aware of the very patent opposition, which a plan, even looking to self defence, must invite both at home and abroad, as it runs counter to a variety of interests, too powerful and too susceptible of combination, not to be aroused into active and perhaps inexorable hostility. If our apology is not to be found in the plea, that we have a right to hold our own property by the means of the credit of our own country, then we fearlessly say, we are at least to attempt it, in despite of any opposition, however, eager and implacable.

We have seen in the face of a crop of 1,350,000 bales an effort made, and very nearly resulting in success, to coerce to the acceptance of the same prices, which were incident to one of 1,800,000 bales. We ought not to rest our security on the adverse omens of the crop, which is now growing under the will and dispensation of Providence, which has already suffered in many quarters from an intense drought, and in others from the ravages of the insects so destructive to its growth and maturity. We should look beyond the era of the short supply of the last year, and an apprehended deficit during the coming season. The lessons of economical wisdom belong to all seasons, and all times, and there is a salutary truth in the homely aphorism that those who do not take care of themselves, are not likely to be taken care of by others. We, therefore, submit this call and invitation to you, with the earnest hope, that you will be prepared to co-operate with us in a measure, in which we believe the highest interests of our common country are involved. We remain, very respectfully, your obedient servants,

NATHL. A. WARE, of Mississippi.
JOHN G. GAMBLE, Florida.
THOS. E. TARTT, Alabama.
W. H. PRATT, Alabama.
D. P. HILLHOUSE, Georgia.
D. J. HUGHES, Yazoo, Miss.
NATHAN McGEHEE, Louisiana.
GEO. M. DUFFIE, South Carolina.
J. K. DODGE, Florida.
J. L. HUNTER, Alabama.
DAMES HAMILTON, South Carolina.
A. B. DAVIS, Georgia.
HENRY W. HILLARD, Montgomery, Ala.
JOHN BRANCH, North Carolina.
New York, July, 5th, 1859.

THE MANIFESTO OF THE COTTON SPINNERS.

(From the *Manchester Guardian*, July 3d.)
THE AMERICAN COTTON SPECULATION.
As the Great Western will sail on Saturday next for the United States, we think a few observations upon the origin, present state and probable consequences of the extraordinary speculation in cotton in the United States may not be entirely without interest on either side of the Atlantic; and if they should have any effect in checking the extreme disposition of the American planters and merchants to resort to speculative means of bolstering up the price of their great commodity, to the great injury of the English manufacturers in the first instance, and their loss ultimately, our purpose in writing them will have been fully answered.

As some of the American speculators have recently urged the agreement entered into by certain spinners in this neighborhood to work short time as an excuse for the speculative advances which they propose to make, or rather which they wish to obtain, it is necessary to go back a little to see what was the real origin of the speculation in America, and of the diminished consumption in this country. On referring to our own file for the last year, we will find the following article, which appeared on the 29th December, some time before there had been any agreement to work short time amongst any portion of the spinners in this country:

"The continued action of the banks of the United States on the cotton market, by their extraordinary and unwarranted efforts to bolster up prices by advances to the planters, to enable them to keep their cotton out of the regular markets, has begun to excite a feeling of alarm and irritation in this neighborhood; for, although it is well known that prices must in the end be regulated, as they ought to be at all times, by the natural operations of supply and demand, it is still easy to see that the interference now practising in the southern states of America may very probably have the effect of temporarily forcing up prices here to a very serious extent; and the spinners will be compelled either to stop their works, or to purchase the raw material at rates which they know cannot be permanent, with certain chances of loss from its subsequent decline in value. That the system of advances from the banks, with the view of keeping cotton for a time out of the market, is now carried to a very considerable extent, the recent advices from all parts of the cotton growing states abundantly testify. On Saturday last we inserted a circular issued by Mr. Ingersoll, nominally as agent to Humphreys & Biddle, of Liverpool, but really as agent to the bank of the United States; and we now find in the *New York Daily Express* of the 7th December, another circular of the same kind, but emanating from a different quarter. It is in the following terms:

"Mississippi Union bank, Jackson, Nov. 16, 1859.
"Sir: The directors of this institution, believing that the cotton crop of this state will fall short, and

that planters will postpone the sale of their crops until the deficiency is known, propose to advance 60 dollars for every bale of good cotton, weighing 40 lbs. delivered to the agents of this bank, to be appointed at the following shipping points, viz: at Natchez, Vicksburg, Grand Gulf, Rodney, Manchester, Techna, Saffaria, Marion, Greenwood, Gracada, Columbus, and Mississippi city. The owner to deliver to this bank the said agent's receipt, with the mark, number and weight of each bale, together with a note payable twelve months after date, with two or more good securities, to be submitted to the board for said advance.

The cotton to be shipped to Liverpool or such other market as may be designated by the party delivering the same, at his risk and expense, and sold on account of this bank. The proceeds together with the exchange, both foreign and domestic, to be credited on his note, and the rate of the domestic exchange to be established by the current rate at the time the account of sales is received.—Respectfully,
"W. P. GRAYSON, cashier."

"Now, as the advance mentioned in this circular, sixty dollars a bale, amounts to fifteen cents a pound, which, at the time when the circular was written, exceeded the market prices at New Orleans, and with the freight and charges to which it would be liable, exceeds also the current price in this country at the present moment, it is not easy to conceive what legitimate object the Mississippi Union bank can have in making such advances. But it is alleged in one of the American papers, that another establishment in Mississippi (the Brandon bank, we believe) has offered to advance 70 dollars per bale; or 17 1/2 cents per pound, and this of cotton at that time worth 14 to 14 1/2 per pound in the New Orleans market!"

The circular of Mr. Ingersoll alluded to in the preceding extract, turned out, as our readers may recollect, to have been wholly unauthorised, either by the bank of the United States, or by Humphreys & Biddle; but the circulars of the Mississippi Union bank and the Brandon bank were perfectly genuine; and it became well known in this country, that those and several other establishments of the same kind were advancing largely at most extravagant rates upon cotton consigned to their order; and that, consequently, a very great advance had taken place in prices in all the ports of the United States.

The effect of all these proceedings upon the trade of Manchester and the neighborhood, might have been foreseen by any one who had paid attention to the occurrences of the last 20 or 30 years; for the cotton spinners had too much experience of the results of former speculations, and the issue of former predictions of deficient crops, to place the slightest confidence in the views of the American speculators; and as a body they refused to act in accordance with those views. Notwithstanding the palpable falling off in the receipts of cotton at the American ports, which appeared to corroborate the accounts of short crops, the spinners gave no credit to those accounts; because it was impossible to say how far the supply had been artificially checked, in order to favor the views of the speculators; and, after working out their stocks, they gave with great reluctance the advanced prices which began to prevail on this side of the Atlantic. The buyers of goods and yarns too, who distrusted the results of the speculation quite as much as the spinners, were disposed to clear out their stocks before they ventured upon fresh purchases; and the too rapid extension of manufacturing machinery in the last year or two, having produced an accumulation of manufactures, which could have been taken off only by means of low prices and general prosperity—the effect of these joint causes was greatly to depress the price of manufactures as compared with those of the raw material; and the spinners found, that an advance of some 2 1/2d. per pound in the cotton they were buying at Liverpool did not cause an advance of more than a farthing per pound.

That this unsatisfactory state of things was entirely brought about by the American speculation, we do not mean to assert; the probability is, that without any such speculation the trade of the spinner would not have been very profitable during the present year; but there can be no doubt, that by the speculation the depression was greatly aggravated. The evil, as we have already explained, did not consist in the high price of cotton, so much as in the general distrust of the stability of that price, which was produced by a knowledge of the speculative dealings in the United States. The buyers of goods, without paying any particular attention to the relative prices of raw cotton and manufactured goods, very naturally argued, that, if prices had been raised to a certain level by the speculative advances of the American bankers, they would be likely to fall considerably whenever those advances

were withdrawn and the speculation wholly broken down. The disinclination to purchase might have been pretty much the same even if the prices had been lower than they were, provided there had been the same want of confidence in their stability.

How different would have been the situation of all parties concerned, if the cotton crop had been, from the first, fairly upon the market, and the price left to be determined by the natural operations of supply and demand! If the quantity was so deficient as the planters allege (and that there was a considerable deficiency seems now probable enough) the fact would very soon have been manifested by deficient supplies, which, in the absence of speculative combinations, would have been taken as correct indications of the amount of the crop. Prices would, consequently, have risen, without materially checking the consumption; they would, probably, have been decidedly higher at the present moment than they now are, and with tendency upwards, instead of being in a state of steady decline, which, if we may judge from the following facts, is likely to be carried considerably further.

It appears from the Liverpool United Brokers' Circular, that the stock of American cotton in Liverpool, on Friday last was no less than 458,920 bales, which without any further importations, will afford a supply of 17,650 bags per week, for the remaining 26 weeks in the year. But the purchases for consumption of American cotton in Liverpool, during the first 26 weeks of the year, have been only 278,117 bales, or an average of 10,700 bales per week. And if we assume that there were in the hands of dealers and spinners at the commencement of the year, about 80,000 bales more than at the present time, the consumption during the first half of the year, has not amounted to more than 13,000 bags per week. And what are the prospects of consumption for the latter half of the year? Unless there should be a very speedy break down of the speculators giving confidence to dealers in, and consumers of cotton goods, as well as to spinners and manufacturers, the consumption of American cotton for the second half of the year cannot materially exceed that of the first.

At the present time, far from increasing, the consumption is rapidly declining, the present week having witnessed the commencement of short time amongst the spinners at Bolton, (who have entered into an engagement to work not more than four days per week), at Wigan, where ten mills are now standing entirely, and the remainder with one exception working half time on the average, and in different parts of the country, where the consumption is diminishing every week. If, then, the consumption for the second half of the year should not exceed that for the first six months, there will be on the 31st of December next, 100,000 bags remaining out of the present stock in Liverpool, together with the whole of what may be imported from this time to the end of the year, which cannot be estimated at less than 250,000 to 300,000 bales.

With such a stock at the conclusion of the year, and with a coming crop of extraordinary magnitude, we leave our readers to judge what are likely to be the prices of cotton at that time, and what is likely to be the condition of the parties who have engaged in one of the most rash and insane speculations in modern times. That they will be crushed by the weight of their undertaking, is already perfectly clear; and the longer they persist in their present course—the more of temporary aid they will receive from speculative bankers, the more will conceivably be their punishment—and the more extensive will be the consequent derangement of the commerce, the agriculture, and the currency of the United States.

Such are the consequences of excessive speculation—such are the evils inevitably resulting from attempts to monopolize a commodity in extensive use, or to bolster up its price by artificial means. This is far from being the first attempt of the kind that has been made with respect to cotton, which appears to have invited more speculation than almost any other commodity of equal magnitude; and we believe no instance has yet occurred where the speculation has not involved in severe distress and suffering, if not in utter ruin, the great bulk of the parties engaged in it, and unfortunately the evil has not stopped there, but has always extended far and wide amongst those who were perfectly innocent of the error which has given rise to it.

We fear that the planters and merchants of the United States are, as a body, far too prone to engage in undertakings which are entirely inconsistent with the ordinary rules of commercial enterprise; but they will be bad learners indeed if the result of their present speculation does not make some impression upon their minds.

CHRONICLE.

Among the many valuable and important inventions of the day, none are more worthy of our consideration than that of P. P. Dampbell, esp. of New York. I refer to the "fuel saving and spark consuming apparatus," lately tested, and its merits successfully proved upon the Stonington rail road. By this machine the annoyance of sparks to travellers on rail road cars is entirely done away. Not a spark is to be seen, not a particle of smoke. All is consumed in the furnace. Said machine is very simple in its construction, and is intended to retain all the heat. It is affixed to the bottom of the engine below the boiler, and by the aid of a valve, &c., the motion of which is guided by a simple pulley attached to the wheel, the heat is caused to revolve, passing through the tubes of the boiler and machine in reciprocal succession. The saving in fuel is about one quarter.

[N. Y. Jour. Com.]

One steambot has brought to New Orleans, in 202 trips, which she has performed between that city, Bayou Sara and Vicksburg, 113,031 bales of cotton, 3,114 hogsheads sugar, and about 1,500 barrels of molasses and other articles.

Illinois. Fifteen new counties were established at the late session of the legislature of this state, to which the following names were given—Marshall, Brown, Du Page, Menard, Adams, Williamson, Scott, Carter, Cass, Dewitt, Jersey, Lake, Stark and Hardin.

All the officers of state left Vandalia on the 1st inst. for Springfield the new seat of government of this state. The Free Press intimates that there were some "weeping, wailing and gnashing of teeth," when the grand caravan took up its line of march from the old seat of government.

The state bank of Illinois and the pork trade. Some time ago the Chicago Democrat accused the bank of being engaged in a pork trade, and of having upon a lot of \$3,000 worth, realized about \$40,000. The last Chicago American contains a statement of the cashier of the Chicago branch, in which he states, in the most explicit and unqualified terms, that the whole is a sheer falsehood, and that the bank has not, directly or indirectly, been engaged in any pork transaction.

[St. Louis Republican.]

The debt of Russia is 436,000,000 Prussian dollars. The expenditures of last year were 222,000,000. The revenue \$119,000,000. The debt of Prussia is not far from \$125,000,000. That of Austria \$100,000,000. France \$300,000,000, and England more than ten times as much as either.

This explains the saying, regality in debt.

The engineers on the central line of rail road, in Michigan, have all thrown up their employ, owing to the reduction of compensation. The Detroit Advertiser says, very justly, that "scientific engineers cannot be employed at \$500 per annum, while an unscientific engineer, by a single mistake, may cost the state thousands."

An account has been kept by the editor of the Harbinger Chronicle of all the late fourth of July accidents, which have passed under his notice in the newspapers up to the 17th inst. from which it appears that no less than forty-one were killed and nineteen wounded and mutilated on that day, by the bungling use of gunpowder and artillery. The editor believes this to be not more than one-fourth of all accidents which have happened on that day. This is a shocking waste of human life, the occurrence of which might be readily prevented by dispensing with the practice of firing artillery salutes on the occasion.

Something new. The Northampton, (Mass.) Courier contains the following notice:

To be born, to be married, and to die, are the three important eras in the history of each individual of the human race. We publish for the information of friends, the marriages and deaths of the people, but not their births. This is customary in the journals in England, among the families of the aristocracy, but in this democratic land it is wholly omitted. We know not why it is so, but next week we purpose to open this department of domestic news, and solicit for insertion notices similar to deaths and marriages.

The bank of Missouri has declared a half yearly dividend of seven per cent.

Revolutionary patriots. The Providence Journal gives the following list of the names, ages, and residences of the twenty-two officers and soldiers of the revolution who joined the army on the 4th of July at that station: Benjamin Pidge, Dighton, 87; Samuel Ingraham, Providence, 90; Joseph Wheaton, Rehoboth, 85; Samuel Tingley, Attleborough, 86; Samuel Lackerforth, Johnston, 83; Nelson Miller, Bristol, 84; Grinnel Chace, Barrington, 82; Martin Mason, Providence, 84; Aaron Turner, Warren, 81; William Harding, Providence, 84; William Wilkinson, do. 79; Elisha Arnold, Cranston, 79; William Arnold, Warwick, 77; Levi Reed, Attleborough, 76; Charles Cushing, Seekonk, 76; John Arnold, Pawtucket, 76; Nathaniel B. Leonard, Providence, 76; Benjamin Eddy, do. 74; Thomas Webster, do. 73; Elias D. Trafton, do. 73; Elisha Dillingham, do. 72; Benjamin Peck, do. 60.

General Hamilton. The New York Express gives the following as a recollection of Gen. Hamilton: "On the 14th July general Hamilton expired at the country seat of William Bayard, now the spot of Bank street, on the North river. He fell in the duel the day previous with colonel Burr. The city was thrown into great conster-

nation. All classes, and both political parties united in paying his memory proper respect. The merchants, the members of the bar, the mechanics, all held meetings and adopted suitable resolutions. The stores were closed—all business at a stand. The ships in port, including the French and British frigates, hoisted their colors half mast. The procession to the grave was comprised of all classes, in regular order. He was buried in Trinity church yard. His monument, with his simple name and age, may be seen on the side adjoining Rector street. A large and beautiful willow which shaded his ashes was recently blown down by the storm. The correspondence and whole proceedings of the causes and consequences, are given in the journals of the day, and occupy four columns. Governor Morris delivered the funeral oration in Trinity church. The grand jury found a bill of wilful murder against Aaron Burr."

Major Jack Berry, an old and distinguished chief of the Seneca Indians, died at Buffalo creek reservation on the 31st. He acted a conspicuous part during the war of the revolution, and fought under general Scott and Porter, at the battles of Chippewa, Bridge-water and Erie. He understood our language, and frequently acted as interpreter. One of the last acts of his life was to sign the treaty lately negotiated by our government with the New York Indians; and he enjoyed upon his tribe the benefits which would accrue to them by removing to the new home provided for them in the west.

The annual commencement at Dickinson college, Carlisle, Pa. was held on the 11th inst. before a large concourse of citizens from various sections of the country. Within a few years, Dickinson college has undergone a thorough re-organization. It is now under the supervision of professor J. P. DURBIN, president of the college, and a faculty composed of gentlemen distinguished for their learning and piety.

The number of students in the college this year is embraced in the following summary.

Table with 2 columns: Student type and number. Categories include Law students (19), Under graduates (seniors, juniors, sophomores, freshmen) (94), Pursuing a partial course (8), In college (121), Pupils in the grammar school (102), Total (223).

Honor to the brave dead. Major Benjamin Romaine, of this city, one of our oldest citizens, has become, by auction purchase, proprietor of the museum at the Walnut, which contains the remains of eleven thousand American victims to the horrors of the Jersey prison ship. These remains were interred many years since, and the grounds long neglected are now to be appropriately ornamented.

[N. Y. Star.]

Flour and Wheat. The quantity of flour and wheat delivered from the Erie canal, at the places named below, during the second week in July, is as follows:

Table with 3 columns: Location, Barrels flour, Bushels wheat. Locations include Schenectady, West Troy, Albany, Total.

Mortality among fish. Great numbers of dead fish may be found on the shores of the creeks which empty into Chester river, which so taint the air, that it is highly offensive to approach them. Flocks of buzzards and other carnivorous birds, together with the swine, are banqueting upon them.

The cause of this great mortality among the fish is, we believe, the result of swarms of American water bugs, who reside near these waters. Some have supposed that they die upon the flats and other shoal places where the water is overheated by the sun, others have attributed their destruction to the immense quantity of grass which every where abounds in those creeks. It is worthy of remark that prior to 1823, the year of the cholera, there were very few, if any, dead fish to be seen; since then they have been numerous. Whether the cholera had any influence upon the fish or the water, and whether its effects still remain, are questions for the curious.

[Centreville, Md. Sentinel.]

A convention of editors is now sitting at Columbus, Ohio, for the arrangement of matters connected with the improvement of the character of the press, and the condition of those identified with it.

The following lines, so curiously prophetic, were written on the window glass of an inn in England in 1774. They are by Gaius Verplanch, an uncle of the present distinguished gentleman of that name, who was at the time upon his travels in Europe:
"Hail happy Britain, freedom's best retreat;
Great is thy power, thy wealth, thy glory great;
But wealth and power have no immortal day,
For all things ripen only to decay.
And when that time arrives, the lot of all,
When Britain's glory, power and wealth shall fall;
Then shall thy sons by fire's unchang'd decree,
In other worlds another Britain see.
And what thou art, America shall be."
[Knickerbocker.]

Postage. In answer to an inquiry from the editor of the Army and Navy Chronicle, the postmaster general says, that postmasters are "justified in giving the usual notices to the publishers, when requested to do so by subscribers, of any intended change in their station or residence;" but, to avoid subsequent misunderstanding between the parties, such request should always be made in writing."

The pirate Knudsden pardoned. Hans Knudsden, who had been found guilty with Williams, since executed at New York, of piracy, in the Branganza case, but recommended to mercy by the jury, has been pardoned by the president, and was on Friday morning set at liberty.

Fool-hardness. A few days ago, Messrs. Lewis and Heberton, of Philadelphia, accompanied by Messrs. Wynn and Kenbell, after having ventured under the great falls of Niagara, to the extremity of the terminus rock, attempted to walk the rapids above the falls. Mr. Heberton took the lead, but had not proceeded far when his foot slipped, and the force of the water was fast carrying him toward the cataraet, when he was caught and saved from a dreadful death by Mr. Lewis, sustaining little injury beyond the fright and a few bruises on the hands by clatching at the rocks.

Steam navigation. A late London paper cites a passage of the steam ship City of Hamburg, between London and Newcastle, a distance of 360 miles, in only 21 hours, as a sample of rapid communication. This is at the rate of 11 2/3 miles an hour. The Boston Advertiser adds: The late passage of the steambot Albany, from New York to Albany, probably made with the aid of a favorable tide, was equal to 17 1/2 miles an hour, running time 15 miles an hour, including stops.

An incident is related in the New Orleans Bee, which is without a parallel in the annals of travel. A gentleman who left New Orleans in the steambot Diana, reached Louisville in five days eighteen and a half hours; remained at Louisville thirty hours, and returned to New Orleans in the steambot Comte in four days and a half—having thus traversed a distance of about three thousand miles in about eleven days and a half.

Church built of mulberry trees. The Watersfield girls once built a church out of the proceeds of an onion crop. The Northampton Courier tells a story to match. Some dozen individuals in Amherst, entered into the mulberry business some six or seven years since, with a determination, if successful, to erect a new meeting house in that parish. They have been successful, and out of the profits of this little joint stock company a church is now erecting in the east parish, in Amherst.

A military state convention was recently held in Maine. About 50 delegates were present.

According to a statement recently made in parliament, the whole number of persons engaged in the various wool, cotton, flax and silk factories throughout the united kingdom, is 355,333, viz: males 153,535—females 196,818.

Antiquities. The lords of the admiralty have sent a ship of war to the southeastern part of Asia Minor, for the purpose of transporting from thence to this country a large collection of most valuable ancient sculptures and bas-reliefs, which have been discovered by Mr. Fellows, in Asia Minor, where many towns and cities, and a remarkable and nearly perfect theatre, hitherto quite unknown, have likewise been found. Mr. Haffkins, one of the curators of the British museum, has been principally instrumental in securing to that establishment these invaluable remains of Grecian art, many of which are said to be in a state of comparative perfection. [London paper.]

Mr. Timothy Conklin, a soldier of the revolution, died suddenly of apoplexy, while participating in the celebration of the fourth of July at Milan, Ohio. He was at the age of 96, and had walked a distance of three miles the same morning.

Spots on the sun's disc. It is stated in the Franklin, (Ohio), Republican, that there are three clusters of spots now traversing the left side of the sun, two of which are particularly large. The whole may be seen with any kind of pocket telescope or glass, except that of having stolen from said vessel a box containing \$3000 in gold. He made several purchases for which he invariably paid in doubloons, and this fact, with a knowledge of the robbery and the description of his person, led to his arrest, information of which has been forwarded to New York.

Arrest. A man named Henry Bright, formerly mate of the Duchess D'Orleans, was arrested at the clothing store of Mr. Mooney, in Pratt street, Baltimore, on the 20th inst. at the residence of Mr. Mooney, on suspicion of having stolen from said vessel a box containing \$3000 in gold. He made several purchases for which he invariably paid in doubloons, and this fact, with a knowledge of the robbery and the description of his person, led to his arrest, information of which has been forwarded to New York.

Specie. The Cincinnati Republican of the 15th inst. says that \$200,000 in silver were forwarded from that city to the east, on this day.

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BALTIMORE, AUGUST 3, 1839.

[VOL. LVI.—WHOLE No. 1,453.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞The long expected steam ship, *The British Queen*, arrived at New York on Sunday morning last in fifteen days and a half from Portsmouth, from which she sailed on the 12th, bringing London dates to the 11th ult. We have published all the news of interest brought by her, which is more unfavorable to the cotton holders than the advices brought by the *Great Western*. Cotton had declined nearly one penny, and there was a prospect of a further declension in the price in consequence of a renewal of the combination of the cotton spinners to "work short." It is also intimated that the bank of England will still further raise the rate of interest, and thus increase the embarrassment of the cotton market. The political news is not of much interest, and, with the exception of the war in Syria, all is quiet.

The news brought by the *Queen* had not much effect upon the money market, for the public mind was prepared for gloomy tidings—but some anxiety was felt about the price of bills which might be wanted for remittance by that ship and the *Great Western*, which were announced to sail on Thursday last. The quantity wanted was not large, and was mainly supplied by the Bank of the United States at 110, though some bills were sold as low as 109½. About a million of dollars has been shipped for England and France in the course of the week. At the last advices from N. York the money market was, in some degree, more easy, and it was supposed that the banks would relax their policy and "do" fair business paper to a moderate amount.

The *Great Western* and *British Queen* both sailed from New York on Thursday last. The former at about 1 o'clock P. M. and the latter at about 2 o'clock P. M. The *Great Western* carries out 65 passengers, and the *British Queen* 120. Accompanied by the latter vessel are Mr. C. C. Cambreleng, Mrs. Papineau and family, Madame Augusta, &c. while the lions of the *Great Western* are Mr. Vincent Noite and general Hamilton.

It is stated that the ships are determined to have a trial of speed, and that heavy bets have been made upon the result of the race. One half of the population of New York and Brooklyn lined the shores and wharves; to witness their departure; and the scene was not a little heightened by the sailing of several packet ships.

THE BRITISH QUEEN. This noble vessel caused quite a sensation in New York, and tens of thousands crowded to see her. But few persons had an opportunity of seeing her machinery and accommodations for passengers, &c. which are said to be of the very best description, in consequence of her short stay in port. As an evidence that her engines were not stopped for one minute, from the time she left England until she arrived at the pier in New York, where she took her station along side of the *Great Western* and caused that favorite ship to dwindle into a mere pigmy in comparison. Our readers may form an idea of the immense proportions of the former, from the fact, that she is thirty feet longer than the ship of war Pennsylvania.

The Liverpool Mercury informs us that the great steamer, called the President, will be at that port about the first of September to receive her machinery. She is larger, will have greater power, and is generally considered a much finer vessel than the *British Queen*. She is intended to run between Liverpool and New York. It is also stated in a letter from London, in the *New York Commercial*, that the *Great Western* steam ship company are preparing to build an iron steamer, to run in connection with their present ship. She is to be named the "*New York*" and will have engines of one thousand horse power.

The *New York Express*, second edition, dated Monday, 2 P. M. says:—

The commercial news by the *British Queen* bad as it is for the United States, has produced no further unfavorable effects upon our money market. Indeed, this news was anticipated, and the public mind was so stunned by the report brought by the *Great Western*, that it is, as it were, insensible now. The public anxiety, is, if any thing, relieved, and

therefore, the feeling in the market is perhaps, a little better.

It is not expected that the losses on cotton will fall heavily upon many New York houses—for those houses here, which have advanced on cotton are but agents of holders at the south,—and the differences between their advances and the actual price it will command is not believed to be very great. The blow it is thought, will fall with the greatest severity upon the south and south west, while the north will be unscathed.

We hear of the exportation of manufactured goods from Liverpool to a considerable amount, intended for a market here, and for a sale on British account. The necessities of the manufactures probably compel this sacrifice, for sacrifice it must be now, if such goods to any amount are sent, but the pressure upon the foreign money market probably compels the sale without regard to the loss.

There is no panic in New York, as we see stated in some quarters. The attempt made by the incendiary publications of one political print, and a hand-bill in the streets, to run the banks for specie, had no effect, inasmuch as the readers and abettors of such publications have no means of carrying their designs into effect. There are no failures attracting public attention, and we hear of none at all. The money market is tight, and the banks discount but little, but there is, fortunately, no great demand for money. What specie may be necessary for the regulation of the foreign exchange will quietly go out, but there is no alarm about it, and but little anxiety, particularly as long as the U. S. bank holds the rate on London firm at 110.

OFFICIAL—TREASURY NOTES. *Treasury department, August 1, 1839.* Amount issued under the provision of the act of October 12, 1837, viz:

Of that issued there has been redeemed	9,627,105 46	
Leaving outstanding		\$372,894 54
In lieu of those redeemed there has been issued under act of 21st May, 1838,	\$5,709,510 01	
Of that issued there has been redeemed	4,776,450 42	
Leaving of that issued outstanding		933,359 59

Aggregate of first and second issues outstanding

1,306,234 13

The issues under the provisions of the act of the 20th of March, 1839, amount to

3,857,276 21

Of that issue, there has been redeemed

3,100 00

\$3,854,176 21

Making the aggregate of all outstanding

\$5,160,430 34

LEVI WOODBURY, sec. of the treasury.

CASE OF GEN. GRATIOT. From the *St. Louis Republican of July 19.* We publish below a card from col. Joseph G. Laveille, the foreman of the jury in the case of the United States vs. gen. Gratiot before the United States circuit court. In addition to the statement of col. Laveille, we can say, that in a free and unreserved conversation with two or three other jurors, on the same day they were discharged by the court, we heard from them the same statement here made by col. L. Any statement that col. Laveille may make needs no corroborating testimony here, or in any community in which he is known. There is no man in this community whose assertions will receive more credence than his.

My attention having been called to an article in the Washington Globe of the 27th of May last, headed "juries and defaulters," I do unhesitatingly declare, in my capacity of foreman of the jury in the case of United States vs. gen. C. Gratiot, heard before judge Catron, in the court house in this city in April last, that the statements made in reference to said cause are at utter variance with the truth. The writer says: "The verdict would have been in

accordance with the charge of the court, but for the opposition of a single juror."

Now I state confidently, that eight jurors were agreed to give a verdict for gen. Gratiot. Of two others I can only speak doubtfully, but I can aver with confidence, that up to the period of our discharge only two of the jurors were prepared to give a verdict for the United States for the amount claimed.

It was recommended to the jury to agree to the following: "In obedience to the instruction of the court, we find for the United States;" this was drawn up and sealed, but not carried into court, and the jury remained in charge of the marshal until dismissed at the rising of the court, without any change in their opinions.

JOSEPH C. LAVILLE.
St. Louis, July 1, 1839.

CONSUL. The president of the United States has officially recognized senr *Don Juan Bautista Purroy* as consul of the republic of Venezuela for the city of New York.

APPOINTMENTS BY THE PRESIDENT. H. L. Holmes, of North Carolina, to be attorney of the United States for the district of North Carolina, in the place of Thomas P. Devereaux, resigned.

Thomas Turner, of Georgetown, to be justice of the peace in the county of Washington, in the District of Columbia.

DEPARTMENT OF STATE. Information has been officially received of the establishment of two new light houses on the French coast of the Manche or British channel, viz:

One at cape carteret, in the latitude of 49 degrees 22 minutes and 27 seconds north, and 4 degrees 8 minutes and 40 seconds longitude west from Paris. The light is a repeating light, at intervals of half a minute each, situated on a tower about 240 feet above the level of the sea, and 43 feet from the ground. It may be seen in fine weather at the distance of 13 miles; the eclipses will however be total only beyond 7 miles.

The other, on the central fort of the dyke at Cherbourg, in the latitude of 49 degrees 40 minutes and 28 seconds, and 3 degrees 57 minutes and 23 seconds longitude, west from Paris; the light is a small light, varied by bright flashes every three minutes, situated on a tower newly erected on the central fort, about 65 feet above the water at high tide. It may be seen at the distance of about nine miles in ordinary weather.

BANKS IN SOUTH AMERICA. A citizen of the United States has obtained a charter from the republic of Ecuador, for a bank, the principal branch of which is to be established at Guayaquil. The chief provisions of the charter are these:

The bank is to be one of discount and deposit. The capital, five hundred thousand dollars, to be paid in coin of the republic, and to remain constantly in the bank.

The bank may issue bills, payable in specie at sight, to twice the amount of the capital. No bill to be issued for less than ten dollars, under penalty of forfeiting the charter. These bills shall not be held as legal tender in payment of debts. The government may receive them in payment of duties, but will not compel its creditors to receive them.

The bank shall lend to no individual at one time, more than ten thousand dollars. It shall hold no property, other than the banking house.

It shall not be concerned, directly or indirectly, in any commercial transactions, other than the purchase of bills of exchange, foreign and domestic, under penalty of forfeiting its charter.

The bank may demand nine per cent. interest upon its loans, and not more. No officer or director of the bank shall borrow from it more than five thousand dollars at any one time.

The charter shall continue for ten years, revocable at the pleasure of the government.

The bank shall receive in deposit all funds of the government. The bank shall receive in deposit all funds of the government, and pay them out, free of charge.

THE OTTOMAN PORTE. The Turkish vocabulary would be a very convenient thing for the reader of newspapers, and particularly at the present time, when Turkish affairs are brought into special notice. Many are confused by the various terms which they find in the papers; they read of the Ottoman porte—the sutlime port—the divan, &c. without gaining any very distinct ideas, and they either omit the oriental news as unintelligible, or content themselves with a very superficial acquaintance with it. Some of our readers may perhaps be gratified with an explanation of several of the terms in question although others will need no such information. We therefore turn hastily to several works of reference, and give the following:

Sultan is the title of the Turkish despot. It is a word of Arabic origin signifying mightily. The power of the sultan is hereditary, and knows no limit except the precepts of the Koran, and no restraint except the fear of assassination. The whole administration, civil, military and religious is at his disposal. Grand seignor is another title by which he is known. The title padishah also belongs to him, and is regarded in Turkey as highly honorable.—The present sultan is Mahmood II.

Ottoman, the appellation given to the Turkish empire, is derived from the name of its founder.—Othman, Ottoman or Osman.

Ottoman porte, or *sublime porte*, is the name of the Turkish government. The word *porte*, (Latin *porta*, a gate) was applied because this was the name given to the gate of the sultan's palace.

Divan, the name of the supreme council of state. Its original signification is—a board, or low level. Its use therefore corresponds nearly with our use of board for council.

Grand vizier, the prime minister of state. On him devolves the actual authority. He appoints to all civil and military officers, and puts to death whom he pleases. The word *vizier* probably comes from the Latin *viduo*, to see.

Muffi. This is the title of the supreme judicial officer, and interpreter of the Koran. His office cannot be compared with any in the governments of western Europe. His rank is next to that of the grand vizier, if not superior.

Reis effendi, the secretary of state. The word *effendi* is of modern introduction, and is a corruption of a Greek word signifying lord or master. It is often used as a term of respect.

Pashaw, or *bashaw*, or *pacha*, the first being the most correct. This is the governor of a Turkish province. He is appointed by the sultan or vizier, and exercises great power. "The most distinguished have three horse-tails carried before them; the inferior only two." The capudan (captain) pashaw is the high admiral.

Mussulman or *moolan* signifies, in the Turkish language, a true believer. [North American.]

VENEZUELA, NEW GRENADA AND ECUADOR.—Extract from the message of Dr. Marquez, president of New Grenada, to the present congress of that state. The divisions of the debt of Colombia among the three states into which it is now separated, is important to the interests of American citizens having claims upon Colombia:

"The congress of plenipotentiaries, from the three states of Venezuela, New Grenada and Ecuador, into which the former republic of Colombia has been divided, has remained in session at Bogota since the 25th April, 1838. Order, and great zeal to promote the interests of these states, have marked the labors of the commission. The subjects of finances and of the state debt, which exclusively engage the attention of the plenipotentiaries, will doubtless be satisfactorily adjusted; nor will those difficult and complicated questions be suffered to disturb the good intelligence which now subsists between the three republics."

The report of the secretary of the treasury for the republic of New Grenada presents the following statement of receipts and expenditures:

Receipts of the present year	\$2,449,284
" 1838	2,192,572
Increase	\$256,712

Expenditures for 1839	\$2,373,129
Receipts	2,449,284

Excess of receipts -	\$76,155
Remitted to London, to pay the interest on national debt -	\$14,000

The public debt of Colombia, at the period of the triple divisions, amounted to about \$50,000,000 by estimation.

According to the *project* of treaty adopted by the plenipotentiaries, this debt consisted of consolidated three and five per cent. loans and of floating debts. The amount of the latter cannot yet be ascertained.

Of the three per cent. consolidated debt, there are \$6,998,212; of debt bearing five per cent. interest, there are \$5,374,905.

In the distribution of this debt of Colombia among the three states, it is agreed that Venezuela shall assume twenty-eight and a half parts in a hundred, New Grenada fifty parts, and Ecuador twenty-one and a half parts. [Globe.]

NATIONAL DEBTS. It will be seen by the following table, copied from a recent speech in the English house of commons, that Sweden, Switzerland and the United States, are the only nations which are free from a national debt:

	£	s.	d.	Debt per head.	
				Proportion of	
England,	800,000,000	32	0	6	
France,	194,400,000	5	0	7	
Russia,	35,550,000	0	11	7	
Austria,	77,100,000	2	7	6	
Prussia,	29,701,000	2	7	7	
Netherlands,	148,500,000	23	5	5	
Spain,	70,090,000	5	0	8	
United States,	18,974,000	1	18	4	
Sicilies,	11,311,000	2	16	0	
Bavaria,	4,584,000	1	1	2	
Sardinia,	3,667,000	0	7	8	
Turkey,	5,619,000	1	2	6	
Sweden,	3,790,000	1	18	4	
Portugal,	17,142,000	7	9	0	
Denmark,	5,740,000	1	3	3	
Rome,	3,300,000	2	9	1	
Poland,	2,234,000	1	10	0	
Saxony,	1,570,000	1	9	2	
Hanover,	2,506,000	1	12	7	
Baden,	1,384,000	1	4	11	
Wirtemberg,	1,184,000	1	3	1	
Tuscany,	220,000	1	1	1	
Hesse, (Darmstadt),	232,000	0	3	1	
Hesse, (Electorate),	47,609,000	0	3	0	
Switzerland,					
Norway,					
East India company's territories,					

VALUE OF IMPORTS. Comparative statement of the amount of imports of some of the principal articles of merchandise, in the three last years.

	1838.	1837.	1836.
Bullion, gold,	\$230,694	586,549	1,913,137
" silver,	392,843	594,291	318,250
Specie, gold,	11,414,169	1,895,265	5,318,725
" silver,	5,673,349	7,490,309	9,550,737
Teas, fr. China, lbs.	11,311,016	16,973,342	16,381,162
Coffee, lbs.	\$3,495,511	5,802,695	5,341,506
" "	\$8,130,720	\$8,140,103	\$9,730,570
" "	\$7,610,217	9,657,760	9,653,053
Silks,	89,451,160	13,407,475	29,079,002
Total free of duty,	60,860,005	69,250,031	92,056,481
Cloths & cambruses,	3,195,965	3,015,340	8,926,382
Coats, coats, frocks,	4,217,574	7,057,270	19,182,680
" white,	\$80,142	1,611,398	2,766,577
Total at ad. val.	27,090,430	37,716,374	59,343,388
duties,	199,740	166,138	635,316
Flannels, squ'ry'd,	698,011	81,112	306,592
Carpeting, sq. yds.	291,247	536,970	1,050,634
" "	\$193,747	323,104	964,915
Sugar, brown, lbs.	133,200,905	120,416,071	181,213,537
" "	\$6,466,199	6,118,166	11,623,699
" white, lbs.	14,673,328	15,723,748	10,182,573
" "	\$1,120,161	1,084,502	890,805
Iron, bar, rolled, cwt.	723,181	956,892	933,514
" "	\$1,825,131	2,572,307	2,131,388
" ham'rd, cwt.	436,389	636,510	859,732
" "	\$1,166,196	2,017,346	1,891,214
Total, spec. dut.	\$5,766,919	\$4,022,812	\$8,580,166
Aggregate,	\$113,717,401	\$40,899,217	\$19,980,035

J. Q. ADAMS' TOAST. Delivered at Canton on the 4th of July:

The grand climacteric of our country.—May her old age never fail to fulfil the promises of her youth.

The president of the day then announced the following toast:

"The sage and patriot, John Quincy Adams.
"Who born for the country ne'er narrowed his mind,
"Nor to party gave up what was meant for mankind!"

JUDGE WHITE, of TENN. At the celebration of the 4th of July, in Knoxville, Judge White, who was present, was toasted, for his "firm, constant and unwavering support of republican principles."—The Knoxville Times says:

"After the renewed cheers with which this sentiment was received by the company, had subsided, Judge White rose and remarked that, 'So unexpected were these expressions of opinion and feeling, so totally unappreciated by me, to give sufficient utterance to the warm emotions which they had excited in his breast, that he had never risen under more real embarrassment than at this time.'

"After an eloquent reference to his inheritance of unalloyed whig blood from some of the purest patriots of the revolution, and the manly rebuke of the charge of federalism alluded to in the toast, he remarked that as he 'wished not to say any thing on that day, which might be adverse to the political feelings of any one, he would there conclude.'" He was here interrupted by urgent and reiterated cries of 'go on! go on!' when, after some hesitation, he proceeded with a most lucid and masterly exhibition of his own position—the consistency of his present opinions, with those of his former life; followed by an exposure of facts, in relation to the reckless and extravagant system of government expenditures, particularly as relates to Indian affairs, the chairman of the committee upon which subject, in the United States senate, he has been for many years.

"Judge White concluded with the following toast—

"By the hon. Hugh L. White—The Tennessee Whigs—May they ever resist the exercise of unconstitutional and oppressive power, come from what quarter it may, from open enemies or false friends. In doing so, 'they follow in the footsteps' of the signers of the Declaration of Independence, and the other whigs of 1776."

AN IMPORTANT FACT IN MR. CLAY'S HISTORY. The Charlottesville Advocate, in an article on Mr. Clay's public life, says, "it is not a little remarkable, however, in the midst of all this neglect, how invariably his master spirit has been looked to, both by friends and foes, whenever any great and imminent danger has impended over the country. At the commencement of the last war, he was the person selected by president Madison to be commander-in-chief of the army, and he was not nominated only because the government could not get on without his assistance in congress, where his powerful mind and great popularity enabled him to render services, the value of which it would not be easy now to estimate—consuming all at Ghent, were, with the aid of the other commissioners, he succeeded in giving to this second war of independence an honorable and, for us, happy and fortunate termination."

THE EAST AND THE WEST. The Hon. John Reed, a member of congress from Massachusetts, was at Maumee city, Indiana, on the 4th ultimo, and joined in the celebration of the day. The Express says that, on being called upon for a sentiment, he rose and addressed the company to the following effect:

"I rise, Mr. President, to offer an apology, and, in so doing, I am impelled to state the feelings that have prompted me to offer the few remarks with which I shall trouble you. I am among you, gentlemen, a stranger yesterday evening, and, but for an unexpected interposition of Providence, should have left you this morning. I have to thank your hospitality for the kindness with which you have treated an entire stranger, whose only claim upon you was that he was thrown among you on a day of national rejoicing, when the bonds of love to our kind are drawn stronger by the recollection of the signal benefits that have arisen from the union of men, all acting in a good cause, and influenced by the same motive. My thanks, flowing from a full heart, you have, for the generous consideration which has enabled me to participate in the celebration of a day dear to us all, and especially for that cordiality that has taken away all feelings of strangeness from my bosom, and identified me with you in social, as strongly as in political life, as a part of the great west, in my national feeling."

"For a number of years, it has been my lot to represent the district in which I reside in congress, and it is with feelings of just pride that I state that, during the time, no single member has given more votes for the furtherance of western improvements. I have watched the growth and improvement of the west for many years; and, although this is my first visit to your land, my spirit has wandered here much and often, while I have examined your maps—traced your great rivers—followed the meanderings of your mighty lakes—traced the course of your canals and rail roads—and fixed in my mind the points where future cities are to arise, rich in the tread of a people rendered wealthy by the cultivation of a soil whose fertility can find no parallel to itself, and besides their own, a rich, an I feel, in turning my eyes to the west, am I looking in this direction with an intensity which is the offspring of their feelings of national pride as well as of their interest. Thousands of the enterprising of every sort are looking upon the luxuriant plains and rich valleys of the great west as the

places for the future homes of themselves and their children; while thousands more look upon this same country as the land from which their bread must flow, and which will receive from the east in return its supplies of those innumerable manufactures which have rendered that country emphatically the workshop of America, and in many respects of the whole world.

"And this gentleman, leads me to the subject which called me up to express my feelings. One of the regular toasts of this day speaks of the great system of canals, of which the Wabash and Erie forms the eastern branch as the chain that binds the fortunes of this place with those of the great states of Ohio, Indiana, and Kentucky. There is a bolder and a broader view to be taken of these great improvements, and one that seems to me more consonant with the spirit of the day we met to celebrate. I speak of the great works as they appear in a national point of view. We at the east look on them, not so much as the means of building up one particular town, as the great chains that are to bind together the feelings and the interests of sections the most remote from each other. We in Massachusetts are viewing with feelings of intense interest the progress of the great public country as being to us what Egypt was to Rome—its granary; and we cannot but be impatient to contribute to the means which are provided for the bringing of your productions to our market, and for returning our productions to yours. Permit me, then, to offer as a sentiment—

"The Wabash and Erie and Miami canals—The chains that bind together the interests of the east and the west, the north and the south."

NAVAL. The U. S. steamer *Poinsett* arrived at St. Augustine on the 17th instant, and was to leave there at the end of the week for Key Biscayne and the islands of South Florida, in which quarter she is intended to cruise. The Herald says of her—"The *Poinsett*, painted black, with her white painted ports, looks about the guards as gray as a sloop of war, and above has as much top hamper as a load of hay. She draws six feet water, and though schooner rigged, she runs a chance of getting "snagged" on the reefs; if a pretty considerable supply of wood is not in readiness. What with a small vessel, red hot boilers, a varial sun, smoke, cinders and mangrove-key mosquitoes, the officers and crew may anticipate delightful cruising."

The U. S. schooner *Experiment*, attached to the survey of southern harbors, six days from Sapelo Inlet, (Geo.) arrived at Norfolk on the 25th ult. all well.

Lieut. James Glynn, commanding, passed midshipmen James Anderson, William Ronckenorff, passed assistant surgeon G. M. Delaney.

List of officers attached to the U. S. ship Levant. Joseph Swoot, commander; Sidney Smith Lee, 1st lieutenant; Lawrence Pennington, 2d do; John C. Carter, 3d do; William B. Ludlow, 4th do; John B. Marchand, sailing master; Benjamin F. Hart, purser; William F. Patton, surgeon; John B. Abernethy, assistant surgeon; Lathan B. Avery, passed midshipman; Samuel Smith, midshipman; Edward T. Nichols, do; Forball A. Parker, do; Charles M. Morris, do; Andrew Jackson Drake, do; Bayse N. Westcott, do; James H. Moore, do; Walter W. Hays, do; Elisha Fitch, professor of mathematics; Joshua Bryant, boatswain; John Lord, gunner; Francis M. Cecil, carpenter; Thomas H. Stoneall, captain's clerk; John Ottinger, purser's steward.

STEAM FRIGATES. As in the American, so in the British navy, the general impression is, that the existing steam frigates are total failure. We best not how it is France. It is certain that the best modes of applying the tremendous power of steam to ships of war are yet to be discovered. But they will be discovered, and steam will be the prime minister in the settlement of all warlike affairs. If America be true to herself, she will win the honour of the discovery. France will probably get it, if this country cannot. France may now be to be built at short notice. She looks farther ahead than England, much less ourselves. She has an eye to the future in all her movements, and we doubt not that the best surveys of our harbors extant are in her possession. Wherever a French national vessel goes, she comes not away empty handed on the score of knowledge. While the brig *Oreste* that sailed on Friday, lay between the forts, we observed, a few evenings since, not far from sun down, a swift cutter leave the brig, make directly for the fort, and after a short delay, move over to the naval hospital, taking a course that would enable an engineer to sound the two shores with the greatest accuracy. The boat then went down towards Craney

island, and we lost sight of her in that direction. The result of her jaunt was no doubt a regular survey of the harbor and channel. Might not our national ships act upon this hint, and supply the navy department with accurate charts of all the harbors which they may visit in their cruises, and which might be published from time to time for the benefit of commerce? [Norfolk Beacon.

BURNING MINE. One of the coal mines near Pottsville, Pa. was accidentally set on fire last winter, and although various efforts have been made to extinguish it, it still burns as fiercely as ever. The editor of the *Miners' Journal*, who recently paid a visit to it, thus describes the scene:

"Leaving the cars we walked up the ravine, to the lower levels of the workings; here, although not surrounded by a flood of lava, we found the waters issuing from the driftway to be quite warm from the effects of the infernal fire, and impregnated so strongly with alkaline substances as to be extremely nauseous to the taste.

We now prepared to ascend the west brow of the broad mountain. Beating above us for some hundred feet, and belching forth smoke and flame, arose the track of the vein, which we ascended on the crop. A little puffing and blowing brought us to the second level, where the disaster commenced during the extreme cold weather of last winter. A hanging grate placed at its mouth to equalize the temperature communicated fire to the couplings of the gangway, and was the primary cause of the vast damage which has since accrued. Some hundred feet farther up the hill, a large space had caved in, and down the fissures between the upper and lower rocks, could be seen a yawning fiery gulph, where Vulcan and his Cyclops might revel in, and salamanders only exist. A sulphurous exhalation issued from it, which rendered approximation not quite so grateful as lavender water, or as cool as iced punch. About the jaws of this vast cave, were deposits of sulphur, and some alkaline substances in great quantities. Large rents and fissures in the ground showed the extent of the raging infernal heat, and many places appeared ready to fall in, and precipitate the incautious spectator into the chasin. Down the old air shafts, the currents of air rushed with a rumbling earthquake sound, to feed with their oxygen the volcano beneath. Now and then a crumbling mass of slate, or a detached portion of rock, would leave the bed, where it had been recumbent since the world began, and with resistless force, plunge headlong into the smoky crater.

The vegetation on the summit and sides of the hill, showed the scathing effects of this unnatural heat: the tall pine drooped its giant arms, the hemlock bowed its head, as if parched by arid sufferings, the young oak and chestnut were clad in a premature "scur and yellow leaf," and here and there the mountain vines seem to cling more closely to their parent trees, as if like the children of Laocoon, they sought aid from the fiery breath, and

"... hissing jaws that sputter'd flame."

A dreary spot, is now, that once lovely mountain gap! the elemental war has prostrated all its beauty of foliage, the voice of industry is hushed, the rustic cascade seems to leap less merrily than it was wont, and the once buoyant air is heavy and oppressive with the murky vapours that lower over the fair face of nature!

When, or in what manner the ravages will be stopped is a matter of uncertainty, and equally so, is it, whether human ingenuity can restrain them. In the mean time the loss of time and material falls heavy on Mr. L. C. Dougherty, the lessee, who has used every possible means within his power, to check the destruction. Attempts have been made to smother the flame, but it always breaks out in some new place with increased fury, and baffles its opponents.

OUR COAL SHIPMENTS. We last week gave an estimate of the comparative amount of coal shipped from our region up to July 20th, of last year and the present. Those who are unacquainted with the statistics of our region, may be misled as to the quantity which will probably be shipped, as our article may readily create an erroneous impression. The amount of coal sent to market to July 20, of the three last years, is as follows:

	<i>Schenckkill region.</i>	<i>Lehigh region.</i>
1837	207,789	101,195
1838	157,120	81,726
1839	192,657	97,536

Now it will be seen, that although the shipments of 1839 exceed those of 1838 by 35,537 tons, yet they fall short 15,132 of those of the preceding year, 1837. In 1837 during this month, our weekly shipments averaged 17,280 tons, while this year they do not come up to 14,000, and are decreasing.

There remains of the navigation season about 17 weeks, in which 290,000 tons may be shipped, which added to the amount already sent to July 20, viz: 192,657 tons, will give 482,657 tons, as the total shipments from this region.

The total shipments in 1837 were	523,152
do. do. 1838 were	431,719
The supposed do. 1839 will be	482,652

In 1838 general commercial stagnation checked the increase of the trade, but its previous average annual increase had been over 100,000 tons. It appears, however, above, that we shall fall short of the shipments of 1837 about 40,495 tons.

We are led to these remarks, in order to give a fair statement of the trade as it is, and to show the consumer the necessity of laying in his winter supply of coal, without listening to exaggerated rumors of an over-tock. In the present depressed state of the money market, dealers cannot obtain facilities for buying coal, and the consequence has been a very reduced shipment in comparison with 1837, while to meet the naturally increased consumption, instead of 482,657, our region should send her 600,000 tons.

The Lehigh coal region is placed in precisely the same situation. From their outlets there were sent the following amounts:

To July 20, 1837	101,195
do 19, 1838	81,726
do 18, 1839	97,536

It will here again be seen that the amount of 1837 exceeds that of 1839, and in the former year they sent 8,700 tons more, and in the market year they dates they are sending 9,317 tons more, which difference cannot materially assist in making up any deficiency an increased consumption may require. All accounts agree in computing 825,000 tons as the amount from all sources for this year's demand, and it is therefore evident that every facility must be extended, and every outlet be unimpeded by accident to allow it to be met. [*Miners' Journal.*

FORT PREBLE. Uncle Sam having made ample provision for repairing the fort in our harbour, the work has commenced in good earnest. We visited the fort on Saturday afternoon and found everything in admirable confusion. The workmen were leveling the old ramparts to the ground with the design of increasing the thickness of the wall and building nearly all anew. The gate and arch leading to the enclosure has been torn down and a new iron gate and granite posts will be erected instead. The brick wall will be supplied mainly by mounds of earth, believed to be a much safer security. The buildings are also receiving necessary repairs. The powder magazines, sleeping rooms and all of the soldiers' quarters are to be remodeled and made safe and comfortable. We understand that a company of U. S. troops will be stationed at the fort as soon as the work is completed.

It has been suggested to us that as a fortification the location of Fort Preble is much less favorable for the defence of the harbour than many other points in the vicinity—than Hog Island Ledge for example, where there is a good and accessible foundation for building a fortification. A suitable fort could be erected there which would command both entrances to the harbor. Fort Preble commands but one, and the fort is overlooked by the highland of House Island. It would be well, therefore, for the proper officers of the government to reconnoitre a little before making heavy expenditures on the fort. [*Portland Advertiser.*

DEATH OF TECUMSEH. Shaw-ben-eh, a Potawatonic Chief, who was at the battle of Thames, lately gave at the United States hotel in this city, through an interpreter, a full account of the death of Tecumseh. Tecumseh was a very brave, but cautious man. He had, however, been wounded in the neck and became desperate. He thought his wound was mortal, and told his warriors that, as he must die, there could be no risk in rushing forward to kill col. Johnson. He did so, and Shaw-ben-eh saw him when he fell. His object was to strike the colonel with his tomahawk before he saw him, and a moment more of inattention and the colonel's head would have been sundered. He was shot just as his arm had reached the full height to strike the fatal blow. He described the colonel's horse very minutely. He was very large and white, with occasional black spots. Another Indian in company, whom Shaw-ben-eh said was but a boy at the time of the battle, interrupted him to say that his mane and tail were black. The next day he with many others, and this boy, went upon the field of battle and saw Tecumseh's body there, and by the side of it another Indian whose skin had been taken off. He said he had heard of this skin's having been exhibited as that of Tecumseh, they might think so. But it was not. Tecum-

sh's body had not been touched. Here some one asked where and how they buried him. This aroused the chief from his seat, and he was eloquent in the extreme. None but brave warriors die on the battle field. Such, afraid of nothing when alive, don't care for dogs, wolves, eagles and crows when dead. They want the prairie—the cross of a broad prairie to lie upon. So Tecumseh, the bravest man that ever was, whom the great spirit would not let be killed by the common soldier, but sent to col. Johnson to be killed, wanted no grave nor honors. He let every animal come and eat his flesh, as he made every red man love and every white man fear him. Shaw-ben-eh expatiated long upon his merits, and believed, if he had killed col. Johnson and lived to this day, the Pottawatomies would not have been away out on the Missouri river, as they now are.

[Chicago Democrat.]

THE LATE FATAL ACCIDENT ON THE RAIL ROAD.—It will be recollected that we stated a few days ago that at the coroner's inquest held over the body of the unfortunate woman who died in the Alms house of Washington city, in consequence of the injury which she received from the bumper of the engine on Sunday, the 7th inst., the jury unanimously expressed an opinion, whilst acquitting the engineer of any intention to produce that fatal result, that "it did appear to them that sufficient caution had not been observed."

To an application of the jurors for the re-instatement of the engineer, the president of the company returned the following answer:

"Office of the Baltimore and Ohio Rail Road Co. July 16, 1839.

"Gentlemen: I received this morning, your letter of the 13th inst. disclaiming any intention, by your verdict in the inquest in the case of the death of Mary Burton, of causing the suspension of Shipley, the engineer, and preferring a recommendation for his continuance in the employment of the company."

"When I directed Shipley to be suspended until the facts could be fully investigated, I had not seen even the summary of the proceedings before the coroner, as published in the newspapers; but acted upon the official report from the proper department."

"Until the receipt of the testimony taken before the coroner, which, upon my application, has been furnished, it was supposed the engineer perceived the woman on the track at the distance of one hundred yards, and, taking it for granted she could get off before the engine reached her, proceeded with the train without any precaution to remove her, until it was too late to avoid the catastrophe which actually happened. Upon such a state of facts, the want of the requisite judgment and caution in the engineering was too apparent to be overlooked; but inasmuch as an investigation had taken place before the coroner, I deemed it only just, before dismissing him, to order the engineer to be suspended until the inquiry could be made. Such inquiry has been directed, and, in its progress, as well as the facts developed in the coroner's inquest as the opinions and wishes of the individual jurors will be allowed their just weight."

"I would, however, remark, gentlemen, that too great caution cannot be observed upon the part of all persons connected with the conduct and operations of a rail road, and that for the due enforcement of such caution, some apparent rigor even is often indispensable."

"I am, gentlemen very respectfully, your obedt servant,"

"LOUIS McLANE, president.
To Messrs E. K. Morsell, foreman, and Thompson, Bell, Ball, Bizer, Bell and Rearden, jurors empaneled."

We are glad to see so important and just remark as that of the president of the rail road company in the concluding parts of his letter. Coming from so distinguished and intelligent an officer, it cannot help having much weight, we should suppose, upon the minds of the subordinate agents of this company, and of every other rail road company in the union. Indeed, we believe that public opinion will re-echo the sentiment every where that too great caution cannot be observed upon the part of all persons connected with the conduct and operations of a rail road."

[Nat. Int.]

RAIL ROADS. The facility of travel is well illustrated by an incident which lately occurred at the late rail road convention, at Utica.

The delegates from Goshen, commenced their journey by turning their backs upon the point of their destination, and traveling eastward, 25 miles—then up the Hudson to Albany, 100 miles—thence by the Mohawk and Hudson, Utica, Syracuse and Auburn

rail roads, 170 miles—thence to Cayuga bridge, 8 miles—and thence by steamboat 40 miles, to Utica, 343 miles by rail roads and steamboats, rather than 150 miles by the old mode. A similar result is produced on the northern frontier. Passengers from Ogdensburg thence to Oswego, thence to Syracuse, and then by rail road to Albany. Indeed, the whole travel of the state is concentrating upon that route, which is connected with the southern frontier by the beautiful lakes Oswego, Schenectady, Cayuga, Seneca and Crooked lake, which extend from the rail roads almost to the base of the Alleghany mountains, and with the north by Oneida lake and the Oswego and black river canals.

The towns upon that route already feel the beneficial influence, and overflowing hotels and crowded streets give testimony that our most permanent prosperity is to be derived from the cultivation of our own resources.

[N. Y. American.]

HEAD OF THE "BEHEMOTH." In all the remains of the gigantic mastodon, which have been found on this continent, there has not been obtained a single perfect specimen of the head. This, it has been supposed, was occasioned by the comparative thinness and weakness of the upper part of the skull. From this circumstance no opinion could be properly formed of the shape of the head of this extinct animal. This desideratum with the curious and scientific, has been found.

Mr. A. Kolch, the enterprising proprietor of the St. Louis museum, gives notice in the Bulletin of that city, of the 22d June, that the bones of the mastodon, with its entire head, have recently been exhumed in Missouri, about 22 miles south of St. Louis, and are now in his possession, at his museum. In his description of the head, he says:

"The outside formation and peculiar construction of the upper part of the head is different from any quadruped in natural history, that I am acquainted with. It is composed of small cells about three quarters of an inch square, and about three inches deep, covered by a thin cranium, attached to the upper jaw is a snout which projects about eighteen inches over the lower jaw, and which has never been described before."

"The position of the tusks in the head, has been a subject of discussion among naturalists, and they have been placed in the same manner as those of the elephant. It gives me pleasure to state, that I can now settle this question for in the head I have discovered, and found a tusk firmly implanted in the socket, and had it conveyed with great care to my cabinet, and but owing to the ignorance and carelessness of a laborer in carrying it up stairs it was broken off, but its position can be proved by a number of gentlemen of the highest respectability. The tusks are not situated in the same position as those of the elephant, or yet the moose, as was supposed by some. They diverge outwards from the head, with the convexity forward, and the point turning backward in the same plane with the head; the tusk found in the head measured ten feet one inch, from the base to the tip, following the outside of the curvature, and two feet in circumference near the socket. The other tusk measures only nine feet—part of the root is wanting. When placed in the head in their original position, the distance from tip to tip measures sixteen feet. I may add, that it required two stout men to carry the largest tusk, and two yoke of oxen to carry the head and tusks from the place of disinterment to the museum."

"It must have been of the size of this tremendous animal, and what revolutions must this earth have undergone since he trode upon our western plains?"

[Saugamo Jour.]

MORE ATTEMPTS TO BEFRAUD THE CUSTOMS. Some few days ago, Mr. Hyde, head keeper of the New York city prison, received a letter, requesting to make an appointment with the writer on business of great importance. The correspondent of Mr. Hyde, requested a letter to be sent to the post office, directed to Mr. John Boyd, describing the place of meeting, how he was to distinguish Mr. Hyde, &c. Mr. Hyde took counsel, and finally concluded to oblige his invidious friend. Accordingly a letter was despatched to Mr. Boyd, as requested, and an assignment made to meet him in the Park, opposite the old commissioner of Alms house office, at 9 o'clock, p. m. precisely.

Mr. Hyde was to make himself known by standing without his hat. Mr. Hyde next arranged with officers Sparks and Davis that they should station themselves at convenient distances from the place of meeting, and that on Mr. Hyde putting on his hat they should come up and seize his companion. Matters being thus in train, Mr. Hyde repaired to the Park and stood unoccupied. On the City Hall clock striking nine, the unknown approached,

and, accosting Mr. Hyde, said, "You are Mr. Hyde, I presume?" Mr. Hyde replied, "I am. What is your business with me?" The stranger then asked, "You have all the keys, I suppose, of the prison, &c.?" "Yes, certainly, I have," said Mr. H. "but what of that?" "What does your question tend?" The stranger then proceeded to say, "There are some papers in the office of the distict attorney, which I wish very much to obtain possession of. If you will aid me to get them, any sum you name shall be yours!" Mr. Hyde then asked, "to what do these papers relate?" His companion replied, "They have reference to a case of perjury and false entry made at the custom house."

Mr. Hyde having now learned all he wished to know, put on his hat. Officer Sparks immediately came up, and seized the unknown. On this he endeavored to thrust his hand into his breast pocket, but was prevented, and straightway taken to the city prison. Being searched, a pistol, rife, bored, and loaded with ball, was found on him. This weapon was what he was endeavoring to get at when Sparks seized his hand. He was recognized as being George A. Schaff, an importing merchant of Pine street, against whom a bill had been found for perjury, in making false entries at the custom house, and who was at liberty on bail. Schaff is now in close confinement, and will be so detained until his trial.

IMPORTANT LAW CASE. A case, very important in its results on the property of Americans dying without a will in England, has lately been decided in that country. Mr. John Hammond, a native of Rhode Island, went to England on mercantile affairs, and whilst on his journey to Liverpool to embark for America, was killed through the overturning of a coach. He left about £1,000 sterling in England, but no will and no relatives in the country. By an act of our own congress, the consuls and vice consuls of the United States in other countries, are directed to take possession of the property of American citizens dying there intestate and without representatives, to give and secure the same, pay debts, and remit the residue to the treasury of the United States, there to remain in trust for those legacies entitled thereto, "provided the law of the country permits it." In conformity with this direction, col. Aspinwall, our consul general took possession of Mr. Hammond's effects; and applied to Messrs. Baring & Co. for a sum of about £600 in their hands belonging to the deceased. Messrs. B. & Co. declined to pay over this money till letters of administration were obtained, and they could have a legal discharge. Application was then made by col. Aspinwall to the proper court for letters of administration. The queen's proctor opposed.

The judge, sir H. Jenner, decided, that the crown had the right to the property of all foreigners who died in England intestate. It has been said, observed the judge, that British consuls in America have the power of the British subjects dying there in similar circumstances, and that the court should enforce a reciprocity. But this power is given by the law of nations; it must be by special enactment, and it does not follow that this country is bound to follow the example. This country has not adopted the principle of reciprocity, and therefore, the rule is not binding upon the court.—Whether it be expedient to make any arrangement by treaty, to enable consuls in foreign countries to administer on the estates of deceased persons of their own country, is a grave question, into which the court is not called upon to enter. I am of opinion in this case, that colonel Aspinwall as consul of the United States, is not the proper person to take administration of the effects of the deceased; I am not satisfied that the evidence is sufficient to show that the administration ought to go as prayed by him. I reject his petition."

The queen's counsel made no claim for the property; nor is it believed that such a thing would be done in any similar case. The property would remain until relatives appeared and took out letters of administration in England.

[N. Y. Gaz.]

CIGAR MANUFACTURE. The manufactory of Malaga employs 700 persons (women and children), in making cigars. A good pair of hands at the work may furnish three hundred a day; but as the workman cannot make half that number), taking the average at two hundred, gives a daily supply of 140,000. The manufactory at Seville employs 1,000 men and 1,600 women. These 2,600 persons may be calculated as furnishing, on an average, 250 each per diem; or, altogether, 650,000. Add to this number the 140,000 made at Malaga, and we have 790,000 as the "total of the whole" manufactured daily in Spain. The persons employed in the manufactory of cigars are paid at

the rate of one real vellon for fifty, which enables a first rate maker to earn but fifteen pence a day. The best cigars are made entirely of Havana tobacco, and are sold at the factory at the rate of thirty real vellons a hundred, or about three farthings English each. The second quality, composed of mixed tobacco, (that is, the interior of Havana leaf, and the outside of Virginia), costs eighteen real vellons per hundred, or something under a half penny each. It may be seen, from this statement of the cost of cigars of royal manufactory, that smuggling cannot but prosper; since at the Havana the very best cigars are sold for twelve dollars a thousand, (or a trifle above a half penny each), while those of inferior quality may be had for one-fourth that price.

[Capt. Scott's excursions in Spain.]

[The number given above as the daily manufacture of cigars in Spain would seem to be exaggerated, as it would amount to more than 247 millions a year; and as there is no exportation of the article from Spain, it can scarcely be supposed that so vast a quantity is consumed in that country alone, in addition to the great amount received from Cuba. There were imported into the United States, from Cuba, in the year 1837, seventy-five millions of cigars, and there were manufactured in the United States perhaps twice that quantity. As our smokers average about five cigars each day, the quantity we have supposed to be manufactured and imported would give to the United States about 1,500,000 smokers.]

A NOBLE ACT. The Boston Mercantile states that, in February last, (the brig Powhatan, cap, Girdler, of Newburyport, in attempting to put to sea in the evening, from Marseilles, was driven from her anchors upon the rocks at the entrance of the harbor. The pilot left her to her fate. Cap. Girdler immediately proceeded in his boat to the United States ship Cyane, then in port, and informed commander John Perivall of the perilous situation of his vessel, when, with a promptness worthy of all praise, a number of boats, with officers, men, anchors, &c. were dispatched to her assistance. The annexed extract from her protests will show the value of the service performed:

"The vessel commenced striking at 12 o'clock, and was fast afloat through the timely and strenuous exertions of the officers and crew of the United States ship Cyane, which were necessary until half past 6 o'clock in the morning, and without which the brig would have been lost."

NEWSPAPERS. Various newspapers are engaged in making comments upon the press of the country, the difficulties it has to contend with—the loose system of payments pursued with regard to it—the necessity of more punctuality on the part of subscribers—of better prices from advertisers, &c. &c. The truth is, there are about three or four times as many papers in the country as are wanted. The whole thing is overdone, or done to death. If there were fewer newspapers, the public would be better served, and the proprietors better supported. In that case, a great improvement in the press would take place, because publishers could afford, from the greater amount of their earnings, to expend more than they do upon their journals.

Nevertheless, we hope that those who are now engaged in attempting to effect an alteration in the system of conducting the financial department of the publishing of newspapers, will persevere until they effect a thorough reform. The proprietors of newspapers must first estimate properly the value of their own time, labor and means, and the efforts they make to earn their money, and the public ought to be satisfied that a debt due to a publisher is as much a debt, as if it was due to a merchant, and ought as punctually to be paid. There is no man who subscribes to, or advertises in, a respectable newspaper, who does not get more than the "worth of his money." [Alexandria Gaz.]

FOREIGN NEWS.

The British Queen steam-ship, *lieut. N. Roberts, R. N. commander*, arrived at New York on Sunday morning last, in fifteen and a half days from Portsmouth, whence she sailed on the 12th, bringing London dates to the 11th July. The following items of news brought by her express to the Courier and Enquirer:—Business, and Herald.

The political news by this arrival, is not very important. The war in Syria is making progress, but no battle has yet been fought by the Egyptians and Turks. England is quiet—France is quiet—every thing at peace all over Europe.

It was universally expected on the 11th July that the Bank of England would raise the interest

to six per cent. The notice, however, was not announced though it was intimated from the bank parlour that the interest would probably be advanced on the following Thursday, the 18th.

The spinners at Manchester have renewed their agreement to "work short," notice of which was published in London on the 11th, and it was supposed that a further decline in cotton would probably follow.

The bullion in the possession of the bank of England has been still further reduced—whilst the accounts from the manufacturing districts are entirely gloomy as to the export trade. This all tends to the impossibility of describing any real improvement in the general condition of monetary affairs.

On the 8th, Mr. Hume made a motion in the house of commons for a select committee to inquire into the pecuniary transactions of the bank of England since the resumption of cash payments; and particularly to ascertain how far these transactions produced the alarming crisis of the manufacturing, commercial and financial affairs of the country in 1825-6, and in 1836-7; and also to inquire whether, as the bank of England is at present constituted, there ever can be stability in the currency, or confidence in the commercial transactions of the country.

American securities remained all unsaleable, unless at the most ruinous quotations, with the exception of the shares of Bank of the United States, which have been sold in considerable amounts at £23 7s. 6d., and on the 11th were withheld by one individual party unless at £23 10s.

Even one offer for the best of Pennsylvania stocks, at a price lower than 90, had gone off without effect, and there was no improvement since the departure of the Great Western steam ship.

In the cotton market affairs had become considerably worse; for the fall at Liverpool had been no less than 1-2d. per lb. during the short time which has elapsed since the Great Western sailed.

It is said, an authority of private letters by the British Queen, that the proposed arrangement between the bank of England and the bank of France has been declined, by which the former institution will receive a large amount of specie.

A letter from the most eminent firm in the trade, states that "the largest spinners buy only from 40 to 50 bales per day, merely to keep open the mills; and any person desirous of speculating might almost make his own prices."

The crops in England are said to be very promising, and in some parts the harvest has already commenced.

The latest intelligence received in England from this country was of the 20th June.

The budget of the chancellor of the exchequer presents some novel features. Breadstuffs to the amount of £7,500,000 have been imported into England last year. An issue of exchequer bills to the amount of £7,893,955 is to be made to meet the charge of the consolidated fund. The surplus of 1839 is \$2,124,054, being larger than the surplus of 1838. Penny postage is to be adopted by the government.

American boundary. The London Globe says:—Her Majesty's government has selected two commissioners to proceed immediately by the British Queen to North America, to examine into the possibility of simplifying this arduous undertaking, and bringing the question to a prompt and honorable settlement. Lieutenant-colonel Mudge, of the royal engineers, an officer of high reputation in geodetic operations, is one of the commissioners. The other is Mr. Featherstonhough. This gentleman has been selected as well for his scientific attainments, his very intimate acquaintance with the details of this troublesome question, as for the topographical knowledge which his extensive travels in North America have enabled him to acquire.

There appear to have been some further disturbances in Birmingham, during which, according to a letter published in the London Chronicle, of the 10th, the London police detachment acted in the most disgraceful manner. The letter in question was read in the house of commons on the day of its publication, when Lord John Russell stated that he believed it to be altogether untrue. He said he had received a communication from the mayor of Birmingham, giving an entirely different account of the affair. The mayor ended his letter by stating that the peace of the town was nearly ruined by its ordinary state of quiet, and that very little delay would occur before business proceeded in its ordinary course.

There had also been a riot at Ramsgate, occasioned by the committal of some men for hawking fish. In the course of it, some of the police were roughly handled, and the prisoners were rescued from the building in which they were confined.—

They were recaptured, however, the succeeding day, and committed to Sandwich jail. This occasioned fresh disturbances, during which some windows, &c. were broken.

The official quarterly report of the revenue was presented to parliament on the 6th inst. The total income for the quarter was 11,352,050 pounds, being an increase upon the corresponding quarter of last of 308,175 pounds. The revenue for the year, ending on the 31st inst, was 45,949,430 pounds, being an increase of 2,076,659 pounds on that of the year ending on the same date of 1838. The increase in the quarter's revenue is to be found in every department of finances but two—the stamps and post office. In the first there is a falling off of 44,711 pounds; in the latter of 12,000 pounds.

The papers publish full details of the death of lady Flora Hastings. Her remains were conveyed to Scotland for interment. At the request of her father a post mortem examination of the body was made, and the result forever put at rest all doubts as to her innocence of the charge that had been preferred against her character.

The whig ministry have, it is said, given up all intention of retiring from office.

Mr. and Mrs. Webster are announced among the guests at lord Liverpool's soiree on the 8th.

Fourth of July in Liverpool.—On the anniversary of the Independence of America, the vessels in the various docks belonging to the United States, hoisted their flags. The captains dined at the Grecian Hotel, Dale street, and the mates, to the number of sixty, dined together in Cheshire. The American consul, Mr. Ogden, christened his second child on the same day, and gave a sumptuous breakfast on the occasion.

Letters from the Hague state that the marriage between the prince of Orange and the princess Sophia, of Wirtemberg, is null, according to the laws of the country, in consequence of some informality in the preliminary proceedings.

Three of the French insurgents who were upon their trial at our last advices, have been found guilty. Their names are Barbe, Bernard and Mignon. The former too, it is supposed, will be condemned to death, and the last named to perpetual imprisonment.

Accounts of an unpleasant nature had reached Paris from Lyons. They stated that an insurrection was apprehended in that city, but that the authorities had taken the necessary measures for preventing, or at all events, for suppressing it. The great manufacturing house of D— had stopped payment for 1,100,000l.

Our German letters represent as certain the marriage of the heir to the Russian throne with the princess Marie of Hesse Darmstadt.

Among the measures by the Queen are Mr. Mudge and Mr. Featherstonhough, appointed by the English government to make a survey of the boundary line, between Maine and New Brunswick.

Junius Smith, esq. a director of the company, and the father of Atlantic steam navigation, is also a passenger.

Correspondence of the Courier and Enquirer.

London, July 10th, 1839. By extraordinary exertions on the part of the proprietors of the British Queen, this leviathan in steam navigation, has departed from the Thames this morning, and will leave Portsmouth to-morrow night. It is needless to remark upon the intense interest which has been excited in this country as to the fate of this magnificent vessel; for to you the result will be the earliest known.

It is, with regret, that I am compelled to continue the description of the same gloomy condition of monetary and mercantile affairs, as that which prevailed at the time of the departure of the Great Western steam ship. The pressure for money has been diminished in only the very slightest degree; for certainly, during yesterday and this morning, the payment of the half yearly dividends on the 3 per cent. consols, may be said to have brought forward a slight increase of capital into the stock exchange.

For the only cheering symptom to be noticed is that the dividends have not been demanded in gold to any usual extent, and there is consequently some expectation that the money market will be materially relieved by the large additions to the circulation created by the payment of many millions of bank of England notes. The improvement, however, if any, is yet of the most uncertain and trifling extent; and the foreign exchanges for the last two foreign post days, having been decidedly adverse—and the bullion in the possession of the bank of England having been still further reduced—whilst the accounts from the manufacturing districts are entirely gloomy as to the export trade.

Nothing now is of so much importance in the affairs of this country as the prospects of the crop of grain. The weather has been changeable, but not altogether unfavorable during the four days which have elapsed since the sailing of the Great Western steamer ship. So fickle, however, is the climate of England, that it is yet impossible to conjecture the final prospects of the country with reference to the supply for the ensuing—either for good or for evil—undoubtedly most important mercantile and political year.

The South America packet ship of the 19th, from New York, arrived at Liverpool last night. The letters are filled with accounts of depression of stocks—pressure for money, and unfavorable intelligence from the southern states.

London, July 11. The bank broker was again in the English stock market with exchequer bills, of which he effected sales to the amount of 20,000*l.* at 20*s.* premium. It appears to be generally understood now that these sales were for account of the bank. Rather more activity was displayed in business to-day, attributable to the failure of one of the jobbers in the house, and the necessity arising therefrom for those having had transactions with him to re-arrange their books. The failure was of a trifling amount, his differences being reported at £17,000*l.* and 8,000*l.* only. Consols fluctuated a little during the day, and left off nearly as before, for the account being 93 5-8, and for money 92 to 1-3, India 100, Bank stock was 101 1-2 to 2; Exchequer bills, 20*s.* to 22*s.* premium.

London, July 9, 1839. Review of the corn trade. By news from the south of Europe, we learn that though partial injury has been done to the growing crops in some districts by the severe storms experienced there during the last month, the prospects for the coming harvest are on the whole favorable.

In Italy, wheat was rapidly approaching maturity; and a letter from Leghorn, dated the 26th ult., states that samples of the new produce were speedily expected at market; this coupled with the continued arrivals of supplies from Odesa, &c. have caused the trade to become exceedingly depressed, and occasioned a considerable fall in the prices; some parcels of Danube of tolerable good quality, which had cost the importers 12 1-2 *livres*, or about 3*s.* 3*d.* were offered at equal to 27*s.* 6*d.* per quarter free on board; other descriptions at proportionally low rates. The weather continues fine, and reaping was fast drawing to a conclusion.

At most of the upper Baltic ports the value of grain has been pretty steadily maintained, and in some instances a slight advance has even been obtained on former prices; this was the case at Slettin on the 25th June, the English mail having brought orders for the purchase of wheat, but subsequently the market became dull again, and on the 29th ult. the enquiry had again subsided.

From Danzig we have letters of the 25th June; the holders of wheat had for some days previous insisted on higher prices for wheat, and one or two small parcels had been disposed of at an improvement of 1*s.* per quarter; the business had, however, been checked in consequence of the rise, and the London letters of the 21st holding out no encouragement to expect a renewed demand, sellers had consented to take previous rates, at which several oats changed hands, 50 lasts of very fine high mixed new wheat brought 47*s.* 6*d.* and 50 lasts of do. do. old at 4*s.* good old high mixed had been sold at 43*s.* 6*d.* to 41*s.* the best runs of high mixed Volthyna, 6*s.* of crop in 1838, at 42*s.* 6*d.* mixed Volthyna of indifferent color at 40*s.* 6*d.*; good red Galicia at 41*s.* to 41*s.* 6*d.* and inferior mixed at 38*s.* per *gros* on board, the weight of the best parcels averaged about 61 to 62 *lbs.* and of the inferior kinds 60 to 61 *lbs.* per bushel. Rye had further declined in price, 16*s.* 6*d.* to 17*s.* 6*d.* being the top quotations. In other articles nothing of importance had taken place. The weather was wet, which interfered with the working of grain. There were plenty of vessels seeking freights, and one had been fixed for Leith at 4*s.* 6*d.* per quarter for wheat, a further reduction.

A letter from Hamburg of the 2d inst. states, that accounts had been received there from Pomerania and Mecklenburgh, complaining of injury suffered by the growing crops in that tract of country by heavy rains; a great many fields were said to have been completely laid, and otherwise damaged. The Hamburg market was more animated for rye, and about 2,500 quarters had been sold, partly for shipment to England, and partly for the manufacture of flour, at rather enhanced prices: 59 *lbs.* red Saal had brought 48*s.* 9*d.*; 59 1-2 *lbs.* do. 49*s.* 3*d.* and good red qualities, weighing 60 *lbs.* per bushel, 50 per quarter. In other kinds of grain nothing of consequence had been done.

The weather has been gradually improving since this day week, and most of the accounts from the country state, that with the exception of an occasional thunder shower, no rain has fallen. In the early part of the week, the temperature was low, but since last Thursday we have experienced an increase of warmth, which no doubt has much benefited the growing grain crops; complaints, however, still reach us, some of which no doubt are well founded, and there appears to be just grounds to fear that the coming harvest will be late, and consequently precarious, which with our exhausted stocks, is of itself a sufficient reason to calculate on present prices being at least maintained.

The trade for wheat has been exceedingly firm at all the principal country markets held during the week; and owing to the very scanty nature of the supplies of English, fine qualities have generally advanced 1*s.* to 2*s.* per quarter; at Liverpool the improvement has been greater, and a good deal of business was done there on Tuesday, but on Friday, the trade became less animated.

The intelligence received from Scotland since our last, respecting the progress of vegetation, is on the whole, favorable, though in some of the northern counties, the weather has been both cold and wet, but this has not been the case in the south. Wheat nevertheless met a fair sale at Edinburgh on Wednesday; Oats were also in tolerable request, and maintained previous rates. At Glasgow on the same day there was a fair demand for wheat and flour, and the latter article in some cases brought 1*s.* per sack above former rates. Oats were 6*d.* to 1*s.* lower.

Letters from the north of Ireland state that the rain had succeeded by warm dry weather, which had caused the face of the country to assume a very flourishing appearance, and caused some decline in the value of grain, notwithstanding the scanty character of the deliveries from the farmers.

At Mark Lane scarcely a sample of English wheat has appeared since Monday last, the rates of that day have consequently been firmly supported, and if any superior samples had been offered they would probably have met a ready sale to the millers at fully previous terms.

Of foreign wheat the arrivals have been liberal, 35,385 quarters having been reported up to Saturday evening; this, however, has not increased the quantity on sale, as holders have generally given directions to land in bond, preferring to take the chance of a subsequent reduction in the duty, to paying the present rate, (13*s.* 8*d.* per quarter).

House of Commons, July 9. Texas. Mr. O'Connell's bill for putting a question, which he had given notice, relative to certain persons who had given a portion of the Mexican territory, calling themselves the state of Texas. Were any negotiations pending between this government and those persons for the purpose of recognizing the independence of that state?

Lord Palmerston stated that an application had been made to the government in the early part of last year, by persons from Texas, for the purpose of knowing whether the government were preparing to acknowledge the independence of Texas. The answer given to that application was, that the general principle of the government was to acknowledge every state that was *de facto* independent, but under the circumstances at present existing with respect to Texas, they were not prepared to adopt that course with respect to it. As it was known that our minister at Mexico had successfully negotiated between France and Mexico, instructions had been sent to endeavor to effect a similar arrangement between Mexico and Texas.

Mr. O'Connell asked if the communications had relation to the slave trade.

Lord Palmerston said, the communications were of a general nature, and did not include any detail of that kind.

TURKEY.

London, July 11. We have received by express letters from our correspondent in Constantinople to the 19th ult. inclusive. They state that in order to recover his popularity, which had declined since the imposition of a house-tax to provide for the expenses of the quarantine establishment, the sultan had not only abolished that impost and caused the restitution of the sums already paid on account of it, but also the monopoly of bread hitherto enjoyed by government. These remissions produced joy throughout the Turkish capital.

The health of the sultan has been improved. The correspondent states that the statement is confirmed by our Paris letters, as we mention elsewhere) that the representations and the menaces of the French government had failed to dissuade the sultan from his warlike resolves. The pasha of Trebisond marched on the 12th ult. at the head of

10,000 irregular infantry and 5,000 cavalry, for the army. Tamer pasha was about returning to Aidin to place himself at the head of the troops in that province, and proceed with them to the camp at Scionia. The forces put in motion by the porte were estimated at 200,000 men.

The correspondent of the London Times writes from Constantinople under date of 19th July.

A scene occurred yesterday at the admiralty which has produced much sensation among the frank population, the chief of the navy board (Moustapha bey) having, during an interview with the sultan's ship builder (Mr. Rhodes), used abusive language, which the feelings of an American could not put up with, the latter raised his pipe and broke it on the insolent Ottoman's head. The circumstances of the case having been laid before the sultan, every one is anxiously awaiting for his verdict.

HOLLAND.

The troops of Holland are quietly taking possession of the long disputed territory of Hamburg and Luxemburg, and the large army which has been so long kept up by that power on the Belgian frontier is greatly dispersing.

Liverpool cotton market, July 8. The market throughout the week has been extremely depressed and to effect sales even to the extent of the limited wants of the trade, a decline of fully 3-8 per *lb.* has been submitted to in the common and middling classes of American, with a still further reduction on the better qualities.

The sales amount only to 11,950 bales (including 250 American for export) of which 370 Sea Island at 20*d.* to 28*d.* 2,240 Bowed 7*d.* to 9*d.* 2,600 Mobile, Alabama and Tennessee 6-3-4d to 7-0-3*d.* 3,790 New Orleans 6-3-4d to 10 1-2*d.* The sales to-day amount to about 1,500 bags at 1-8*d.* to 1*d.* per *lb.* lower in prices than the quotations of Friday last. The market on the whole is exceedingly flat.

Liverpool cotton market, July 9. The cotton trade continues very flat, but prices were not lower. The sales were limited, only 1,000 bags having met with purchasers, and the market closed with a dull tone. 230 Bengal, 4 1-2 to 5; 100 Surat, 4 5-8 to 5 1-4; 270 Maranhun, 8 1-4 to 8 5-8; 40 Carthagena, 5 1-2; 20 Peruvian, 8 3-4; 530 American, 6 3-8 to 9.

Liverpool, July 5. Cotton. Manufactures continue in a very depressed state. Stocks are rapidly accumulating, and money is extremely scarce—all of which circumstances naturally tend to produce a stagnation in the demand for cotton. The business transacted this week was of a very limited nature, and no sales were effected except to those in immediate want, although American descriptions were offered at a decline of 3-8 per *lb.* and 1-4 per *lb.* reduction was submitted to on all other sorts except Brazils, which maintained last Friday's rates. The entire sales amount to 11,950 bags including 50 Surat, and 250 American bags for export. The imports amount to 29,760 bags, comprising 25,002 American, 631 Brazilian, 20,030 Mediterranean and 2,124 East India.

Liverpool, July 10. Since the date of the above, the gloom in the cotton market has increased, and prices have further declined 1-2*d.* per *lb.* The quotation for fair Upland is about 7*d.* and in some measure nominal—the average business about 1,500 bales per day. There are no symptoms of improvement in the money market. Flour 3*s.* a 3*s.* 6*d.* per *bu.* duty paid, and the duty 8*s.* 2*d.* per *bu.* Turpentine 10*s.* a 11*s.* 2*d.* per *cwt.* inferior to price new. The demand for tobacco is nearly suspended.

Liverpool cotton market, July 9th. The wheat market (in some degree influenced by the fine weather) has been less lively than during the present week. There has however been a good steady trade with little or no change in prices. United States sweet flour has sold in quantity at 3*s.* to 3*s.* 6*d.* per *bu.* and there has been more enquiry for home manufacture at 4*s.* to 5*s.* per 280 *lbs.*; at today's market wheat found a fair demand at full prices.

Manchester, July 10. State of trade. There was little more enquiry for yarn yesterday than on the preceding Tuesday, at prices about a farthing per *lb.* below those which prevailed at that time. The prices of cotton having declined more than a half penny during the interval, the position of the spinners may be said to be slightly improved; but it is still far from being satisfactory, as, even at the present prices of cotton, a loss must be incurred on all the yarn spun. For goods there was not much demand yesterday; and so far as we could learn, very little business was done. In consequence of the continued unsatisfactory state of the market, the spinners and manufacturers of Ashton, Staly bridge, Hyde, and the neighborhood, whose second term of agreement for working short time had ex-

pired, determined to renew it; and a fresh agreement, to the same effect as before, was very generally signed yesterday, and will no doubt be universally acted upon in that neighborhood.

Antwerp, July 6. Since the last day or two the demand for coffee has been more animated, and 500 bags Brazil were taken for consumption at 29c. per half kilo. In sugars nothing doing, all waiting for the sale at auction which takes place on the 9th. Java rice has experienced a slight improvement, but in Carolina nothing took place.

THE BRITISH QUEEN.

In the *New York Courier and Enquirer* we find the following account of this magnificent steamer, and her first voyage across the Atlantic. It was written by col. Webb, the senior editor of the *Courier*, who returned home in the *Queen*:

The *Queen* sailed from London on the evening of the 10th, but, owing to the state of the tide, did not pass the bar at the mouth of the Thames, until the 11th, and reached Portsmouth about 5 A. M. on the 12th. She left Portsmouth at half-past 12, M. blowing fresh gale from the east; and, with the exception of light northerly airs on Friday and Saturday—so light, that the velocity of the ship made it at times a head wind—we have not had our sails set twenty-four hours during the passage.—The wind has been uniformly "dead ahead," blowing very fresh at all times, and causing a very heavy head sea. At intervals we have had fresh summer gales; which, while they have retarded our arrival, have fully demonstrated the important fact, that in the same ratio you increase the size of the steamer will you increase her safety and comfort.

The *Queen* is indeed a noble ship—one which, from her gigantic proportions, may not be compared with any other merchant vessel—and capable of being made the most comfortable passage ship that ever floated. In her construction and outfit, no expense has been spared to render her as perfect as practicable; and although her exact cost has not yet been ascertained, it is estimated at about \$375,000, which includes her furniture and stores of every kind. Her grand saloon is a beautiful and magnificent apartment; and the berths connected with it are certainly very superior in comfort and convenience to any others ever constructed; but then, there are only *twenty-four* in number, and although some of those in the forward cabin are tolerably pleasant, I can bear witness that the fifty or sixty berths in the lower saloon, including all *aft*, except those in the grand saloon, are absolutely *uninhabitable*, and should not, under any circumstances, be taken by persons having the slightest regard either for their health or comfort. I am very sorry to be obliged to say aught against the accommodations of this noble ship; but the truth is, her sleeping accommodations are so miserably arranged, that she can only accommodate a small number of persons *comfortably*, and she cannot fail to be a most unprofitable concern, unless those who have control of her promptly yield their theoretical opinions to the practical demonstrations of her faults in fitting up; which this voyage has so clearly made apparent.

The *Great Western* made her first voyage to New York with her sleeping apartments somewhat similarly arranged; that is, she had a lower saloon, which, like that on board the *Queen*, was very properly denominated "*the catacombs*;" but she has since had a poop deck placed upon her, filled with state rooms, which renders her decidedly the most comfortable passage ship which England has yet sent into our waters. But the greater size of the *Queen*, her spacious saloon, and the free ventilation of which she is capable—certainly placed it within the power of her owners, to make her as superior in comfort as she is in size and splendor, to all other steam vessels. To effect this, it is only necessary to construct a poop deck for her companion way aft, with a line of state rooms on each side, and a promenade both above and below; while, until this alteration is made, she can only accommodate with comfort, about 35 or 40 passengers in her berth.

With the exception of her cabin arrangements, there can exist no cause of complaint against the *Queen*, when we take into consideration that this is her first trip. Her stores were all of the very best quality—her wines excellent and in abundance—and although the steward's department is not what it should be, there can be no doubt but all the inconveniences which were incidental to a first voyage of such a ship, will now disappear, and the internal police be promptly perfected.

Of capt. Roberts I may, with the greatest safety and justice, speak in the highest terms of commendation. He is intelligent, gentlemanly and affable; and possesses the rare *fact* of rendering himself agreeable to his passengers without in any way endangering his position as master of the ship. This

is a virtue not always understood, and the want of which is justly considered a total disqualification for the command of a packet. Captain Roberts is also very fortunate in his officers, who, like him, are attached to the British navy, gentlemanly in their department, and thoroughly conversant with their duties.

The *British Queen* is 1,863 tons burthen, builder's measurement, and upwards of 2,000 tons by custom house measurement. Her model is purely *American*, and with a wind—although we have had no opportunity of testing—cannot fail to make unusually rapid trips across the Atlantic. She is more buoyant than was anticipated—that is, her cargo, coal, provisions, passengers, &c. &c. did not sink her in the water as much as was anticipated; and in consequence, since the consumption of some seven hundred tons of coal, water and provisions, her paddle wheels have not taken sufficient hold of the water, to propel her at a rate equivalent to the power of her engines. But this will be remedied by taking in a full cargo of several hundred tons of iron ballast in New York, previous to her sailing, on the first of August, in company with the *Great Western*. No effort will be spared to get her off on that day, and all England are on the *qui vive* to ascertain which of the magnificent floating palaces will make the quickest trip home. Large odds are offered on the *Queen*.

The managing director of the company, Mr. Laird, who drafted her model, and superintended her construction, also came passenger in the *Queen*, with a view to examine her working, and to note what alteration or improvements may be made in her accommodations. Immediately on his return, the President of 2,400 tons will be launched; and I have no doubt but the *experience* which shortly be acquired in the *Queen*, will enable her owners to make her altogether the most commodious and agreeable passage ship ever known. One thing is certain; the company are prepared to expend any amount of money which may be required to render their vessels perfect in all respects, and with competent commanders and experienced stewards, there can be no doubt of their success.

The following letter from one of the passengers in the *British Queen*, will be read with interest, furnishing as it does a particular notice of each day's progress of this noble vessel in her recent voyage across the Atlantic:

Saturday, July 27th, 1839.

DEAR SIR: Presuming you would be gratified to hear a statement of our passage across the Atlantic in this beautiful ship, and fearing I may have no other spare time than the present, previous to our arrival, (which will doubtless be to-morrow), I will give you a brief but correct account, before the storm of pilots boarding, landing, &c. &c. falls upon me.

We left Portsmouth on the 12th instant, at half past 12 o'clock, P. M. with the wind strong from S. W. with a head sea, and a thick hazy horizon, engine making 11 revolutions, until 7, P. M. when we increase to 13.

10th.—Fine clear weather, but wind dead ahead, with a long swell from the westward; 14 revolutions; lat. 49 24 lon. 5 45—distance 275 miles.

14th.—Wind W. small rain; heavy head sea; wind increases towards evening. She rides like a *Queen*, 13 revolutions; lat. 49 54, lon. 11 29—distance 218 miles.

15th.—Strong westerly wind and head sea; running 13 revolutions; running gallantly over the billows; ships no water; no strain; but proceeds with great ease; lat. 49 23, lon. 15 50—distance 151 miles.

16th.—Wind S. W. strong, with a tumbling cross sea; thick weather coming on. Ship behaves nobly—rides very majestically, without the least strain. 12 o'clock, blowing a gale from the westward; *Queen* rides beautifully, and see her, by the mere force of steam power, moving on at the rate of 8 or 9 knots per hour, against *wind and sea*, is a sight worthy of all admiration. 4 P. M. strong head wind whistling through the rigging; strong rolling wind, with a long swell on the wheel, so easy does she steer; 11 revolutions; lat. 48 56 lon. 21 8—distance 210 miles.

17th.—Cloudy, wind fresh N. N. W. dead ahead; 12 revolutions; sea runs high, but she rides very handsomely, and though a strong wind whistles through her rigging, it makes no other impression upon her than what arises from the increased resistance she has to overcome. Lat. 48 6, long. 25 4, distance 198 miles.

18th.—Fine morning; head wind sea, blowing fresh. 12 M.; heavy rolling sea from N. which sensibly affected the crockery on the lurch table and in the steward's pantry, but fortunately she has not yet *broken her back*, which some of our

friends in London were so kind as to predict. Lat. 46 56, long. 30 10, dist. 193 miles.

19th.—Long head sea, wind dead ahead, 13 revolutions; no sails, but running off finely. Lat. 46 13, long. 34 48, dist. 200 miles.

20th.—Wind ahead, with head sea; blowing fresh; going finely against all oppositions; 14 revolutions; no motion, wind increasing, sea rising, ship rolling; no more empty stomachs than usual; speed reduced to 9 revolutions; high sea all night. Lat. 45 30, long. 29 1, dist. 182 miles.

21st.—Sunday morning. Light clouds, wind fresh from N. N. W.; a long rolling sea; no sails, no observation to-day; 11 revolutions. Lat. 45 4, long. 42, dist. 130 miles.

22d.—Wind continues dead ahead, smoother sea, cloudy and hazy; 15 revolutions; ship so steady and quiet that one hardly knows she is under way. 10 o'clock, thick fog; regular cold bank weather; steam working expansively, cut off at half stroke. Lat. 44 43, long. 16 27, distance 190 miles.

23d.—On the banks last night and this morning; thick rainy weather, wind W. S. W., smooth sea; running off finely, 15 revolutions. Lat. 43 40, long. 51 20, distance 224 miles.

24th.—Wind and long sea from W. 14 revolutions; rain all the morning. 11 o'clock, got an observation; sun glancing occasionally, swell subsiding; 8 o'clock, 15 revolutions; sea calm; running off finely. Lat. 43 18, long. 55 50, distance 206 miles.

25th.—Wind N. set fore-top-sail, topgallant sail, for the first time. 12 M. wind freshens; running off in beautiful style; revolutions 16 to 18. Lat. 42 23, long. 60 30, distance 224 miles.

26th.—6 o'clock, wind S. E.; set sail. 7, wind hauls to W.; all sails furled. 12, wind W. good breeze; revolutions steady, 15 7 P. M. smooth sea; running off gaily and beautifully; no motion, quiet as a boat upon the Hudson; lat. 41 14, long. 65 34, distance 240 miles.

27th.—A beautiful day; very warm; perfectly calm in the morning. 10, P. M. fine breeze from N. N. W.; trysail and jib set; going off charmingly; smooth sea; 16 revolutions; lat. 40 19, lon. 70 39—distance 240 miles, which make us 135 miles from Sandy Hook, which we expect to reach by 4 or 5 o'clock in the morning, and to be landed speedily after the health officer comes on board. I could say much in favor of this fine steam ship, but she speaks for herself. We shall have made the passage, against strong head winds and sea, in 15 days and 12 hours; which under all the circumstances is a very capital passage. She is a most charming and beautiful sea boat, very strong and substantial, and as safe a conveyance across the Atlantic as ever floated on its bosom. I am, with much respect your most ob't servant,

J. H. S.

LORD BROUGHAM.

There is no gentleman within the circle of our acquaintance, personal or public, with whose name are associated a greater assortment of unsavory epithets than my lord Brougham and Vaux has power to boast of. Our noble friend of the Toronto Patriot, calls him a scoundrel; and other editors, in England and elsewhere, are in the habit of decorating him with such goodly titles as quack, mount-bank, drunkard, rascal, egotist, bungler, &c. &c. Man-tie him his lordship does on his feet, in his own fashion, nightly enjoying the dust on his knees, and taking an especial pleasure in gently dropping a few words of sarcasm upon every body that happens to come within reach, no matter of what party in politics, science or religion. His latest application of it was to the right reverend bench of bishops—whom he favored, in the course of a debate on his beer bill, with the following left-handed compliment: In the course of the discussion, lord Brougham, replying to lord Melbourne, (whom he called by mistake his "learned friend," but, correcting himself, said "God knows he is not my learned, but my noble, and on this subject, ignorant friend"), adverted to the thin attendance of members, and especially to the absence of the bishops from the house on this occasion.

He was sorry to see, from the aspect of the house, that the present critical hour had had the effect of sadly thinning their lordships numbers. Their lordships liked the beer bill little, but they liked remaining in the house after half-past seven o'clock less. Their lordships liked to see a good state of morality in the country—the tranquil order of society they dearly loved—it was the very apple of their eye; but there was another affection, operating upon certain delicate organs in the constitution of noble lords still more intimately than those connected with the peace, order and purity of society, and reminding them of what had been called the most important event of existence, that of dinner. (Laughter). "Am glad to find," said lord Brough-

am, turning to the Episcopal bench, "that my observation is not confined to the lay lords; it extends equally to those who are the appointed guardians of public morals and virtue. How often have I heard the beer houses denounced by the right reverend occupants of that bench! There is hardly a bishop whom I have not very heartily, for glorifying your lordships from this very place, for God's sake to apply a remedy to that which makes all our preaching and teaching vain, and to reform those nests of drunkenness, for the sake of those plagues. And now that I come forward at their instigation—that I lend myself as their coadjutor—that I put myself as an humble instrument in the hands of the guardians of morality and religion—but two out of six and twenty right reverend prelates will sacrifice their dinner, their regard to their belly, which is their God." (Laughter.)

Lord Salisbury rose to order, and the following scene ensued.

Lord Salisbury—"I move that the noble and learned lord's words be taken down."

Lord Brougham—"That they may be taken down correctly, I think I had better repeat them. I was saying that the bench of bishops—"

Lord Kenyon—"I rise to order. The moment the words are objected to, no time should be lost in taking them down."

Lord Brougham—"I am just repeating them, that the clerk may be at no loss. The bench of bishops, more than all the lay peers of the realm, have experienced their strong sense of the evil effects of beer houses to the morals of the people under their care; and it is chiefly at their instigation that I have brought forward a measure as their coadjutor, and an humble instrument in their hands, for the purpose of putting down what they abominate as prejudicial to the morals of the people—"

The marquis of Salisbury—"These are not the words."

Lord Brougham—"Allow me to finish the sentence: I am getting on. But I find that the whole twenty-six prelates—"

Lord Kenyon—"I rise again to order. A noble friend of mine has called the noble and learned lord to order, and he must state the reasons why he did call him to order."

Lord Brougham—"The words must first be taken down."

Considerable confusion here prevailed in the house, two or three noble lords speaking at once; which was terminated by the rising of

Lord Ellenborough, who said, that in point of fact the opportunity had now passed. (Shouts of "hear, hear!" from lord Brougham.) The rules of the house required that the words should be taken down instanter.

The marquis of Salisbury hoped the noble and learned lord would at least explain his meaning.

Lord Brougham—"I have no objection to state my words. I said that the bench of bishops, at whose instigation I have brought forward this measure, and in those hands I have been a humble tool, out of their great regard for the morals of the people, had sacrificed all personal considerations, and had attended by two of their coadjutors upon the present occasion—(Laughter)—and having the greatest veneration for the bench of bishops—(Laughter)—I felt peculiar pain that no more of them were here." That was all he meant.

AMERICAN AND BELGIAN RAIL ROADS.
From the Boston Daily Advertiser.

The most complete and intelligent survey of the rail roads of the United States which has yet been made, we presume, is that which has been made during the last eight months by a distinguished foreign engineer and author, F. A. Chevalier de Gerstner. This gentleman, after having built the first rail road, and one of the longest, on the continent of Europe, which has been in operation from the year 1832, 130 miles in length, connecting the rivers Mainau and Danube, in the government of Austria—and subsequently, in 1836 and 1837, one of the most perfect and successful, leading from St. Petersburg to Zarskoe-selo, constructed under the immediate patronage of the emperor Nicholas, and intended as the commencement of a rail road from St. Petersburg to Moscow, a distance of 420 miles—came to the United States in November last, and has, since that time, made a thorough examination of the rail roads of the United States.—When he was in this city some months since, he showed an intimate acquaintance with the minutest details of the different modes of construction, with the various kinds of machinery, and with the methods of management; and in his examination of the different rail roads, some of which he visited repeatedly, for the purpose of thorough inquiry into improvements of any kind, took notes of the expenses of construction, repairs and management—amount of

business and income—the mode of keeping accounts, and such other details as would afford to his intelligent and discriminating mind, all the light which is to be derived from the varied experience of the conductors of all these works.—On his return to Europe, he will doubtless furnish a report of great interest and value. He is now, or recently was, in the western country, where he has printed, for the information of his friends in the United States, a brief report, embodying a part of the results of his investigations upon the American rail roads, and comparing them with the results furnished in the latest official reports of the system of rail roads constructed by the government of Belgium. These facts are curious, as this is the first authentic statement of the kind, embracing any considerable number of these works, which has been published.

Mr. de Gerstner states, that after inspecting the rail roads between Albany and Lake Erie, he proceeded to the eastern states, visited the rail roads of Massachusetts, and proceeded thence through New York, Philadelphia, Baltimore, Washington, Virginia, North and South Carolina, Georgia and Alabama, to New Orleans, visiting all the rail roads in different states. He proceeded thence up the Mississippi, and inspected the internal improvements of the western states, and was about to proceed to examine those of Pennsylvania. He states that he had already passed over more than 2,000 miles of rail roads in the United States, and had been every where received with the greatest kindness. The presidents, directors and engineers of the different rail road lines, had given him not only their printed reports, but had laid before him with the greatest liberality their books and accounts, in order to give him every kind of information. He says,

"I fulfil my duty, when I publicly acknowledge that a free and enlightened people, where all public works are based on the same principle of publicity, and where secrets do not exist." We copy from his statement the following passages:

"According to the facts collected during my travels since my arrival in New York, there are now over three thousand miles of rail roads now completed and in operation in the United States; 425 locomotives, of which the greatest number were made in this country, run on the several rail roads, and I believe up to the end of 1839, the length of rail roads in the United States may amount to 4,100 miles. The capital expended on the rail roads now in operation, is about sixty millions of dollars, or an average cost of twenty thousand dollars per mile, for which sum the rail roads with the buildings, have been constructed and the necessary locomotives and cars bought.

"Several rail roads have been undertaken with insufficient means, and the shareholders and themselves under the necessity of employing the income of the first years in improving the rail road, in building engine houses, &c. and purchase locomotives and cars. In consequence of this the shareholders get, during that time, no dividends, but the rail road still yielded a good income. Other rail roads, when finished, paid from five to ten per cent. income to the stockholders, others have not yet paid any dividends for want of a sufficient number of passengers and freight. The average result of the rail roads now in operation in the United States is that they give a yearly interest of five and a half per cent. on the capital invested. This result must be regarded as very satisfactory, because the greatest part of the lines have only been a few years in operation.

"On all lines there is a yearly increase of at least 15 to 20 per cent. in the gross income, so that even those lines which do not pay now, will give, in a few years, a handsome dividend. According to these statements, based on the communications collected in this country, it seems no doubt, that the large capital invested in rail roads, in the United States, will not only produce an incalculable benefit to the country but likewise pay the stockholders a dividend, which, under good management, by the constant progress in population and trade, must likewise from year to year increase."

Mr. de Gerstner having recently received the last reports of the Belgian rail roads, proceeds to give an abstract of the history and progress of those works—of the cost, traffic and revenue, and to compare them with the results of his observation on the American roads. These works were projected by King Leopold, who adopted the enlightened policy of undertaking a great public work, for the encouragement of industry, the employment of labor, for strengthening, consolidating and ennobling the country, and to serve as a model to other countries, and to the interest of the state. He ordered the whole country to be surveyed by able engineers, the necessary plans and estimates formed,

and on the 1st of May, 1834, a law was proclaimed, for the introduction of a system of rail roads, through the whole kingdom, in different directions, to be executed at the expense of the state. These rail roads lead to seaports at two points—Antwerp and Ostend—connect with France at two, and with Germany at one—and all unite in one centre.

"The news of the gigantic work" says Mr. de Gerstner, "undertaken by a state, even not yet acknowledged by the northern powers, and with only four millions of inhabitants, excited the greatest surprise in Europe, and led to the greatest results which this grand project must necessarily produce—the independence of the nation and its internal welfare, its commerce and industry; the former being the principal aim and the promotion of commerce and industry a subordinate one, although the great mass of the people were unable to comprehend the grand idea of the plan.

"King Leopold found in his former minister of public works, Mr. De Theux, and in his successor, Mr. Notherm, vigorous supporters. The engineers were surveying in the swift prosecution of the work, and in four years more has been done than was expected. The enlightened minister Notherm published annual reports to the legislative assembly, besides other special reports of the progress of the works, in which the public in Europe find a rich source of experience, not to be met with in any report or work on the subject. Europe has to render thanks to the king who first realized such a grand idea, and to his enlightened minister, who judiciously conducted the work, and so liberally communicated its results."

The whole length of the Belgian rail road, now completed, is 159 English miles. Successive parts of this connected line have been opened for public use from time to time, from May, 1835, to August, 1838. The cost of these works, including buildings, locomotives, &c. was \$34,000,000, which is equal to a cost of 41,300 dollars per mile. The rail road from Brussels to Antwerp—twenty-seven miles—consists of a double track. The rest are single, and the rail is of a weight of 45 lbs. per yard. Additional buildings are yet to be erected, and additional locomotives and cars provided, which will probably swell the cost to an average of 45,000 dollars per mile.

The rates of fare on the Belgian rail roads are much lower than on those of England or this country. There are classes of passenger cars, all moving in the same train, but differing in the degree of comfort to the travellers. The rate of fare in each of these classes is as follows: for each passenger, with 44 lbs. of baggage is as follows. In berlines 2 1-3 cents; diligences 2 cents; charrs a banes, 1 1-3 cents; wagons 4-5 of a cent; for soldiers, only half price is paid. The trains perform at an average rate of 17 English miles per hour, including all stops—and from 20 to 25 miles running time. The fare per mile, in the three classes of cars on the Liverpool and Manchester rail road is 5 cents 4 3-4 cents and 3 cents.

The number of passengers in 1837, was 1,384,577, and in 1838, including 56,615 travellers, 2,235,203. The average distance travelled by each passenger in 1837 was 17 miles, and in 1838, 23 miles. The gross income of 1838 was 3,100,833 francs. The gross income of 1837 was 3,100,833 francs, for over 581,770 dollars, including 162,915 francs for over five million of baggage and freight.

The expenses of the first ten months of 1838, amounted to 1,619,189 francs. Nearly half the whole length of rail road, viz: 70 miles was opened only at different periods of the year 1838. It is estimated that the income of 1839 will be equal to 5,088,000 francs, and the net income 1,700,000 francs, which is equal to 5 per cent. on the cost expended—an amount sufficient in that country to cover the interest, and a sinking fund of one per cent.

After giving a mass of other facts, and calculations in relation to the Belgian rail roads, Mr. de Gerstner proceeds to give the following.

Comparison of the Belgian rail roads with those in the United States.

According to table under No. 3, the number of passengers during 3 1-2 years, reduced for the length of one mile, amounted on the Belgian rail road to 25,423,361. Or at an average rate of road of 25,423,361. As the average length of road in 1837 was 53.1 miles, we have now the following comparison: The whole length of road is nearly 500,000 passengers per year. We have now the following comparison:

Cost of construction.—A mile of rail road with a single track, and the necessary buildings and outfit, costs in America 20,000 dollars; in Belgium 41,300 dollars, or more than twice the amount.

Tariff.—On the American rail roads, a passenger pays at an average 5 cents per mile; on the Belgian rail roads, only 1 cent or five times less,

freight the charge is, in America, at an average 7 1/2 cents per ton per mile.

Speed.—On the American rail roads, passengers are conveyed with a speed of from 12 to 15 miles per hour, stoppages included; on the Belgian roads at the rate of 17 miles, or stoppages not included, at the rate of from 20 to 25 miles.

Traffic.—There are at an average, 35,000 through passengers, and 15,000 tons of goods carried annually on the American roads; on the Belgian there have been carried per year 478,783 through passengers, and the transportation of goods only commenced a short time since.

Gross income.—The same amounts on the American rail roads, at an average per mile and per year,

For 35,000 passengers, at 5 cents,	\$1,750
For 15,000 tons of goods at 7 1/2 cts.	1,125
For mail and contingencies,	200

Total, \$3,075

On the Belgian rail roads the gross income per mile from 478,783 passengers, and the transportation of freight amounts to 32,000 francs, or 6,003 dollars 75 cents per year.

Expenses per mile of travel.—These amount on the American rail roads to 1 dollar, on the Belgian roads to 1 dollar 5 cents, or they are the same in both countries.

Number of passengers per trip.—In Belgium there were in each train, at an average of 3 1/2 years, 143 through passengers; on the American roads, a passenger train contains only 40 through passengers, at an average.

Number of trips per year.—In dividing 35,000 by 40 we obtain 875, as the average number of passenger trip per year on the American rail roads; and in dividing 478,783 by 143 we get 3,348, which represents the average number of passenger trains passing annually over the Belgian roads. As at the same time the speed on the latter is greater than on the American rail roads, it was necessary to employ rails of 45 lbs. per yard, while their weight is generally less on the American rail roads.

Expenses per passenger per mile.—These are in Belgium only 0.75 cents, and in America 2 1/2 cents, or 2 1/2 times more. The reason of it is, that on the American trains contain 3 1/2 times less passengers, while the expenses per train per mile are equal in both countries. It is very nearly the same for a locomotive to carry 40 or 143 passengers in a train.

Annual current expenses.—In America the annual current expenses for working a rail road, are per mile,

For transportation of 35,000 passengers, at 2 1/2 cents,	\$875
For transportation of 15,000 tons of goods, at 6 1/2 cents,	975
For transportation of the mail and other expenses,	100

Total, \$1,950

Or 63 dollars 41 cents of every 100 dollars gross income. On the Belgian rail roads, of every 100 dollars gross revenue, the expenses are 65 dollars 59 cents, or per year per mile 3,937 dollars 86 cents.

Interest on the capital invested.—In America the annual average gross income, per mile of road, amounts to 3,075 dollars, the annual current expenses to 1,950, leaving 1,125 dollars, which, compared with the cost of a mile of road, (20,000 dollars) give 5 1/2 per cent. interest. On the rail roads in Belgium, the annual gross income per mile, is 6,003 dollars 75 cents, the expenses 3,937 dollars 86 cents, leaving 2,065 dollars 89 cents as interest on the cost of 41,300 dollars per mile, or exactly 5 per cent.

UNIFORM PENNY POSTAGE.

Rowland Hill has offered the following facts in favor of the system of penny postage, recommended by him to the British government.

Facts and estimates as to the increase of letters.

The only point connected with a uniform penny postage on which there appears to be any material difference of opinion is, as to whether or not the revenue will suffer by the proposed reduction.

The plan will stimulate the increase of letters in two ways—first, by the increased facilities of despatch of letters; second by the reduction of postage.

Increased facilities.

Many facts were proved in evidence before the postage committee, which renders it clear that even at the same or higher rates of postage, increasing the opportunities of despatching letters, and the rapidity with which they are transmitted and delivered always increase the number sent.

I. Palmer's adoption of mail coaches, though accompanied with repeated advances of postage, in-

creased the number of letters threefold in twenty years. And

2. The new facilities of transmission afforded by the Manchester and Liverpool post way increased the number of letters between the termini nearly 50 per cent. in six years, postage remaining the same.

3. Although not substantiated before the postage committee, it is understood that the recent establishment of a morning mail from London to Brighton has produced a similar effect.

4. It appears from the valuable work of M. Piron, *Soins Directeur des Postes aux Lettres*, that a reduction in the time of transmission from Paris to Marseilles, from 118 to 68 hours, has doubled the number of letters.

Reduction of postage.

This is relied upon as by far the most efficient cause of increase in the number of letters.

It has been found that the decrease of price in any article of general demand, so far from lessening the amount of the public expenditure on such article, has always increased it.

"1. The price of soap, for instance, has recently fallen by about one-eighth; the consumption in the same time has increased by one-third. Tea, again, the price of which, since the opening of the China trade, has fallen about one-sixth, has increased in consumption by almost a half. The consumption of silk goods, which subsequently to the year 1823 have fallen in price by about one-fifth, has more than doubled. The consumption of coffee, the price of which, subsequently to 1823, has fallen about one-fourth, has more than tripled. And the consumption of cotton goods, the prices of which, during the last twenty years, has fallen by nearly one-half, has in the same time been fourfold."

[Post office reform, page 70.]

2. The sale of newspapers for the 12 months before the late reduction in stamps was "35,376,056" at an average price, say 7d. costing the public 1,037,634 pounds."

For the 12 months subsequent to the reduction, it was 53,496,207,* at an average price, say of 4 1/2d. costing the public 1,058,779 pounds."

3. The annual number of advertisements before the late reduction in the advertisement duty was "1,010,000," at an average price, say of 6s. costing the public 303,000 pounds."

It is now "1,670,000," at an average price, say 4s. costing the public 334,000 pounds."

4. The number of persons paying for admission to the tower was in the 10 months prior to the late reduction, "9,508, at 3s. each (including the warder's fee)=1,426 pounds."

In the 10 months subsequent to the reduction it was "37,431, at 1s. each=1,871 pounds."

The rule established by these facts—viz: that the demand for the article increases in a greater proportion than the price decreases, so that if 1,000 are sold at 6d. is, it is believed, without exception—Certainly the article of postage does not furnish one.

"The reduction of the Irish postage rates which was made in 1837, was immediately followed by a considerable increase in the Irish post office revenue, though precisely to what extent it would be difficult to state, owing to a transfer that was made at the same time of certain receipts from the English to the Irish post office revenue. An alteration was made in the year 1831, which was equivalent to a partial reduction, by exempting the correspondence of a portion of the metropolis, which had paid the general post rate, from paying an additional two penny post rate. Consequent on this reduction, though at first attended with some loss, the post office revenue was improved to the amount of 10,000 pounds a year, instead of their being a loss of 20,000 pounds a year, as had been expected by the post office. A reduction made in 1835 on the rates of ship letters has been followed by a considerable increase in that branch of the revenue."† *Third report of the select committee on postage, page 29.*

Practical effect of reduction to one penny.

The postage of letters between Edinburgh and the adjacent towns and villages was, in 1837, reduced from 2d. to 1d. In rather more than a year the letters had more than doubled, and were on the increase when the last returns were made.‡

Postage between Stroud and Nailsworth, in Gloucestershire was recently reduced from 4d. to

*No. 367, session 1833.

†No. 184, session 1839.

‡The increase has been from £84,000 to 116,000 per annum. Vide "first report on postage," page 472.

§Third report, abstract page 24.

1d. The number of letters has already increased about sixfold.

Future gross revenue of the post office.

There seems, then, no rational ground of fear that the gross revenue of the post office will be diminished.

On the contrary, its increase might be safely predicted, even if no other change was contemplated than the proposed reduction. But taking the proposed additional facilities for the despatch of letters into account, the increase of the gross revenue may, at no distant period, be fairly expected to be considerable. Many persons competent to form a sound opinion, think such increase will be very large.

Future expenses of the post office.

The proposed changes will operate partly to increase, and partly to decrease, the cost of the post office.

The increase will arise out of the additional number of letters passing through the post.

The decrease, chiefly from the postage being paid in advance by means of stamps.

The balance will probably be a comparatively slight augmentation of expense, which it is confidently expected will be more than compensated by the increase in the customs, excise, &c. produced by the stimulus to commerce consequent on the cheapness of postage.

There is, then, no just reason for believing that the proposed reduction in postage will at all diminish the revenue of the country.

Below I have drawn out an estimate of the course which things may probably take after the proposed change, on the supposition of the gross revenue remaining the same as at present. I have perhaps undervalued some sources of increase, and overestimated others. I do not place much reliance on the details, but I have great confidence that the general result will hereafter be found below the truth.

Estimate of the mode in which the required increase of general post letters may be presumed to take place.

From the present letter writing class.

Present number of chargeable general post letters, calls this 1
 Contraband letters, and evasions by writing in newspapers, &c. (estimated by many at double the posted letters, but considered it equal only) 1

Total of letters now written 2
 Assume the rate of increase to be only 2 to 1 2

Estimated return general post letters, from the present letter writing class 4
 Invoices—(Estimated by Mr. Cobden, and other mercantile men, as equal to the present post letter—say half only) 1/2
 Additional printed circulars, catalogues, small parcels, &c. say 1/2
 Letters from numerous classes who may now be said not to use the post office at all, say 1/2

Required increase of general post letters to sustain the general revenue, (vide third report, p. 55) 6
 That is to say an addition of five-fold.

ROWLAND HILL.

Bayswater, July 1.

INTERESTING BILL OF MORTALITY.

From the New York Courier.

From a statistical report appended to the annual return of the coroner, of New York city, Ira B. Wheeler, esq. for the year ending December 31, 1838, we are enabled to glean the following interesting particulars:

Total number of inquests for the year, of which, in

January, there were	42	July,	96
February,	29	August,	61
March,	34	September,	49
April,	37	October,	45
May,	56	November,	45
June,	55	December,	54

Total, 603

Of this number there were males, 410
 females, 193—603

Of whom were of one year, and under six years, males, 46
 females, 36—82

Of 6, and under 12, males, 28
 females, 5—33

Of 12, and under 20, males, 17
 females, 4—21

Of 20, and under 26, males, 55
 females, 39—94

Of 30, and under 40, males, 83
 females, 41—124

Of 40, and under 50, males,	60
females,	22—82
Of 50, and under 60, males,	35
females,	8—43
Of 60, and upwards, males,	18
females,	8—26
Age unknown, males,	62
females,	20—82
Still-born, males,	4
females,	7—11
	603

Causes. By suicide, 55; murder or violent death, 15; involuntary killing, 6; accidental, 75; causes unknown, 164; debility and exhaustion, 14; burned and scalded, 24; delirium tremens, 8; strangled and suffocated, 11; still-born, 11; drowned, 95; intemperance, 33; visitation of God, 23; drinking cold water 7; apoplexy, 54; Total, 603.

Of these were married males,	105
females,	75—180
Unmarried males,	19
females,	90—109
Whether married unknown, males,	113
females,	23—141

In the several wards there were—	
1st,	49 10th, 20
2d,	10 11th, 36
3d,	21 12th, 33
4th,	88 13th, 34
5th,	52 14th, 15
6th,	121 15th, 10
7th,	45 16th, 41
8th,	29 17th, 20
9th,	34—603

Of cases there were,	
In the city prison,	7
City hospital,	15
Bellevue, including the almshouse	7
Insane asylum,	1
African free school,	1
	—31

Of suicides there were—males,	31
females,	55—86

Of which number there were born in the	
United States,	32
Germany,	3
England,	6
Ireland,	11
Other parts of Europe,	3

Manner of their death—	
By hanging,	9
Poison,	30
Cutting their throats,	6
Drowning,	4

Of the whole number—there were born	
In the United States,	270
England,	35
Germany,	24
Scotland,	8
Ireland,	140
Sweden,	2
Nova Scotia,	3
Canada,	1
Spain,	1
Wales,	3
Italy,	2
Jamaica,	2
Unknown,	113—603

FRONTIER INCIDENTS.

From the Boston Mercantile Journal.

An occurrence took place near fort Winnebago, in the Wisconsin territory, a short time since, which was near involving two powerful tribes in an exterminating warfare, and will serve to illustrate some points in the Indian character.

The lands of the Menominees adjoin those of the Winnebagos, and these tribes have for years always lived not only in peace, but in bonds of friendship and intimacy with each other. It happened early in May last, that a Menominee, in a drunken frolic, stabbed a Winnebago, and, what was considered extraordinary, was suffered to remain for some hours afterwards in the Winnebago camp, and departed without molestation. In the course of a week or two after this transaction, Yellow Thunder, a Winnebago chief of a warlike character, called at fort Winnebago, and in an interview with major W. V. Cobbs, who commanded that post, narrated the occurrence, and stated that he had been selected by his people to avenge the murder. He had accordingly taken with him a band of warriors, and it was his intention to carry death and desolation into the Menominee country. His plans appeared to be formed with judgment and skill. The Menominees at that time resided in several villages, at some distance from each other, and the design of Yellow Thunder was to fall upon the unsuspecting Menominees in each village successively, cut them off in

detail, and thus exterminate this powerful and warlike tribe.

Major Cobbs, who, by long and familiar intercourse with the Indians, was well acquainted with their character, took prompt and decided, yet prudent measures for preventing this sanguinary design of Yellow Thunder from being carried into effect. He had a long talk with him, attempted to show him not only the impropriety and injustice of such a proceeding, but its impolicy, and expatiated on the evil consequences to his people which would result from open hostilities with the whites, which would inevitably be the case provided his intentions were carried into effect. At length he so far prevailed upon Yellow Thunder as to induce him to postpone the execution of his projects of revenge until attempts to settle it by other means had failed. He immediately sent an express to the head chief of the Menominees, who was then sixty miles off, informing him of the occurrence, and requesting his presence immediately at the fort. And in a few days, the Menominee chief appeared at fort Winnebago, attended by sixty-five of the chiefs and principal warriors of his nation, completely armed, and encamped near the Winnebagos, under the guns of the fort.

Major Cobbs assured both parties that, if either band commenced hostilities, he should open his batteries upon the aggressor without ceremony, and set himself to work in good earnest to heal the difficulties between them. He was at that time suffering from severe indisposition, but he was so fully aware of the importance of adopting prompt and decided measures, if he would prevent a sanguinary war, that he caused himself to be carried to the place of council, between the two encampments, where he conferred with the chiefs, sometimes with one, sometimes with both together, for several days—using all his powers to induce the tribes to bury the tomahawk.

The chief of the Winnebagos was at the outset furious for war, and would not patiently listen to any proposals for peace. One of the warriors of his tribe had been basely murdered, and a dreadful vengeance must follow. On the other hand, the chief of the Menominees was, from the commencement, anxious for a continuance of peace. He regretted the unhappy circumstance which had excited the angry and revengeful feelings of the Winnebagos, but was unwilling to surrender the offender, (his nephew) to the vengeance of his foes. He said that if the Winnebagos had killed him on the spot, when he had perpetrated the crime of which he was accused, they would have acted right, and in accordance with Indian customs, and he would not have complained; but, after suffering such an opportunity for immediate revenge to escape, they had no right to insist upon having the offender placed in their hands. For the sake of peace, however, he was willing to make some valuable presents to the Winnebagos, which he hoped would have the effect of disarming them of their resentment.

It was with much difficulty that major Cobbs could get the Winnebagos to listen to any overtures of a compromise of this kind. But it happened, fortunately, that a case of a similar kind had occurred a few years before. Life had been taken in a drunken frolic, and the offender had been induced to forego their revenge by a rich display of valuable presents. This precedent was urged with much force by the commanding officer of the fort, and the time was appointed when the final determination of the parties was to be made known.

The major was carried in his chair to the place of meeting. The Winnebago chiefs were on one side of him, and the Menominees on the other. He made them an harangue, in which he repeated all his arguments in favor of a peaceable termination of their difficulties; and he strongly urged upon Yellow Thunder to accept the conditions offered by the Menominees. While he was speaking, the wife of the Winnebago who had been killed was sitting in front of the warriors, weeping bitterly, and sobbing as if overwhelmed with a dreadful calamity. When the major had finished his remarks, the chief of the Menominees arose, and made a speech, in which he deeply regretted the difficulty which had taken place, and showed his sincere desire for peace, and concluded by ordering presents, consisting of strings of wampum, furs, &c. to be brought forward, to the value of two or three hundred dollars, which he offered to the Winnebagos as a peace-offering.

A silence now ensued for a few moments, when the desolate widow arose from her recumbent posture, and with a firm step walked up to the warrior who had killed her husband, and who was standing near the principal chief; with a forgiving smile, she tendered him her hand, which he took and shook heartily; at the same instant the head chiefs advanced towards each other, and shook hands and the whole body of the Winnebagos and Menominees

mingled with each other, renewing their former familiar intercourse, and exchanging congratulations on the peaceful termination of an affair which, at one time, threatened the most sanguinary results. The pipe of peace was then smoked, and the tomahawk was buried with the usual ceremony. The commanding officer of the post then retired within the fort, much pleased with the successful results of his attempts at pacification.

DEATH OF RIDGE.

Newton county, Mo. June 29, 1839.

MESSRS. EDITORS: A bloody tragedy has just been acted near the state line, in the Cherokee nation, which for brutality, almost beggars description, and which I give you an account as I have been able to learn.

On the 22d inst. about forty half and full blood Cherokee Indians came to the house of John Ridge, esq. a distinguished Cherokee, and just about day light entered the chamber of Mr. Ridge unperceived by any of the family, and burst a cap at his head, which awoke him, who then saw and left his impending fate, no doubt, and called on his assailants for mercy. Finding the instrument of death which they had presented, failed in its fatal purpose, they took him out of his bed, from beside his wife, carried him into the yard, and then butchered him in a most savage and brutal manner, by stabbing him in the body some twenty-seven times.— They then threw him up in the air as far as they could, and when his dying body reached the ground, each one stamped upon the body as they marched over it by single file, until the last man of them had performed his fiendish purpose. This tragedy was executed in the presence of his wife, children and servants. The shock to Mrs. Ridge was more than she could bear and she was seized with spasms, which threatens her life.

The party after killing Mr. John Ridge, took up the line of march in pursuit of major Ridge, the father of J. Ridge, who had the day before started with his servant, to visit some friends in Van Buren, Arkansas. Report reaches us that the party overtook major Ridge in the evening of the 22d, and killed him on his horse by shooting him. This report is doubtless true. It is also reported that his well known Elias Boudinot and col. Bell, and six other principal men of the Ridge party, have shared the same fate of the unfortunate John Ridge and his father. I entertain some doubts as to the deaths of those last mentioned persons—but it is altogether probable.

The cause which led to this melancholy event, has grown out of the dissatisfaction of perhaps a majority of the old Cherokee nation, in opposition to the treaty familiarly called the "Ridge treaty" and those other persons said to be killed are some of the most prominent men, who with the Ridges, and others, concluded the treaty with Mr. Schermerhorn and governor Carroll, a few years since, the history of which is well known to your readers.

The recent congregating of the whole nation, has endeavored at these old feuds, and they have now consummated the threats of killing Ridge for some time past made.

The friends of major Ridge and his son John Ridge, have, as I am informed, shown eternal vengeance against some of the head men of the nation of the other party. Where these travelties will end, time alone can unfold and determine. John Ridge was a gentleman of highly cultivated mind, having received a liberal education at one of the colleges in Connecticut, where he married a most respectable lady, a Miss Northrop of that state. Major Ridge and his son were both considered wealthy, and were extensively engaged in mercantile business.

Major Ridge was formerly one of the principal chiefs of his nation, and a commanded a battalion of his countrymen under general Jackson against the Creeks during the last war; and although unlettered was altogether a man of strong and discriminating mind. His intercourse with the intelligent and wealthy gave him the appearance of a wealthy southerner. He was kind and hospitable—was about sixty-five years of age.

John Ridge was about 37 years of age—he left a wife and six children. The death of the two Ridges, will long be regretted by their friends and acquaintances.

It is reported that the U. S. dragoons have been called to the scene of murder.

The intercourse with the whites and Cherokees passing to and fro, has not, as yet, been interrupted. Persons having business in the nation and at the forts, go as usual, though there is some severity at present manifested.

Should any thing further transpire worthy of notice, I will again write you. Your friend,
A SUBSCRIBER.

P. S. I saw a gentleman to-day, who confirms her report of the death of major Ridge. He was killed near the residence of Mr. Evans at the foot of Boston Mountain, about 35 miles from Van Buren, Arkansas. He was waylaid and shot from his horse. No further account as to Boudinot and col. ell.

A postscript in the Ozark Standard of the 9th, says:

We have just learned by a gentleman direct from Fayetteville, Ark. that the Ridge and Ross parties are increasing, and that already each party numbers two to three thousand warriors.

The Ridge party are represented as the most numerous, and as determined to revenge the death of their chiefs.

We learn also that gen. Arbuckle had sent two hundred dragoons to demand the murderers of Ridge, who was murdered within the limits of this state. Also, that he had ordered home the Creeks of Senecas who had joined the two hostile parties, who are said to have obeyed his order.

NAVAL PROWESS.

In Cooper's history of the navy, we find the following memorable cases of personal prowess, exhibited by two of our officers during the war with Tripoli:

"No sooner had Mr. Decatur got possession of the first assailed, than he took her in tow, and bore down on the one next to the leeward. Running the enemy aboard, as before, he went into him, with most of his officers and men. The captain of the Tripolitan vessel was a large, powerful man, and Mr. Decatur personally charged him with a pike. The weapon, however, was seized by the Turk, wrested from the hands of the assailant, and turned against its wner. The latter parried a thrust, and made a blow with his sword at the pike, with a view to cut off its head. The sword bit the iron, and broke at the hilt, and at the next moment the Turk made another rush. Nothing was left to the gallant Decatur, but his arm, with which he so far carried the blow as to seize the pike only through the flesh of his breast, pushing the iron from the wound, flesh and all, he sprang within the weapon, and grappled his antagonist. The pike fell between the two, and a short ail of strength succeeded, in which the Turk prevailed. As the combatants fell, however, Mr. Decatur so far released himself as to lie side by side with his foe on the deck.

"The Tripolitan now endeavored to reach his ship, while his hand was firmly held by that of a enemy. At this critical instant, when life or death depended on a moment well employed, or a moment lost, Mr. Decatur drew a small pistol from a pocket of his vest, passed the arm that was free under the body of the Turk, pointed the muzzle and then fired. The ball passed entirely through the body of the Mussulman, and lodged in the ribs of his foe. At the same instant Mr. Decatur felt the grasp that had almost smothered him lax, and he was liberated. He sprang up, and the Tripolitan lay dead at his feet. In such a melee it is not supposed that the struggle of the two adversaries would go unnoticed. An enemy raised his breast to cleave the skull of Mr. Decatur while he occupied by his enemy, and a young man of the uterprise's crew interposed an arm to save him. The blow was intercepted, but the limb was severed a bit of skin. A fresh rush was now made upon the enemy, who was overcome without much other resistance.

In the mean time, Mry Trippe, in No. 6, the last of three boats that was able to reach the weather division, was not idle. Reserving his fire, like the others he delivered it with deadly effect, when closing, and went on board his enemy in the smoke. In this instance the boats also separated by the shock of the collision, leaving Mr. Trippe, with Mr. J. D. Jeney, and nine men only on board the Tripolitan. Here too, the commanders seized each other, and a severe personal combat occurred, while the work of death was going on around them. The Turk was young, and of a large athletic form, and soon compelled his slighter but more active foe to fight with caution. Advancing on Mr. Trippe, he could strike a blow, and receive a thrust in return. In this manner, he gave the American commander less than eight score wounds in the head and two in the breast; when making a sudden rush, he struck ninth blow on the head, which brought Mr Trippe upon a knee. Rallying all his forces, in a desperate effort, the latter, who still retained the short pike which he fought, made a thrust that passed through his gigantic adversary, and imbedded him on his back. As soon as the Tripolitan officer fell, the remainder of his people submitted. The boat, taken by Trippe, was one of the largest belonging to the bastaw. The number of

her men is not positively known, but living and dead, thirty-six were found in her, of whom twenty-one were either killed or wounded. When it is remembered that but eleven Americans boarded her, the achievement must past for one of the most gallant on record.

CRIMINAL OFFENCES.

From the New York Evening Post.

The late secretary of this state presented to the legislature, at its last session, an interesting report on convictions for criminal offences. It is accompanied by statistical tables embracing a variety of details, collected with great labor and skillfully digested. They relate chiefly to the increase of crime during the past few years, the nature of the offences which have been committed, the age and sex of persons charged with high misdemeanors and the criminal statistics of this state as compared with those of England and France.

During the year 1838 the number of convictions fell short of that of 1837 by one, whilst the diminution since 1833 is still greater. But the year is distinguished for offences against property. An unusually large number of these are of the most atrocious and violent character.

The proportion of crimes against the person, excluding cases of assault and battery to crimes against property, in 1833, was 1 to 8.50; and to all other crimes, including crimes against property, 1 to 12.10. The proportion of crimes against the person, including assault and battery, to crimes against property, was 1 to 1.96, and to all other crimes, including those against property, 1 to 2.66.

Although the whole number of convictions was 1,086, the number of persons convicted was but 1,035. Of this number, there were 973 males, 61 females; and one corporation indicted for nuisance. There were forty-seven crimes committed by males which were connected with offences of petit larceny.

The following table exhibits the proportion of crimes of the different classes committed by males and females, during the year 1835.

Crimes.	Males.	Females.	Proportion.
Against the person,	233	13	21.54 to 1
Against property,	536	45	11.92 to 1
Forgery and offence against the currency.	42	0	42 to 0
Other offences,	159	7	22.71 to 1
	1,021	62	15.70 to 1

Of the whole number of crimes committed by females, 37—more than half, were cases of larceny. Of the more heinous offences, four were committed by females, viz: one case of arson; one of poisoning, with intent to kill; one of attempting to poison; and one of assault, with intent to kill. There is no country, of the criminal statistics of which we have any knowledge, where the proportion of females charged or convicted of crimes, is so small as in this state. In England, in 1831, the proportion of males to females was 428 to 1; in France, in 1832, 469 to 1; and in this state, in 1838, as above shown, 1,570 to 1.

In the first report presented to the legislature relative to convictions for criminal offences, senate document of 1837, No. 62, a comparison was instituted, in respect to the prevalence of crime between this state and some of the principal countries in Europe. It was observed in that report, that it was extremely difficult to make a direct comparison between the tables of different countries, which should give an accurate view of the relative prevalence of crime within them, in consequence of the different classification of offences, and the differences which exist in the administration of their criminal laws. The justice of this observation, is strongly illustrated by a reference to the same report, to the comparative state of crime in England and Ireland, greatly to the disadvantage of the latter country. The comparison was founded on the tables prepared under the authority of the British government; and from this comparison it appeared, that there was in the year 1835, one conviction in England and Wales, to every 675 inhabitants, and in Ireland, one to every 377. It is to be observed, however, that the tables for Ireland include a large number of minor offences, which are tried before the inferior tribunals in England, and which are not embraced by the English tables, so that by comparing the whole number of convictions in the two countries, a very different result is obtained. Thus, in the year 1836, the whole number of convictions in England and Wales, was 1 to 212 inhabitants—whereas in Ireland, the whole number was 1 to 450. In this enumeration, are included summary convictions in both countries.—We have no means of making a similar comparison between this state and England, as the convictions before our inferior tribunals are not returned to this office. The convictions embraced by our tables may, perhaps, be fairly compared with the convic-

tions at the quarter sessions and assizes in England and Wales. These convictions for 1836, amounted to 14,774, while the convictions in this state for 1838, were 1,056. Estimating the population of England and Wales at 14,000,000 in 1836, and the population of this state at 2,200,000 in 1838, and the following proportions result from the comparison in England and Wales, one conviction to every 943 inhabitants, and in this state, one to 2,025.

A greater difficulty exists in comparing the state of crimes in this state, with the condition of France in respect to crime. If the convictions in France before the courts of assize only, are admitted into the comparison, it would be greatly to our disadvantage, as a large number of offences are contained in our tables, which in France would be tried before the correctional tribunals. On the other hand, if all the convictions before the correctional tribunals were admitted into the comparison, it would be greatly to the disadvantage of France, as many of the offences are tried before them, which in this state are tried before the police courts, and are not included in our tables. Thus the condemnations in the courts of assize in France in 1832, were but 4,657, which to a population of 32,561,463, would give one condemnation or conviction to every 6,991 inhabitants. On the other hand, the convictions before the correctional tribunals, amounted to 190,440 which, added to the convictions in the courts of assize, would give one conviction to every 166 inhabitants. Of the latter, 166,000 were sentenced to imprisonment for one year or more, 27,524 for a less term than a year, and 156,791 were punished by fine.

The French tables of 1832, also show the number of convictions before the ordinary police courts, amounting to 122,695, of which 177,582, were punished by fine, and 5,113 by imprisonment. Most of these cases were simple violations of police regulations, among which are those which relate to the public safety and health, as obstructing the highways, racing horses in the interior of inhabited places, selling adulterated liquors and unwholesome food. Among them, however, are cases of riot and other offences, which are tried by our higher courts, and which are included in our tables. If the European tables were accompanied with some description of the courts, before which offences are tried, the extent of their jurisdiction, with a tariff of penalties, like that contained in the annexed table unsketched, a more accurate comparison might be instituted between the different countries of Europe, in respect to the state of crime within them as well as between those countries and this state.

It must be manifest from the foregoing facts and statements, that it is only in respect to crimes of the most atrocious character, that a comparison can be instituted, with any chance of obtaining a fair result; and that a direct comparison between the tables of different countries, will almost always be open to the hazard of running out deceptive parallels. The comparison made in the last annual report on convictions between this state and England, were so full, that it is unnecessary to repeat them. At the time that report was made, the secretary of state had not been able to obtain the French tables. If, since that time, procured those for 1832; and, if it may not be interesting to compare France and the state of New York, in respect to a crime of the highest degree of atrocity against the person, as the comparison can now be made on authentic data,

Convictions for	In France, in 1832.	In New York, in 1833.
Murder,	257	4
Do. attempts to commit,		19
Rape,	121	7
Do. assaults with intent to commit,		7
Infanticide,	43	
Total,	561	37

In the total number of convictions for murder in France, cases of assassination, parricide, and poisoning are included; and in the total number in this state, cases of poisoning and attempting to poison, and assaults with intent to kill are included. Even this comparison is not made on exact terms of equality. The French tables show the number of accusations, and the number of acquittals and convictions; so that under the head of murder, attempts to kill will be found. In like manner, assaults with intent to commit rape, are doubtless placed under the head of rape. In our tables they are separated. On the other hand, under the head of "blesures et coups," in the French tables, there are 39 cases of wounds, which resulted in the death of the wounded persons, and 73 cases in which they were left in a state incapacitating them for labor.

Such cases, in this state, would be tried in the higher courts, and classed under higher denomina-

tions of crime. The population of France, in 1822, was, as has been already stated \$2,551,463 souls. Estimating the population of this state, in 1835, at 2,200,000; and a comparison of the two countries in respect to the crimes stated in the above table will give for France 1 to every 59,041 inhabitants; and in this state 1 to every 59,459 inhabitants. The proportion of these crimes for the year 1838 in this state was, however, unusually large so that the comparison is between a very unfavorable year in this state, with a year in France, which does not as is believed, exceed the average of other years. If the comparison be between both countries in 1832, it will give in France 1 conviction to every 59,041 inhabitants; and in this state 1 to every 125,000.

It deserves to be considered, that of the four cases of murder committed in this state in the year 1835, two were by negroes, and one by a Canadian, who had been but a short period in the state. In an able work of Mr. Queseteau, on man, referred to in last year's report, the race or origin of the convicted person is deemed an essential ingredient in the statistics of crime. In the table here, being a mixed population, and attracting to it, commercial importance large numbers of persons from other countries, it is of great consequence that our tables should show to what extent crimes are committed by those who have recently become inhabitants of the state, or who are temporarily sojourning in it. As was stated in last year's report, our tables are exceedingly defective in other respects also. They do not show the ages of the convicted persons, their habits, or the degree of instruction which they have received. If the county clerks were required to furnish such information as should be called for by the secretary of state, complete tables could be prepared with but little trouble, and with no additional expense, excepting that of printing blanks.

By the table marked E, it will be perceived that the only cases, in which sentence of death was pronounced, were the four cases of murder. Three of the persons convicted of this crime were executed in pursuance of their sentence, and the fourth is in the state prison at Sing Sing, his sentence having been commuted by the governor for imprisonment for life.

BRITISH PARLIAMENT.

AFFAIRS OF CANADA.

In the house of commons, July 4, the second reading of the Canada government bill being moved by lord John Russell,

Sir G. Sinclair commented with severity on the vacillating and dilatory course of ministers, and protested against their remaining in office, conscious as they must be that they had not the confidence of Great Britain, or of her dependencies, and that no measure emanating from them could be received with respect or cordiality.

Mr. Home regretted the determination of ministers not to follow the recommendations of lord Durham. He urged ministers to re-establish local governments, and let the colonists know what ground they were standing on.

Mr. O'Connell vindicated the course of ministers. He thought they did right to pause and deliberate before they adopted final proceedings. He rejoiced to find that they did not intend to pledge the house to a union between the upper and lower provinces. The materials for such a union were most discordant, and such a union must press unjustly on some considerable portion of the people. Upper Canada would not consent to such a union except on terms favorable to the interests of that province, which must be most disadvantageous to the inhabitants of the lower province. He had seen with deep regret this recommendation of a union in the otherwise admirable report of lord Durham. It would annihilate the powers of the French Canadians. The French Canadians had been described in that report as kind, benevolent, charitable, excellent persons; exemplary in the performance of their duties; free from vice, which was almost unknown among them, and that what was the result of this eulogium? Why, that it was proposed to annihilate them as a people. No reason was given for this.

If any thing were done to deprive them of their fair share in the franchise, [cheers], they would only increase the existing discontent; in fact, they would be giving them a legitimate ground for discontent, and instead of ending the controversies at present existing in the colony, it would only tend to render them perpetual. [Hear, hear.] It was a fact that in the executive council of Canada there was not a single born native of the colony. Every one of them had been born in some part of Great Britain. Of the legislative council four out of five were British subjects. How was it possible, then, to conciliate the natives if they were thus excluded

from all power and authority? It must be productive of jobbing and dissatisfaction in the minds of the Canadians. It appeared to him extremely doubtful whether it was possible to conciliate that colony, but they could never do so, so long as they proceeded upon the principle of annihilating the French Canadians, and giving political superiority to a race that had no pretensions to it. He would conclude by expressing his gratification that the government had not pledged the house to any bill of the kind for the present session. [Hear.]

Mr. Charles Buller disapproved of the course adopted. He thought the government should take care that no news left England without its being known what was to be done with the colonies.

In his opinion it was the most grievous thing that could be conceived to leave a country in perpetual doubt as to what was to be done for them. There was a general belief growing up in Canada that the interests of that colony were utterly neglected, and they had no right to think so, when, month after month an session after session passed away without any thing being done. From his knowledge of the colonies he could assure the government that the success of the measure rested with themselves; if the people found that they were prepared to carry out the union with *bona fides*, all parties in the colonies would rally round them, for they wanted a good and strong government. The troubles in Canada had arisen because of the uncertainty in which the people had been kept, as for the last ten years the policy of all governments had been vacillating. He fully believed such was the opinion of the people, that it would be very easy to carry out the large plan of union suggested and recommended by lord Durham, and that with the consent of the whole of the legislatures.

There was one warning which he wished to give the noble lord. If he meant not to adopt the union of the two provinces, let him say so at once; but, if the noble lord wished to have it adopted, he was taking a strange course to get the public feeling in favor of it. In the first place, the government seemed anxious that there should be no discussion during the present session; and next, all the information they had given the house was, that objections existed in Upper Canada to the union. The noble lord had laid on the table of the house a report from the committee of assembly of Upper Canada, impugning some parts of lord Durham's report, and also some despatches from sir George Arthur, complaining of other parts of it.

If the noble lord was anxious that the union should be carried, he might have given evidence in favor of the union as well as against it. [Hear.] The noble lord had given no information as to the mode in which the report of the committee of assembly was adopted—that the session was to have been adjourned on that day—that it was kept back till the day on which it was to be carried, and was kept sitting till the Saturday—and that when one-third of the reforming members had gone home, this report was carried, and the clergy reserve bill proposed and carried by one vote. Since the report arrived here, there had been two elections in Canada, and those candidates who were in favor of lord Durham's report for the union carried their elections by a very large majority.

There was one thing in the despatches of sir G. Arthur which especially ought to have made the government very cautious in laying them upon the table. Sir G. Arthur had referred to what he considered the unfavorable opinion which had been expressed by lord Durham as to the execution of two individuals. Now, if the government had looked to the report of lord Durham, there was nothing in it at all justifying the reference to such a subject for all that lord Durham had said was, that the execution of these men had increased the irritation of the public mind, and, certainly, hanging people was not likely to produce conciliation. Most of the facts stated by sir G. Arthur, were utterly and monstrously untrue.

He (Mr. B.) did not mean to say any thing personally offensive, because he did not think that sir G. Arthur stated these facts knowing them to be false, but he should have inquired, and then he would have been convinced that they were not true; and he was guilty of great carelessness in having without inquiry, stated such things. One circumstance he (Mr. B.) would relate to the house. Sir G. Arthur had accused lord Durham of incorrectly stating the number of signatures to petitions in favor of the two individuals referred to as 30,000, allowing them to be only 5,000. Now, a gentleman from Upper Canada had called upon him (Mr. B.) and informed him that he had presented sir G. Arthur with one petition alone, the signatures of which were more numerous than all those which he had acknowledged. What credit, therefore, could be attached to his statements.

Mr. Leader protested against the union of the provinces, or any plan which would have the effect of crushing or annihilating the French Canadians, or of compelling them to sacrifice their feelings, their laws, their language, or their religion.

Lord John Russell was of opinion that a union between the provinces was the principle on which the affairs ought to be finally settled. In the mean while they ought to furnish the temporary government with the power of encouraging public undertakings, and also securing emigration.

After some further remarks, the bill was read a second time, and ordered to be committed on the 11th.

AMERICAN SLAVERS.

From the Commercial Advertiser.

We have a volume of official documents, printed by order of the British parliament, and containing, in part, the correspondence of the British government and its diplomatic and other officers, upon the subject of the slave trade—including, also, portions of correspondence with other governments—between the 2d of February and the 3rd of May of the present year. A portion of the volume is devoted to the United States, and of this we lay before our readers an abstract:

The first letter is from lord Palmerston to Mr. Fox, enclosing one from commander Kellett, of H. B. M. brig Brisk, to rear-admiral Elliott, informing him that in July, 1837, he had boarded the schooner Africa, under the American flag, on the coast of Africa, under the American flag, but having on board nine passengers, Spaniards and Portuguese, with a Spaniard as supercargo, and consigned to a notorious slave trader at the Gallinas. Commander Kellett had no doubt that the brig had Portuguese papers, but, as she was under the American flag, he did not feel justified in making search for them.

Next follows a despatch from lord Palmerston to Mr. Fox, enclosing a report from H. B. majesty's commissioners at Havana, by which it appears that no less than 19 American vessels were engaged, in the year 1838, in carrying on the Cuba slave trade.

Then a despatch from lord Palmerston to Mr. Fox, dated March 22, 1839, including papers received at the admiralty, showing that the American consul at Havana (Mr. Trist) had affixed his name to the papers of vessels about to be employed in the slave trade, and had also signed blank forms, to be filled up at pleasure by the persons in command of those vessels.

The papers referred to are—

1. A despatch from rear admiral Elliott, commander-in-chief on the African station, to the lord commissioners of the admiralty.

2. A letter from commander Kellett to rear admiral Elliott, dated Sierra Leone, August 8, 1837, stating that he had boarded the Portuguese schooner *Senhora de Bon Vigem*, from Havana, and found her papers signed by the American consul at Havana, with the reason assigned therefor, that there was no Portuguese consul at that port.

3. A list of vessels engaged in the slave trade, which had been searched and detained by British vessels on the African station, between October 1 and December 31st, 1838. Among these vessels was the schooner *Constitucio*, under Portuguese colors, from Havana, with papers signed by Mr. Trist, and also blank papers signed by him, to fill up as occasion might require. She had slaves on board, and also irons, plank for slave deck covers, and other slaving equipments.

Then comes a letter from lord Palmerston to Mr. Fox, with enclosures, the principal of which are:

1. A letter from lieutenant com. Birch, of H. B. M. brig Wizard, dated off Bahia, 12th November, 1833 to commodore Sullivan, stating that on the 16th September he had boarded the schooner *Eagle*, Baltimore, under American colors and papers. Lieut. Birch, therefore, did not think himself justified in searching her, although it was alleged that she had landed slaves to the northward of Bahia on the 19th of October, she sailed 1833.

2. Another letter from lieutenant com. Birch to commodore Sullivan, dated as the former, stating that the American brig *Dido*, of Baltimore, Phillips' master, left Havana in March, 1837, with a gentleman, whose name was not stated, and a Portuguese slave cargo touched at the usual port, and was afterwards, and Portuguese papers were obtained there proceeded to the Bight of Benin, and on board five hundred and seventy-five slaves, which she sailed for Bahia. On hearing that point it was seen that U. B. M. sloop of war Sparrowhawk was lying there, upon which the *Dido* haul off, hoisting American colors. The same evening the slaves were landed, the brig put to rights, and the next day she came into the harbor of Bahia under American colors. There was a Portuguese

amed Manuel, on board, who figured as supercargo when the brig was under American colors, and a master when under Portuguese; Phillips, the American master, then representing himself as supercargo. The Dido was under Portuguese colors on the coast of Africa—under American at Bahia. She sailed again for the coast of Africa on the 27th of July. One of her crew, James Fox, subsequently entered on board the Wizard, and declared his readiness to make oath to the facts above stated. He had seventy-five dollars a month as wages, and one hundred dollars bounty when the slaves were landed.

3. Another letter from lieutenant com. Birch to Commodore Sullivan, dated on board the Wizard, off Bahia, December 20, 1838, stating that on the 10th he boarded the schooner *Mary Lushington*, of Baltimore. Reynolds' master, under American colors, with a Spanish and Portuguese crew, from the coast of Africa, bound for Bahia. It was well known at Bahia that she had been sold at Havana for the slave trade, retaining her American papers and master. She had been to the coast of Africa for slaves, but was there so closely watched by one of the British cruisers that, after a stay of some weeks, she attempted to get slaves on board was given up, and she sailed for Bahia in ballast. She was shortly to sail again for Africa.

The master observed to the boarding officer that, if there had been slaves on board, he would not have seen the American colors up.

Then follow two letters from Lord Palmerston to Mr. Fox, instructing him to call the attention of the United States government to the conduct of Mr. Trist, in officiating as Portuguese consul at Havana, and to urge the necessity either of entering into some convention by which British cruisers should be enabled to capture slaving vessels under the American flag, or of stationing American vessels of war on the coast of Africa for the suppression of the slave trade under that flag.

Next comes a letter from sir John Barrow, enclosing six others.

1st. From lieutenant Reeve, of H. B. M. sloop of war *Lily*, announcing the capture of the American brig *Eagle*, sailing under American colors, but with a Spanish crew, and her release by the court at Sierra Leone, because her papers were American. When captured she was last from Havana, and was believed to be the same vessel formerly reported to the admiralty under the name of the *Tres Amigos*, under Portuguese colors, and employed in the slave trade. She was sold at Havana, and Mr. Trist attested the sale, and granted American papers. Three other vessels had been captured and released, under the same circumstances, one of which was subsequently recaptured with slaves on board. Lieutenant Reeve concludes his letter by saying—"no other flag but the American will be seen on the coast in a short time, for it affords all the protection a slaver requires under the existing laws."

2d. From rear admiral Elliott to Mr. Wood; from which the following are extracts:

"Several of the slave dealers have declared their intention to have an American sailing master in each vessel, and American colors; and some have had the impudence to assert that the government of the United States would not discountenance such practices by any act or agreement which could prevent such gross abuse of the American flag."

"The probable object of using the American flag will be to protect the vessels up to the time of the cargo being ready for shipment, then to go through the ruse of selling the vessels to the Portuguese or Spaniards. But in case of capture with slaves on board under the American flag, it should be known what is to be done with the man passing for the American captain."

"The actual sale of nearly all the slave vessels in question takes place at Havana, where one man is engaged to personify an American captain; but they seem very indifferent as to having any pretended American papers. The mere flag, in their opinion, is sufficient, and as they are also provided with proper national flags, they are prepared in case of meeting with an American vessel of war."

3d. A letter from lieutenant Killeit to rear admiral Elliott, dated on board H. B. M. brig *Bisk*, Sierra Leone, October 29, 1838, announcing the capture of the schooner *Mary Ann Cassard*, under American colors. She belonged to Gilbert Cassard, of Baltimore, and had been sold at Matanzas. She had no American papers but the roll, which was signed by the United States consul at Matanzas. The crew consisted of twenty-four men, the master was an Englishman but called himself an American.

4th. From lieutenant Killeit to the same, calling attention to the case of the American schooner, *Mary Hopper*, above stated. She had Portuguese and American papers—the latter to be used if overhauled by a British, the former if by an American vessel of war.

4. From captain Popham, of the sloop of war *Pelican*, mentioning the case of the ship *Venus* of Baltimore, an exceedingly fast sailer, which arrived at Lagos from Boston, on the 5th of November, 1838, took in a large cargo of slaves, said to amount to 1,150, being protected by the American flag and papers while taking the slaves on board, and hoisting the Portuguese flag when she sailed. The *Pelican* chased, but could not overtake her.

At Lagos the *Pelican* boarded a large American brigantine, discharging a cargo for the purchase of slaves.

Subsequently the *Pelican* boarded a Portuguese slave schooner, on board which was an American named Huntington, who had sold the American schooner *Ontario* to a Spaniard at Brass, and was going home. The *Ontario* was protected by the American flag, but was subsequently captured by the *Pelican*, being then under Spanish colors, with 220 slaves on board. She had no papers. The letter concludes as follows:

"It has been stated by Spaniards and Portuguese slaving on this coast, that, were it not for the active co-operation of the Americans, the slave trade would materially decline. I do not doubt, from all I hear, that the citizens of the United States (generally of Baltimore) are more deeply interested in the slave trade to Havana and Brazil than is generally supposed."

5. Extract of a letter from rear admiral Elliott to Mr. Wood, dated February 13, 1839:

"Of American flags used for this purpose, there are more than twice as many at present on the coast; and in so bare-faced a manner do they proceed, that some have not even one American to personify the captain, but satisfy themselves with furnishing one of the crew with a certificate of naturalization for the occasion. If her majesty's ships were at liberty to send some of these pretended Americans to the United States, and the government of that country were to uphold the honor of their flag, by subjecting such lawless felons to prosecution and punishment, it is not to be doubted that the nefarious usurpations of their flag by the most notorious slave dealers belonging to Spain and Portugal."

6. Letter from lieutenant Hall to rear admiral Elliott, stating that on the 23d day of January, 1839, he boarded a fast new Baltimore schooner, in ballast, evidently intended for the slave trade. Crew Spanish, the captain a Frenchman, naturalized a citizen of the United States. American papers.

RECEPTION OF THE PRESIDENT.

From the *New York Evening Post*.

THE PRESIDENT AT HOME.

Mr. Van Buren was received on Friday, at the city of Hudson by his fellow citizens of Columbia county with the warmest and most gratifying tokens of personal and public regard. With the respect which was felt towards him as the firm and dauntless supporter of democratic principles, in times which put his consistency to the severest test, was blended the attachment of old neighborhood, the feeling of personal friendship, and the kindly recollection of his private virtues. The discourtesy of the municipal authorities of Hudson, who do not satisfy the public mind to offer him the usual invitation to visit their city, adopted an offensive preamble and resolution, which were promulgated, with a view of lessening the cordiality of Mr. Van Buren's reception in his native county, had a different effect from what was intended. An immense concourse of people, inhabitants of Hudson and other parts of the county, assembled to greet his arrival—the toils of husbandry, even at this season of great agricultural activity, were intermitted, and the streets of Hudson were thronged as they were never thronged before. The *New Era* of this morning contains an account of the proceedings, by an eye witness, from which we extract the following:

"About one o'clock, the Albany republican artillery accompanied by about an hundred citizens, arrived, and at the same time, the roar of the artillery announced that the president and his escort had arrived. Soon the procession approached. First came col. Darling, chief marshal, and his aids; then his mounted escort, consisting of about 200 young men, with blue and white scarfs; the Albany republican artillery next, then the president in a barouche, accompanied by Messrs. Wiswall, Anable and Woodcut of the committee of arrangements; the committee of arrangements in carriages—a large concourse of citizens on foot, and then an array of carriages and wagons which seemed interminable, as it wound down the hill which overlooks the city. The appearance was truly imposing and grand, and for, very far, exceeded any thing which we could expect.

The main street of the city extends back from the river more than a mile in a straight line. The pro-

cession, in compact order, extended nearly the whole distance. Lafayette's reception is remembered by the citizens of Hudson as a parade exceeding any thing which had ever been witnessed there, and we heard many persons assert that the procession on this occasion exceeded the former in length and number of persons.

The procession moved the whole distance of the city and returned up to the court house, where the president was received by Rufus Reed, esq. the chairman of the committee of arrangements, who addressed him as follows:

MR. PRESIDENT: In behalf of the citizens of Hudson, I bid you a most cordial welcome to our city and county. The deep and thrilling interest which your presence excites, cannot be well and adequately described, except by referring to the cheerful and happy countenances which throng around this hall and park, all anxious to express their profound respect for the chief magistrate of a great and happy nation of freemen. Other cities and villages through which you have passed in your journey hither, have assemled to pay the homage due to your private virtue and eminent public service; but we, sir, are moved not by these considerations alone. We are impelled also by personal esteem and respect arising from many years of intimate and friendly intercourse in your early life. This county claims the honor of your nativity, and the city of Hudson ranked you for many years among her eminent and highly respected citizens. This was the scene of your early, and I trust I may be permitted to add, brilliant professional career. Among those here assembled, you will recognize many, very many, of your early friends and companions, who, with their sons too, have come to express to you feelings flowing from warm and generous hearts, and to congratulate you on your first visit to your native county since your election to the presidency."

To which the president replied:

"I beg of you, sir, and of my fellow citizens who are here assembled, to accept my heartfelt acknowledgments for the very affectionate manner in which you have been pleased to welcome this, my first visit to my native county, since my election as president of the United States.

"The topics to which you have adverted are of an absorbing nature. They indicate the working of just and generous minds, and it requires but few words to make them understood. I dare not trust myself, sir, to describe the feelings they have excited in my own breast, farther than to say that they are cordially, deeply, and sincerely responsive to those which you have so kindly and eloquently expressed. Let me add, that it is to me a source of inexpressible pleasure to meet so many of the associates of my youth, and of my maturer years, under circumstances so truly flattering—a pleasure which is without alloy, save only the regret experienced from being reminded of the loss of many ancient and highly valued friends, but the appearance of their descendants here, to do me honor. I am happy in finding myself once more in the midst of those with whom my career in life commenced, and among whom I may be permitted to close it. In revisiting a city where some of my happiest years were spent, and which is associated with so many gratifying recollections, I resolve in mixing familiarly with a community for whose prosperity and happiness I cherish a solicitude which neither time nor circumstances can efface."

The thousands who had assembled in the square were then introduced to the president, after which he was escorted to his quarters prepared for him at the Hudson house. In the evening this elegant and commodious hotel was illuminated, and all the youth and beauty of Hudson called and were introduced to the president.—Their enthusiasm towards the distinguished companion of their fathers, was becoming and cordial, and the women of that pleasant and enthusiastic place seemed determined that nothing on their part should be wanting to rehaus the hospitality of the city. For several hours his rooms were crowded with anxious and delighted visitors. It was a complete triumph over the people of old Columbia. All the old patriarchs of the democratic party were there. Among them, we noticed many who commenced their adherence to the democratic principles in the days of Jefferson. It was a proud day for the president.—The companions of his youth had not forgotten him or the honor of their country, and he here saw how impotent are the inclinations of mere political mercenaries to repress the ardent affections of the people towards a man they have voluntarily elevated to the highest office known to the governments of the world.

It was gratifying, too, to perceive that, maugre the efforts of the federal leaders, very many of the "whigs" of the county united in paying suitable respect to the president. We heard many of them

consent the conduct of the common council, and asserth that they had left their harvest fields at a at a most important period, to show their disapprobation of such proceedings."

At Kinderhook, Mr. Van Buren's birth place, where he arrived on Saturday, accompanied by the Hudson committee of arrangements, the population, according to the same account, turned out en masse, and the welcome was as enthusiastic and cordial as it was possible to imagine.

From the New York Era.
THE PRESIDENT AT HUDSON.

We give to-day an account of the cordial reception of Mr. Van Buren in his native county. It was indeed, a glorious occasion, gratifying and honorable to him and his friends, while it was a mortifying rebuke and disgrace to his enemies. The common council of Hudson have been in this matter mere tools in the hands of more designing men, who aimed to insult the president in his own county, and in this they were aided from abroad. Their resolutions have been and are now placarded in large handbills, posted in different parts of this city, with a heading of "glorious whig victory! Make way for Columbia! Mr. Van Buren at home." The "whig" papers here and in Albany, have exulted over the degree of what they call "patriotism." The "whigs" in Hudson sent circulars throughout the county, urging their friends to remain at home. And notwithstanding all their efforts, his reception "at home" was enthusiastic beyond comparison. The concourse of the people and the length of the procession were unparalleled in that city. Men of all parties joined in doing him honor, and they who aimed at his disgrace were denounced by their own friends, and covered with shame by the assembled yeomanry of the county of his birth.

Hail, Columbia!—the president's reception at home.
The great pains which have been taken to mar the president's reception in his own county—the extraordinary course pursued by the "authorities" of the capital of the county—and the praises which the federal whig press have so liberally bestowed upon that course, created in us some anxiety to witness his reception at Hudson, so that we might bear true witness. We therefore visited that place on Friday last, and witnessed his reception both there and at Kinderhook.

It was apparent, from many things which we witnessed at Hudson, as well as here, before and since our visit, that the proceedings of the common council had been suggested from abroad, and that its members had been mere tools in the hands of those who designed to disgrace the president in his native county. We were therefore the more pleased at a reception which was as gratifying as it was unexpected; which exceeded our warmest hopes, and which inflicted upon the actors in the attempted disgrace, rebuke as severe as it was merited. The reception of Mr. Van Buren at our city was great, but that at Hudson, considering the difference in population of the two places, far surpassed. It was not a parade of the military, but an assemblage of the people—a demonstration of the democracy.

It was not a reception by the great mass of the people of Hudson alone, but by the democracy of the whole county, who left their fields in the midst of their harvest, and hastened to honor the man whose value and merit they well appreciated, and to vindicate the honor of their county—to erase the stain it had received at the hands of a few intemperate and short-sighted men:

"From her mountains and her plains in troops they came."

The hardy yeomanry—the unpurchasable sons of toil, the patriarchs of the party—the companions of his youth, all were there, and welcomed him, not with the slight and formal shake of the hand, but with the cordial and lengthened grasp, and the pleasure-beating countenance. The thousand anecdotes of his boyhood's home, of which the people were constantly reminding him, gave an increased and absorbing interest to his reception. Old soldiers of the revolution, too feeble to join in the procession, yet came miles to see him, and seated by the way side, added their slouts of welcome. "I have," said one, "voted the democratic ticket for 40 years, and I want to live to give him one more vote." "Thirty years ago!" exclaimed another, "he and I fought side by side against the federalists, and I will never desert him." "It was a plain farmer's boy when I first knew him," cried a third, "and now, boys, see what honesty and industry can make you." Such was the feeling of the old and the young, and he may well be proud of his reception in his native county.

The day was fair, but excessively warm. At eleven o'clock, a mounted escort of young men assembled in front of Slaats's National hotel, and with

the committee of arrangements, proceeded to Greenport, a distance of four miles, to escort him to the city. The streets now began to assume a most animated appearance. Wagons from all parts of the country were continually arriving, laden with independent citizens. The windows were crowded with females, and the streets filled with the expecting multitude.

Incidents at Hudson. We were walking along the main street, when we were introduced to an old soldier of the revolution, who was sitting by the way side in the shade. He told us that he was nearly 90 years old, that he could not walk much, but had crawled out to see a democratic president. More than 30 years ago he gave me my ticket at an election, and we have always voted together since. After the procession had gone by, as we passed the old man, he stopped us, and with a hearty shake of the hand, a moistened eye and a trembling voice he said, "he saw me—he knew me—he nodded to me, and only let me live to see him president once more, and then I shall be ready to die."

A "whig," who had been for years an active and servicable man for his party, but who was disgusted with the proceedings of the common council, called to see the president. As he left him, he exclaimed in a loud voice, "if I ever vote against him again, may my right hand drop off."

An old fellow, who was standing in the shade, to see the procession pass, and who seemed to be getting tired, cried out, "Is there no end to it? There have as many passed already as we had at Bunker hill."

A gentleman of great respectability, called among others to see the president, and their interview was truly affecting. "I am an old man," said the gentleman; "I have passed four score years—I am very infirm but I have not yet forgotten, Mr. Van Buren, the kindness you did me on such an occasion," naming it. The president begged him not to speak of that as a mere trifle. "It was not a trifle to me sir. It saved me, when you ran a great hazard, and could gain nothing. I cannot let you go. I cannot expect to live long, but I hope to have yet one more chance of showing my gratitude."

We overheard a "whig" say, "what cursed fools our folks are! Here they have tried to disgrace the president, and the whole county has turned out to honor him! Just so they always act. They have always been helping him along. I don't believe in such a way of doing things."

The ladies in Hudson seemed determined to redeem their city from the stain of inhospitality. They filled the windows as the president passed along, and in the evening they crowded to see him. His drawing room at Washington never was more crowded. The wives and daughters of federalists came as ready as any. The wife of one of the functionaries, who desired to prohibit any honor to the president, took pains to send one of his clerks to join in the procession. One lady sent him a beautiful bouquet, and the other carried it said that he was forbidden to talk to her, and it was a late hour before these marks of respect ceased.

The president was reminded by an old gentleman who came more than twenty miles to see him, of his having successfully defended one of his sons from some unjust combination. "Poor Joseph," said the old man, "is gone, but I and my two other sons yet live to show our gratitude, and we are all here."

A man wretchedly maimed, was presented to the president, as one who had held fast to his political faith, amid misfortunes and distress, and poverty and temptation. "Such men," was the reply, "are the safety of the country." [N. Y. Era.]

Correspondence of the Argus.

THE PRESIDENT AT KINDERHOOK.
Kinderhook, July 20, 1839.

I have witnessed to-day one of the most animating and gratifying sights I have ever beheld. It was the reception of Mr. Van Buren by the citizens of this and the adjoining towns, in his his native place.

To the president, the cordial welcome of his old associates, his friends, and many of them his former townsmen, who have seen and marked his course almost from infancy until this time, upon his first visit among them since his accession to the chief magistracy of this country, must have been as gratifying, as it was irrepresible and almost overwhelming. The good feeling that pervaded the community, the eagerness with which preparations were made for his reception upon a short notice, and the enthusiasm which marked the reception, stand out in bold characters, and not only proclaim the strong confidence we have in the integrity and talent, but in the correctness with which he has discharged the duties of chief magistrate, and his fitness to contend with such difficulties in future as

may present themselves in the course of his administration. And who, more competent to form an opinion of both the man and the statesman, than those who have been the most familiar with him, and have marked his capacity and virtue from early life? Surely, with such advantages, they of all men should be the best enabled to decide correctly, and of that decision they have this day given public evidence, by the more than cordial welcome with which they have signified his arrival among us.

The time when this would occur was not known until the previous afternoon. Some few preparations had however been made, at a preliminary meeting of the inhabitants—such as the appointment of committees to act whenever it might take place. It having been intimated on Friday, that the president would meet them on Saturday, the committee of arrangements gave notice, that at about 12 o'clock he would be received at Glencadia, about three miles below this place. At 10 o'clock a mounted escort of the field officers of the infantry and cavalry officers was formed in this village, and despatched together in a carriage for the president, in which his brother had taken his seat, to the place appointed for his reception.

About half past ten, the citizens on horseback, and in carriages, together with the committee, formed a line under the order of a chief marshal and six assistants, and followed the escort. Upon arriving at the place designated for the first reception of the president, each horseman and carriage wheeled about into line, bringing the horseman in front and the committee of arrangements in rear, leaving an open space for the president with the military escort in his rear. In a short time the president arrived, accompanied by the committee of arrangements from Hudson, where he had been so cordially welcomed the day before. The moient his carriage stopped in sight of the assemblage, he was greeted with a cheer which made the welkin ring and the adjoining forest sound. The committee of arrangements now simply bade him welcome to his native place, to which he replied in a few and appropriate remarks. His carriage was now placed in line as well as the carriages of the committee of arrangements from Hudson, by whom he was preceded, the military escort bringing up the rear. The whole cavalcade, headed by the marshal and assistants, next the citizens on horseback, two abreast, then the carriages in the order designated, with the escort forming a line of more than a mile in length, commenced their march for the village.

Upon approaching it through the principal streets, the students of the academy and schools, with their respective principals and teachers, had taken up a position in open line. The horsemen as they came up formed upon them, likewise in open line, facing inwards. The carriages formed in the same order as they came up and halted.—The committee of arrangements, headed by the chief marshal, now entered the open space, followed by the president. His escort, the committee of arrangements, and the citizens in carriages, now reversing thus reversed the first order of march, so that the horsemen were in the rear and the president in front. As his carriage passed through the lines of students they gave a simultaneous and hearty cheer. The streets were thronged with foot passengers. All windows were thrown open and filled with the fair, as were the balconies and piazzas. The waving of handkerchiefs and boughs, the greeting of the crowd, the enthusiasm which prevailed and in which all partook, the good feeling which was manifest in every direction—all united to overwhelm the feelings with the strongest emotion.

The cavalcade, in the order described, passed down and through Broad street, turned in the centre of the town down State street; from thence into Sylvester street and up Church street; and when the head of the procession again reached Broad street, the horsemen who formed its rear were still passing. In the four principal streets therefore, and around the largest block of buildings was one dense mass in rolling and moving order.

When the head of the procession arrived at Stranblan's hotel, and the president's carriage drove up, the feelings of the multitude burst out in tremendous cheerings.—Having taken his position in the balcony in front of the hotel, together with the two committees of arrangement, and a crowd of ladies, the president was addressed in presence of the assemblage, by the chairman of the committee of arrangements, in an appropriate and feeling manner. His reply was one of the most effective and beautiful addresses I have ever heard delivered.—The justness and propriety of the sentiments, the pertinency of the language, the grace of the delivery, the feeling allusion to the scenes he had passed through from the time he was a youth to the present, was such that all hearts were melted, and he himself almost overcome by the bare repetition of them.

No combination of words could do more. The simple relation was founded on truth, and its narrative had won the hearts of his hearers. At its termination there was another burst of feeling in repeated cheers. He now took all by the hand that approached him, and exchanged congratulations with his old neighbors and friends. When dinner was announced he sat down with them at the public table. It was, however, understood beforehand that there were to be no set speeches nor toasts, but that it was to pass off as the meeting of friends after a long and painful separation. Thus has passed off the reception by his townsmen of Martin Van Buren in his native village, and although language may imperfectly pourtray the events of the day, it can scarcely do justice to the pleasing emotions which the occasion was so well calculated to excite.

THE PRESIDENT AND THE CITIZENS OF ALBANY.
The subjoined is governor Marcy's address to the president in behalf of the citizens of Albany:

SIR: Your return, after so long an absence, to the place where you resided for many years, to renew, for a brief period, your former social intercourse, is regarded with more than common interest, not only by your personal friends, but by a large portion of the inhabitants of this city and its vicinity. They are desirous to express, in a public manner, the sentiments called forth by the occasion; and have assigned to me the duty of tendering to you, on their behalf a cordial welcome. I shall not attempt to follow out the train of reflections elicited by your visit here at this time; but some of them recur so vividly to the mind, that I cannot forbear to make them the subject of a few casual remarks.

The remembrance of former intimacies and friendships is mingled with the recollection of important public transactions in which you bore a conspicuous part. Here you passed through some of the memorable trials which have attended your career as a public man. Among the vast concourse of your fellow citizens, here assembled to testify to your respect, you see some who were associated with you in many of those trials, and a great number who know, from their personal observation, the character and magnitude of your public services while you were connected with the affairs of the state.

The event which first made you generally known to the citizens of this place, was your appearance here as a member of the legislature, at the commencement of the war with Great Britain. In our halls of legislation, the policy and course of the general government in relation to that war, were arduously resisted. In some sense the battle of the country was fought in your halls. From thence issued a voice which resounded through the nation, and cheered her patriot sons in the most gloomy period of that eventful contest. There are now here those who well remember, and never can forget the zeal, firmness and ability you then exhibited, in vindicating the rights, sustaining the honor and calling forth the energies of the country.

Passing from the occurrences of that interesting period, we recall to mind your decided approval and efficient support of the measure of internal improvement for opening a communication between the western and northern lakes and the Atlantic ocean. The wisdom displayed in adopting a financial system to render the success of the measure certain, without even the hazard of oppressing the industry of the people by increased taxation, next to the bold conception of the practicability of the work, deserves our admiration, and reflects great honor upon you, and has exerted an important influence upon our legislative proceedings.

After this measure was adopted and placed upon such a basis as to ensure success, an important improvement in our political condition was undertaken. The experience of half a century had disclosed defects in the constitutional charter, established by our forefathers, when they renounced their colonial dependence. A germ of aristocracy had mingled with the seeds of liberty which they planted, and it began to produce bitter fruit. To render property inviolably secure to its possessors, is undoubtedly one among the chief benefits to be derived from the institution of governments; but this object can be well obtained without making properly the source of exclusive civil rights and privileges. Among the important changes made in our organic law, was the removal of the restriction it imposed upon the elective franchise. By evaluating this unsound principle from our constitution, a class of our citizens, who, by the adoption of our present institutions, amounted to many thousands, and whose number, in the progress of society, would have more than proportionately increased, was released from a partial disfranchisement, and placed upon an equality, in regard to their civil rights, with the more wealthy portion of the community. This improvement in our civil condition, deserves to be regarded as a memorable event

in the progressive advancement of liberal principles, and we refer to your able advocacy of this principle on that occasion, as one among other causes of the kind reception which has every where awaited you on your present visit to this state.

In the course of events you were called to act in a public capacity on a large theatre. For some time previous to being placed in your present situation, you took an active and prominent part in conducting our national affairs. The majority of the people of the United States expressed their approval of your public conduct and of your political principles, by the highest testimonial they could give—they selected you for their chief magistrate.

You entered upon the duties of that exalted station in a critical conjuncture of public affairs. Wisdom, firmness and prudence were required to keep the government within the sphere of legitimate action. There is a powerful principle ever at work to produce partial legislation. It is the necessary condition of things, that what the government bestows as a favor upon the few, is directly or indirectly abstracted from the many. There never was in any former period of our history, a more distinct development of this principle, or a stronger temptation to yield to it, than that which arose from the unexampled pecuniary embarrassments of the country at the time of your accession to the presidency. Adhering with unshaken constancy to the only measure which, it was believed, could conduct the nation in safety through these embarrassments, arising from the fluctuations of trade, we rejoice to perceive that honest doubts, and in some instances, prejudices, have already yielded to the course of policy which has been pursued, and that the sources of the difficulties, as well as the efficacy of the remedy, are becoming better understood and more justly appreciated.

It is equally a cause of satisfaction to know that all the relations of government, both foreign and domestic, bear testimony in favor of the wise and pacific policy, which while it has guarded the rights and honor of the nation, has secured to all sections of it, even under border excitements of no ordinary magnitude, prosperous tranquility and the enjoyment of the blessings of free government.

In addressing you in behalf of my fellow citizens, I have not referred to the transactions you were engaged in, which connected with the political affairs of this state, with a design to rekindle the passions with which they were attended. These I would gladly leave to the cooling influence of time; but we ought not to lose sight of the principles they involved, and be unmindful of the services of those who have distributed to us the means to combat them, and to happy issues. Nor have I alluded to the embarrassment which beset your administration at its commencement, and the policy which was adopted in reference to it, with a view to give, in any degree a party aspect to our present proceedings. But it has been my object to show, by these references, that it is the services, the talents and the virtues by which the elevated station you occupy is merited, rather than the station itself, which interest the feelings and command the respect of a free people. It is these considerations, I think I am warranted in saying, reinforced by sentiments of friendship, contracted in years that are past, and the recollection of former social intercourse, which have assembled around you at this time, this large concourse of your fellow citizens, to greet you with an enthusiastic and warm hearted welcome.

To which the president replied:

It is to you, sir, and to this great assemblage of my fellow citizens, that I owe the grateful heart for the multiplied tokens of respect and kindness with which you have been pleased to distinguish my return to this city, after an absence of considerable duration and unusual interest. It would grieve me to suppose it possible that the time could ever arrive, when I should cease to regard them as among the proudest trophies of my public life.

The place where we stand is, as you intimate, pregnant with recollections of a stirring character. It has been the theatre of public acts and discussions extending through a long series of years, and producing results which are indelibly impressed upon the character and condition of the state, and will, for generations to come, constitute a most important portion of its history. According to the parts really taken in them by the public men of the day, will ultimately be their political destiny. It has been so with those who have gone before us—it must be so with those who will hereafter come after us. Deception and delusion may, for a season, depress the worthy and elevate the undeserving; but the final judgment of this people as to the tendency of public measures, and the motives of public men, is alike unerring and inflexible. That my own past life should be entitled to so favorable a construction in the estimation of one so capable of

judging, and who has, with much credit to himself and usefulness to his country, been a prominent actor in many of the transactions referred to, is to me a source of great satisfaction.

I cannot refrain, sir, from availing myself of the occasion you have presented, to express the gratification I have derived from my journey between the seat of the general government and that of this great state. It is, I sincerely believe, no exaggeration to say that the world does not present an equal extent of country, possessing in so great a degree the true elements of public and private prosperity. The innumerable improvements on the face of the country, in the condition of the people and the capabilities for their still further advancement, which are every where seen and felt, and no where more apparent than in this honored city, are sufficient to gladden the hearts and excite the gratitude of all who witness them. But these great blessings are secondary in their importance to the conviction, which I think no intelligent and dispassionate observer can resist, of the daily increasing security of our inestimable political institutions—institutions to which we are chiefly indebted for the accomplishment of those great objects, and which so prominently distinguish us from the rest of mankind.

The leading and only saving feature of the system which these institutions were designed to uphold, undoubtedly are the exclusive management and control of public affairs, for their own benefit, by the people themselves, through their immediate, temporary and responsible representatives, with a total and perpetual exclusion of all orders of distinction save only those which private worth and services confer.

It requires but a slight consideration of the subject to satisfy us, in how great a degree, a plan of government, broadly based upon, and deriving its whole alient from public sentiment, is dependent not only for its success, but for its very existence, upon the dispositions and intelligence of the great masses of which the body politic is composed.—When they are either vicious, incompetent or even indifferent to the fate of the republic, the problem of its dissolution inevitably resolves itself into a question of time only. But in proportion as those masses become sensible of their impotence in the general scale, and qualify themselves to act worthily their respective parts,—inasmuch as the bluntest member of the community regards himself as a portion of the state, and an attack upon public order, or upon the principles of the government, as an assault upon himself, which it is as much his duty to resist as would be the invasion of his own domicile—so, and to such an extent, will the power, the stability, and the republican principles among the people be preserved. It is with the great and remarkable advance, which is making in the public mind upon this vitally important point, that I have been particularly struck in the extensive and familiar intercourse which it has been my happiness to have with my fellow-citizens during the last month. No ingenious man, with the same facilities of observation, could, I think, fail to perceive the increased interest which is now taken in the management of public affairs by the masses of the people—particularly by such as are denominated the laboring classes—who were heretofore comparatively listless upon the subject, anxiety with which they seek information, and their success in acquiring it. They, fortunately, every day become more and more sensible of the great truth, that, not possessing like others the means (even if they had the disposition to use them) of ministering to sinister influences, and of thus endangering the power, their only security lies in the preservation of a moderate, regular and constitutional conduct of public affairs, by which the protection of the law over all, shall be equally extended. Reasoning and believing thus, they are taking an active part in the government of the country; not, I sincerely believe, with the slightest desire to overturn or to impair, but to uphold, and resist abuses in, that system, which was so happily framed by our fathers; and the maintenance of which in its original purity, is more important to them than to almost any other portion of our fellow-citizens.

The approbation you have been pleased to express, sir, for yourself, and for those you represent, of my official conduct as president of the United States, is to me peculiarly gratifying. To the difficulties of my position you have done no more than justice, and it affords me the greatest satisfaction to learn from those whose good opinion is second to none, that my estimation in their eyes, in these difficulties have been rightly met and successfully maintained.

It can scarcely be necessary to say, sir, how cordially I reciprocate the assurance of personal regard to which you have in so kind a spirit alluded. My estimate of your worth was formed under circumstances too trying to be temporary, and will, I am persuaded, remain with me through life.

CHRONICLE.

George A. Scherpf, the German importing merchant, who sent a letter to the keeper of the New York city prison instead of the United States marshal, and then met the wrong person and offered to bribe him to procure certain papers relating to a charge of perjury, upon which he had been arrested some time since, was admitted to bail on last Saturday afternoon, and discharged from prison.

Copper. It is stated in the Baltimore Chronicle, that the recently discovered copper mine on Frederick county, belonging to captain Richard Cole, has been opened, and a shaft of fifteen feet sunk into the body of the bed. The ore appears to be inexhaustible, and equal in quality to any in the world.

The Mississippi valley, that is to say, country drained by the Mississippi and its tributaries, has been estimated at 1,400,000 square miles. Massachusetts has a population averaging 32 to the square mile. Were the great valley as thickly populated, it would contain 114,500,000 souls; about seven times the present population of the United States, and one-seventh of the probable population of the globe.

Or at 200 to the square mile, which is the rate of population in Great Britain, the Mississippi valley would sustain 28,000,000, nearly three-eighths of the entire population of the globe.

The region drained by the Mississippi and its branches, is ten times as great as the island of Great Britain, and in fertility of soil and resources of all kinds, is unsurpassed by any under the sun. Why may it not, in a century or less, be inhabited by a hundred millions of people?

[Cleveland Herald.]

Longevity. There is now living in this country, says the Raleigh, N. C. Register, of July 20, a man named Arthur Wall, who is 105 years of age, and who is in the enjoyment of good health and spirits. There is also a negro man, supposed to be about 125 years of age.

Illinois. In this state we have little short of half a million of inhabitants, more than 1,300 miles of rail roads, over 100 miles of canal in progress, and yet there are men living among us, who can recollect the time when there was not a single anglo-American in Illinois. Among the number of these is Colonel Meard, of Kankakee, whose name was given to a new county by the legislature at its last session. He saw the first steamboat ascend the Mississippi river. That improvement brought New Orleans within ten days of Illinois, which before was three months distant. He will, we hope, yet being in green old age, live to see an incident quite as important—the passage of a locomotive engine by the legislature at its last session. He saw the first steamboat ascend the Mississippi river. That improvement brought New Orleans within ten days of Illinois, which before was three months distant. He will, we hope, yet being in green old age, live to see an incident quite as important—the passage of a locomotive engine by the legislature at its last session. He saw the first steamboat ascend the Mississippi river. That improvement brought New Orleans within ten days of Illinois, which before was three months distant. He will, we hope, yet being in green old age, live to see an incident quite as important—the passage of a locomotive engine by the legislature at its last session.

[Black Woodsman.]

The Illinois improvement system still continues to excite a great excitement in Illinois. At a meeting held lately in Peoria, strong resolutions were adopted recommending its "total abandonment," notwithstanding the admission that such a step would involve a sacrifice of \$4,000,000.

Richmond flour inspections. The Whig of Tuesday says: "We learn from the inspector, that the extraordinary number of 239,149 barrels and half barrels of all qualities, were inspected during the year ending the 30th of June last. This is the largest number inspected for many years, and we believe his only once been exceeded."

Contracts for new wheat, red and white, deliverable in August, have been made by the Richmond millers at \$1.10 per bushel.

The coal shipments. An erroneous impression having been entertained abroad, as to the comparative amount of shipments from the different coal regions, last year and the present, the Pottsville Journal has published the following statement from the printed report, which will place the matter in a correct light. The computation is made in round numbers, of the amount shipped up to the present time:

1833.	1839.	
Schoykill,	157,000	188,000
Lehigh region,	74,000	80,000
Lackawanna, about	30,000	25,000
	261,000	307,000
		251,000

Excess of the present year, 46,000

Sluice at Key West. This half-way house, which receives so much of our West India commerce from coral reefs and sand banks, has already received this year over \$75,000 in salvage. As the New York Sun says, it is but a small tax, perhaps, when it is considered, that without our wreckers and courts of admiralty, ten times the loss might fall on our commerce, without adverting to the frauds that might be more easily perpetrated under foreign jurisdiction, by intentional shipwrecks, false statements, collusion, &c. as has happened in former years.

The butchers of Pittsburg and Chambersburgh are buying beef cattle at from six to seven dollars the hundred weight. Calves, sheep and hogs at from five to seven cents per pound.

Health of Pensacola. Pensacola, as we learn from the Gazette, has a population of 2,200; and not a death has occurred in the city since the 1st of April! Is there another place on the continent that can say as much for itself!

Cumberland road. Major Ogden, who is engaged in making a reconnaissance of the route of the Cumberland road from Vandalia to the Mississippi, arrived in this city on Saturday evening last and has taken lodgings at the National hotel. He left his company about 20 miles from the city—they say will be here in a few days. We are told that it is his purpose to make an examination of two routes, one terminating here and the other at Alton. We believe it is also made his duty to reconnoitre the routes from the Mississippi to the city of Jefferson, in this state—and we presume, he will make a full examination of the respective localities on either side of the Missouri river. We trust our facilities which may contribute to a thorough examination of both routes.

[St. Louis, Mo. Republican.]

Liberal donation. Thomas W. Williams, esq. of N. London, Conn. one of the representatives elect to the next congress, has recently given \$1,000 to the colonization cause. The Missionary, Bible and Tract societies have shared his munificence, and continue to do so.

The seat of government of Illinois has been removed to Springfield. The supreme court now in session there, has two constitutional questions to decide, viz: whether the governor has the power of removing the secretary of state at pleasure, and whether the legislative assembly have the right of voting under the constitution of the state.

Virginia manufactures. The Ettrick cotton factory at Petersburg has just declared a half yearly dividend of eight per cent, and the Merchaot's factory, at the same place, a half yearly dividend of nine per cent.

Bunker Hill monument. There appears now to be a fair prospect, that the funds necessary for completing the monument, estimated at \$30,000, together with the further sum of \$10,000 for grading and fencing the grounds, will be speedily raised, and that at no distant period the work will be completed. It has been stated in some of the papers that \$14,000 of the necessary amount have been offered by four gentlemen of this city—brothers. It is stated that \$500 have been offered by another gentleman—\$1,000 by a third, and \$10,000 by a gentleman at the south. These liberal contributions are offered on the condition that the necessary sum shall be obtained to complete this work at once—an object which as we have remarked, towards the end of the doubt will be attained.

[Boston Daily Ad.]

The universal Yankee nation. We copy the following from the Boston Daily Advertiser of Monday:

The schooner Gil Blas, Howes, which sailed hence about May 2, for Matamoros, arrived on the 27 days passage. She carried out a number of New England people, as machinists, &c. with machinery, for the establishment of a cotton factory in Mexico. There was some anxiety felt for her safety, as nothing definite was heard of her since her departure, until yesterday. Captain Howes writes that he was subjected to heavy fines, and that the various authorities, and the part of the custom-house officers. But by dint of perseverance, in asserting his rights, finally forced their acknowledgment. The Gil Blas has since arrived at Mobile.

New wheat. The Rochester Daily Advertiser, of a late date, says: New wheat was contracted for in this city, on Saturday, at \$1 per bushel, and the prospect is, that it will be about the average price, for a time, at least. Some farmers will doubtless think it hard, to be obliged to sell their wheat for one dollar, after having, for the past few years, been in the habit of getting one dollar and twenty cents to two dollars per bushel. So long as they get two bushels with nearly the same labor, and on the same amount of ground that formerly yielded them but one, they have very little reason to complain.

The amount of tolls received on the Miami (Ohio) canal during the half year ending on the 1st instant, was \$22,363, showing an increase of fifty per cent. over the tolls received during the corresponding period of last year. It is supposed that after the present year the canal will furnish a net revenue of one hundred per cent interest on the debt which has been contracted for their construction. Indirectly—in the increased value of property and of the products which are now sent to market at cheap rates—the cost of these works has been paid back many times over.

The Bonaparte family. A Marseilles journal remarks that the month of May is fatal to the Bonaparte family. Napoleon died May 5, 1821; Pauline Borghese, May 10, 1823; cardinal Ferey, May 13, 1829; Caroline Bonaparte, May 13, 1829. By the death of his late wife, he now has no surviving sister of Napoleon. His living brothers are Joseph, the eldest of the family, Louis, Lucien and Jerome. The three sisters of Napoleon were Eliza, Pauline and Caroline (Murat's widow), who took the name of countess of Liponi, as the anagram of Napoli, and a remembrance of her past greatness.

Slavery in Iowa territory. The first business session of the supreme court of the territory, was held in Burlington on the first week in May. The court decided that slavery was contrary to the laws of the territory, and that a slave taken there to work in the mines and permitted to hire his own time, gained thereby a right to his freedom.

Twenty-five hundred laborers are wanted on the Wabash and Erie canal, at the rate of one dollar weekly and a half cent per day.

The Louisville Gazette, of the 16th instant, under the head of "quick transportation," says: "A gentleman of this city sent recently to England for some shrubs, plants and flower seed; his letter was received by his New York correspondent on the 30th of April. The shrubs, plants and seeds were purchased in London, on the 17th of May, and they are now set out and actually growing in a Louisville garden."

The Boston Times seems to doubt the extent of the law practice of the distinguished Prentiss, of Mississippi. We know that he has now on hand, besides other suits, four, for which the fees are \$10,000 each. [N. Y. Star.]

Carriages in Paris. Great complaints are making in Paris of the crowds of vehicles which block up the streets. This is not surprising, for while in 1815 there were only fifteen thousand in Paris, the number is now quadrupled, being no less than sixty-one thousand in 1833, viz: cabriolets, hackney coaches, diligences and omnibuses, twenty thousand; cabs, &c. thirty-eight thousand; private and livery carriages, six thousand.

Sylvester's (New York) Reporter, of the 8th inst., says: "In the account of Barnstable, a company of Missouri, has disposed of six hundred thousand dollars of its stock to an agent of the Messrs. Rothschilds, of this city. The company can have any amount of money they require to carry the works into operation from the same source at 5 per cent. The quality of the iron is to be examined by two manufacturers of the article in New York and Baltimore, now on their way to the iron region."

Two hundred thousand dollars damages are claimed by the heirs of Mr. Storer, recently killed on the Philadelphia and Trenton rail road.

Historical facts. In Barker's collections of Massachusetts historical facts occurs the following: "An account of Barnstable. We meet with two singular facts. It is stated that the West Barnstable church is the first Independent Congregational church of that name in the world! It was organized in England, 1616, by Henry Jacob, who, after preaching eight years, fled from persecution to Virginia, where he died. The second minister, rev. John Lohrbor, with forty-two of his church, were apprehended and imprisoned. In two years, on promise to leave the country, he was liberated, and came to New England, and finally settled at Barnstable in 1629. A large rock is said to be near the place where the first public meetings were held. It is another singular fact, that the first Baptist church in England, of that name, sprang from the first Congregational church in West Barnstable. One of the members while in England, brought a child to be rebaptized. This was refused, and on mature consideration, a large majority of the church voted against the innovation.—The few who desired the rebaptism withdrew, and thus originated the denomination called Baptists."

The machine shop of Mr. William Norris, the celebrated manufacturer of locomotives, was destroyed by fire on the 20th ult. The U. S. Gazette thus notices his liberality to two of the fire companies which were present on the occasion:

"We mentioned briefly, yesterday, that a generous individual, named Schuyllkill hose company, fifty dollars; and have since learned that we did not give Mr. Norris credit for all his liberality. He also presented to the Good Will engine company the like sum. The reason for selecting these companies is, that they remained until after daylight to secure, if necessary, the premises of that gentleman from injury. Mr. Rush also gave the last named company twenty-five dollars."

Deaths in high life. Looking over a London paper, among the law reports, we found that a rule nisi for an attachment was granted against lord John Russell, for some alleged contempt of court; that another, for something else, was applied for against the marquis of Normanby; and that Daniel O'Connell was brought up for withholding a letter that had been entrusted to him by one of his clients, and which he retained because it would be highly important to him, he said, in his action for slander against lord Normanby. [N. Y. Com. Adv.]

The following, from the New York Express, will enable our readers to form some estimate of the expenses incurred in the publication of a daily paper, and to multiply the estimation of each week, to say nothing about paper, ink, wear and tear of type, rents, &c. &c.

Editors—Political and miscellaneous,	1
Commercial,	1
Ship news and markets,	1
Correspondent at Washington,	1
Reporters,	3
Clerks,	2
Collectors,	2
News boat establishment,	7
Night printers,	11
Day do. (with boys),	10
Mail men,	2
Boys,	2
Carriers,	12
Slavery by contract,	6
Miscellaneous,	1
Total,	65

Capital of Ohio. The corner stone of the new capital of Ohio was laid at Columbus, on the 4th July, with appropriate ceremonies.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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☞ The president of the United States arrived at Saratoga Springs on Thursday the 1st inst. and is now there.

Mr. Clay had visited Montreal and Quebec, and was expected at Burlington (Vermont) on Tuesday, and was to attend the commencement of the University on Wednesday last.

☞ We find the following in the Globe of Wednesday evening:

"The postmaster general having been called to his paternal mansion by the dangerous illness of his father, all his powers and duties devolve, during his absence, upon S. R. Hobbie, esq. his first assistant."

The secretaries of state, and navy, and the attorney general, are also absent from Washington, and will, as we learn from the Intelligencer, continue absent for some weeks. Major S. Cooper, assistant adjutant general, is acting secretary of war, and commodore I. Chauncey acts as secretary of the navy.

The Army and Navy Chronicle states that the secretary of war will stop at Cattaraugus, where he is to hold a treaty with the Indian tribe in that vicinity. At Saratoga Springs he will join the president of the United States, and they in company will make a tour over Lakes Ontario and Erie, as far as Detroit—and possibly to Saint St. Marie.

Major gen. Macomb is also absent from Washington on a visit to Warrington, Va. Springs.

MINISTER TO RUSSIA. The United States Gazette, says: "We understand that George M. Dallas, esq. minister to Russia, has obtained leave to return home, and is expected in this city in September next, to resume his profession, in which he has been so ably and so advantageously known." It is said that Mr. Cambreleng will succeed Mr. Dallas as minister to the court of St. Petersburg.

THE COTTON CIRCULAR. The N. Y. Commercial, says it is very well understood that the cotton circular, which appeared in New York some weeks since, backed by Mr. S. V. Wilder, and which was supposed to have emanated from the bank of the United States, was written by gen. Hamilton of South Carolina.

NORTH CAROLINA. Messrs. Edward Stanley, M. T. Hawkins, Charles Shepard and Jesse A. Bynum, all members of the last congress, have again been elected. It is stated that Kenneth Rayner has succeeded over Mr. Sawyer. Particulars in our next. The remaining nine districts voted on Thursday last.

THE FLORIDA WAR. It will be seen by the accounts published in another page, that the Florida Indians have utterly disregarded the so called, "treaty" which gen. Macomb made with Chitto Tusunuggee, the self appointed successor of Sam Jones, and commenced an indiscriminate slaughter of all the white settlers within their reach, and that they are now better prepared to carry on their bloody work than they were before that unfortunate arrangement was entered into.

The treaty and the savage deeds which have followed it, have created the greatest indignation in Florida and throughout the country, and the government must take some decided measures to expel the savage murderers, let them cost what they may, or abandon the territory to their uncontrolled sway—for now no man can reside without the limits of a populous settlement unless at the hazard of his life. As one means of exterminating them, it is proposed to employ either United States mounted volunteers, from parts of the country which are familiar with the habits and mode of fighting of the Indians—and who can operate without being controlled by the United States officers, and who can with proper guides dash into the woods and hammocks, &c.—or, entering persons, who will be allowed to settle on portions of the public lands, upon condition of fighting the Indians and protecting the country, &c.—or, both these, and similar species of force combined, are considered the best troops for the purpose. A small and bold band of about 40 men have consented to act, under a leader, to hover over the hiding places, and dash among the enemy. They are to be allowed so much for the scalp of each Indian warrior,

or a prisoner, and the money has been raised by private subscription among the people of Florida.

It will be also seen by reference to the Florida news, that commissioners have been despatched to confer with the president on the best means of protecting the territory.

Since the above was prepared for the press, we have received the following disastrous intelligence:—

Office of the News, St. Augustine, Aug. 3.

The war renewed! The following account of the surprise of col. Harney's command, reached here this morning by express. Col. Gales, commanding east of St. John's, has transmitted orders for the immediate defence of the posts south.

Asst. Adjt. General's office, Army of the south, Fort Brook, (E. F.) July 29, 1839.

Sir: It becomes my painful duty to inform you of the assassination of the greater part of lieutenant col. Harney's detachment by the Indians, on the morning of the 23d instant on the Colesahatchie river, where they had gone in accordance with the treaty at Fort King, to establish a trading house. The party consisted of about 25 men, armed with Colt's Rifle; they were encamped on the river, but unprotected by defences of any kind, and it is said without sentinels. The Indians in large force made the attack before the dawn of day, and before reveille, and it is supposed that 13 of the men were killed, among whom was major Dallam and Mr. Morgan, settlers. The remainder, with col. Harney, escaped; several of them severely wounded. It was a complete surprise.

The commanding general therefore directs, that you instantly take measures to place the defences at Fort Mellon in the most complete state of repair, and be ready at all times to repel an attack, should one be made. No portion of your command will, in future, be suffered to leave the garrison except under a strong escort. The detachment at Fort Matiland will be immediately withdrawn.

Should Fort Mellon prove unhealthy, and the surgeon recommend its abandonment, you are authorised to transfer the garrison, and reinforce some of the neighboring posts. I am, sir,

Geo. H. GRIFFIN, *asst. adjt. gen.*

Lieut. W. E. Hanson, *commander of Fort Mellon.*

MEXICO. Intelligence has been received at New Orleans that Santa Ana had been driven from the presidential chair, and gen. Bravo elected in his place. Doubtful!

MR. CAMPBELL. The "Richmond Whig," in reply to the article copied in the REGISTER, of the 7th ult. from the Globe, stating the causes which induced the president to remove Mr. Campbell, says—We are authorised to say, that the article in the Globe of the 25th, contains the most atrocious falsehoods."

The "National Intelligencer" contained the following also in reply to the same article from the "Globe," which we postponed until the present, in anticipation of a statement from Mr. Campbell, which will, doubtless, be laid before the public.

"We have been requested by a friend of the late treasurer Campbell to say, that the statement of the Globe of Thursday evening last, in relation to the official conduct of that officer, is not true, as will in due time be made to appear.

"As to the intimation of the Globe that Mr. Campbell was removed from office because of occasional absence from the duties of his office, and suffering them to be discharged in part by persons in the office subject to his orders, it may be remarked, that this is at least a new offence in the catalogue of unpardonable sins. There is no office at the seat of government, we believe, in which the constant personal presence and action of the chief and responsible officer are supposed to be indispensable. Certainly it is not so in the case of much higher offices than that of the treasurer.

"As a particular illustration to the contrary, (and not with any intention to find fault with it), may be mentioned the fact that the secretary of state charged with the most important of the administrative duties under the president, having but just returned to his office, after an absence of several weeks, is again absent from it, and will remain so, probably, for as many weeks more; and that it has

frequently heretofore happened that important correspondence in the office of the secretary of state has been carried on, in the absence of the secretary, (both before and since Mr. Forsyth held the office), by the principal clerk of that department. To a greater or less extent, the same has been the case with other heads of bureaus; but no president has ever before considered such absences as constituting a sufficient ground for the removal of the head of any department from office. Instead of the case of Mr. Campbell having been brought within any known rule, therefore, his case has been made an exception, and an unknown rule applied apparently to effect a premeditated purpose.

"There would be some plausibility in the pretence upon which Mr. Treasurer Campbell's removal is justified, if, like those western sub-treasurers who were not removed, but retained in office or re-appointed, he had appropriated to his own use, or caused to be lost or wasted, any of the public funds committed to his charge. But nothing like this is alleged; nothing of the sort can be pretended. On the contrary, whilst some hundreds of millions of dollars have been received and disbursed under the direction of Mr. Campbell, not a dollar had been lost or misapplied through any neglect or misconduct in the treasurers' office. All the public money that ever came within the control of the treasurer, whilst he held the office, has been faithfully kept, and, in every instance, we believe, disbursed according to law."

CHESAPEAKE AND OHIO CANAL. We learn from the National Intelligencer that the stockholders of the Chesapeake and Ohio canal company assembled in general meeting in Washington on Monday last, when the "revising committee" appointed by the stockholders on the 3d of June last, made a very interesting report in relation to the past proceedings of the company and its future prospects. The report was adopted by the unanimous vote of the meeting, and will, under a standing order of the stockholders, be printed in pamphlet form.

NAVAL. The U. S. sloop of war Warren, Wm. A. Spencer, esq. commander, arrived at Pensacola on the 14th July, from a cruise down the gulf, last from Metamoras. The U. S. ship Erie, commander Taylor, was seen standing in for the anchorage off Tampico, on the morning that the Warren took her departure from that place.

The court of inquiry in the case of commodore Elliott, has adjourned; but from the mass of testimony to be examined by the revising power, it will be some time before the opinion is made known, if indeed it be made known at all, without a call from congress, or its being such as to require a court martial.

By reference to our navy head, it will be seen that lieutenant Edwin W. Moore has resigned his commission in the U. S. navy; consequently there can be no longer any doubt of his having accepted the command of the Texan navy.

[Army and Navy Chronicle.

DIAMONDS. A daughter of Mr. Swain, of Philadelphia, attended a ball at Saratoga, a few evenings since, adorned with a circlet of diamonds worth \$20,000. Only think what a host of poor sick devils contributed toward its purchase, by swallowing her father's panacea!

[Boston Post.

We depise the foolish pride which induced a parent thus to decorate his daughter—but would ask our brother of the Post, if it is not better thus to appropriate the profits of physicking "poor sick devils" than to sport a splendid equipage purchased with the hard earnings of the widow and the fatherless? And yet our cities are crowded with the latter, and honest people, who would "throw physic to the dogs," bow to their owners and praise them as *clever fellows*!

MATHEW CAREY. The following beautiful and truly tribute to this untiring philanthropist, is from the Philadelphia U. S. Gazette. The editor ought to have added, that his charitable efforts in behalf of the poor of his own city, form but a small portion of his good works to benefit mankind. As one of the most able advocates of the American System, the most noble cause that ever inspired an Ame-

rican patriot, he has placed his countrymen under lasting obligations; and the day is not distant, when his services will be acknowledged with gratitude, even by those who most resolutely opposed his principles.

"Honor to whom honor is due. Among the men of the present age who occupy lofty places as philanthropists, I know of none who stand higher than our venerable fellow citizen, Mathew Carey. It is conceded on all hands, that were a large sweep made into his numerous charities, and into his acts for the relief and comfort of suffering humanity, *that one act alone,* which is wholly his own, in conception and execution, of obtaining relief for the out-of-door poor, (that is, for those who cannot, for the thousand reasons that press upon hearts of a certain mould and texture, pass the threshold of the almshouse,) would stand as an enviable and enduring monument to his fame.

"In view of such a charity, how do the ordinary acts of man sink into insignificance! The strife after gains, the efforts to climb the way to public honor, up the *soiled* precipice which leads to it—how do these sink into insignificance in comparison of such a work of mercy as this!"

WAR AMONG THE NORTHERN INDIANS. *From the St. Louis Republican.* By a letter from a gentleman residing at fort Snelling, dated July 10th, to a house in this city, and from which we are permitted to take the following extract, we learn that a most unhappy state of affairs is now existing between the Sioux and Chippeway tribes of Indians, and great slaughter has been made of the latter. Mercy seems to have formed no part of the savage character. One indiscriminate massacre of men, women, and children appears to be the rule of warfare. [It may elucidate the extract to state that a large number of the Chippeway tribe had assembled at fort Snelling to receive their annuities, and the events which followed, related below, occurred a few days prior to the date of the letter.] The extract says:

"The Sioux and Chippeways have had a brush at two different points on the St. Croix, and again about thirty miles above the Falls of St. Anthony. The Chippeways, just before leaving the pillagers, I believe, had killed at Lake Calhoun a Sioux brave, one much liked and esteemed by his tribe, and took his scalp; an hour or two after sunrise, the news having spread like wild fire, the Sioux, about two hundred strong, left the Falls, (St. Anthony.) *Hale-in-the-day,* a Chippeway chief, had pushed on with his party, and was not overtaken. The Sioux who left the Falls came across a party of the Rum River Band, attacked them about sunrise the next morning, and killed one hundred and thirty-three men, women and children. This was above the Falls. Big Thunder, a Sioux chief, crossed the country in pursuit of the Strong Ground Band of Chippeways, and overtook and fought them at St. Croix. Big Thunder told the Sioux not to fire where the whites were, (Messrs. Atkins and McLoud's party), and as the Chippeways huddled round the whites, many of them thus escaped.—Notwithstanding, the Sioux killed thirty-six men of the Chippeway party, and some women and children.

"The country is in great excitement, and will continue so for some time. There will no doubt be a general engagement between the Sioux and Chippeways before many months more. *Hale-in-the-day,* is a chief not to be trifled with, and the Sioux are consolidating under his flag, a first rate warrior, who has been to Washington.

"This is the substance of the extract referred to, and is an evidence of the unhappy state of affairs existing between those tribes. The next news in all probability will be an account of the slaughter of an equal or greater number of the Sioux by some band of the Chippeways.

GEN. SCOTT left this city on Monday evening, the 29th ult. for the east, via the Falls and Sacketts Harbor. We learn what is almost unnecessary to state, that the result of his western mission has been highly satisfactory. In 1832 Gen. S. concluded a treaty with the Winnebagos by which that tribe ceded to the United States, a great portion of their territory in Wisconsin, in exchange for a very liberal annuity, and a tract of land west of the Mississippi, agreeing at the same time to remove. It has since been ascertained that the tract west of the Mississippi, is not as valuable nor as extensive as was supposed at the time of making the treaty of '32, and the Indians have also manifested a disposition not to remove any where, although very willing to receive the annuity punctually.

They are as demoralized a tribe as can be found on the continent, and serious apprehensions of trouble were entertained. To put matters straight,

and to allay any hostile feelings which might exist on the part of the Winnebagos, was the object of gen. Scott's mission, and as we have said above, he has accomplished his undertaking. The Indians have accepted a large and fertile tract of country south of the Missouri, and have agreed positively to remove. We congratulate the citizens of Wisconsin on this removal of one great obstacle to the rapid settlement of their fine territory.

There were some coincidences during general Scott's journey, which may interest some of our readers. He had stopped at one of the ports of Wisconsin with the intention of procuring a canoe to cross to Fort Winnebago; but being unable to find any, was obliged to take the Illinois, then on her way to Chicago, which he did on the anniversary of the battle of Chippewa. Returning he took the same boat, on the anniversary of the battle of Lund's Lane. Blake, the captain of the boat, and as fine a specimen of the frank, gallant sailor as ever lived, was a common soldier under Scott at one of these battles, and for his conspicuous bravery was by him, on the field, promoted to the rank of sergeant. Neither party had forgotten the event, which was duly commemorated on its 25th anniversary. [*Buffalo Com. Adver.*]

FROM BUENOS AYRES.—"The British Pocket" of the 25th of May last, received at the Exchange Reading Rooms, contains a long correspondence between commodore John Nicholson and the United States navy, commanding the naval forces on the de Brazil and the Rio de la Plata, and governor Rosas, of Buenos Ayres. It appears that the American commander felt it incumbent upon him to offer his services as a mediator between the government of the Argentine republic and the representatives of the French government, with a view to reconcile the differences which have given rise to the existing blockade of Buenos Ayres.

His communication to that effect received at the hand of governor Rosas a courteous answer, in which he expresses a wish to be satisfied of the authority by which the commodore acted, to which the latter replies that he acted by the verbal authority of the French charge d'affaires and admiral. It would seem that the governor entertained doubts as to the power of the charge d'affaires to arrange the difficulty, inasmuch as the French consul had previously stated that he alone was authorized to treat in the premises, and the minister plenipotentiary of France had said in a note to the charge de Mirigny, the charge d'affaires "would enter upon his official duties after the conclusion of the differences between France and the republic."

The basis of an amicable arrangement offered by the governor, through the commodore, secures protection to the French persons and property, and places them in regard to military duty, as heretofore, on the same footing with other nations, with which the republic has no treaty. It also proposes indemnification for any losses justly sustained by the French, should the same be proved, and requires a like indemnity to Buenos Ayrean subjects, together with the restoration of the island of Martin Garcia, and restitution for injuries committed by the French along the shores of the river of Plate and elsewhere. To these the American commander objects, in the form set forth, and suggests a modification which proved unacceptable to the governor.

As anticipated by commodore Nicholson, the proposition of Rosas was rejected by the French admiral and charge d'affaires. The modification proposed by commodore Nicholson provides for a prospective treaty, and that the indemnities shall be settled according to the law of nations instead of the laws of Buenos Ayres, with some minor points. It seems to have been the desire of both parties to constitute H. B. Majesty the referee in the event of their not agreeing. Commodore N. tendered the use of the United States ship Fairfield as the place of meeting of the parties to discuss the indemnities, as neutral ground, and appears to have been actuated throughout the affair by a sincere desire to bring about a reconciliation. Perhaps this desire may have induced him to overlook points of etiquette which the Buenos Ayrean government was not so willing to dispense with—such as the presentation of credentials on the part of the French charge d'affaires,—before any official action could be had in a matter of national importance. [*Ball. Amer.*]

NO RUN ON THE BANKS AND THE LAST NEWS FROM ENGLAND. We are mortified to see any portion of the press recommending a run on the banks.

We object still more to the exhortations from some profligate quarters, that the banks and merchants should ship all their specie to England.

An attempt at any thing of that kind would be suicidal to them. Neither depositors nor bill holders could be expected to look on quietly and see their only security for immediate payment torn from them, and placed in the hands of foreigners.

On the other hand, we earnestly hope, that while the banks make proper efforts to discharge their duties to their creditors here, they will be treated with forbearance and kindness.

Any other course will, in the end, prove as ruinous to the community at large, and especially the laboring classes, as to the banks.

It will not only derange the currency, but unsettle the prices of every thing, and make the poor and industrious portions of society a constant prey to sharks in the form of brokers and speculators.

Caution, justice, steadiness, economy and reasonable confidence, will carry all through the crisis except the few, whose inordinate rashness in the pursuit of wealth always exposes them to shipwreck in the lightest squall.

The last news from abroad, with the exception as to cotton, is certainly favorable.

The rate of interest has not been raised to six per cent. as was anticipated; the Bank of England had not been run upon for gold to pay the dividends, as some feared; the rate of exchange with the continent appeared improving; the English stocks did not decline; the budget had been opened, and the revenue was improving instead of growing worse; and the prospect of the crops was good.

Cheer up, then. Persevere steadily in retrenchment and industry. Put your own shoulders firmly to the wheels, rather than clog them, and all will be well with those who have any right to expect success. [*Globe.*]

THE BANK OF ENGLAND. The N. Y. Times says considerable excitement and alarm having been created in the English commercial world, by an announcement in the Banker's Circular and many of the London newspapers, that the Bank of England had refused to discount for joint stock banks and corn and cotton speculators, Mr. Atwood took occasion in the house of commons on the 8th July, to refer to the subject, with a view of ascertaining whether the statement in question was true.

Sir J. R. Reid, governor of the Bank of England, disavowed, on behalf of that institution, all intention to impose any such restriction. This disavowal, which from the high character of the individual making it, may be received with implicit confidence, puts at rest all fears that any invidious distinction will be made by the Bank of England as regards bills of exchange connected with these important commodities.

The course pursued by the Bank of England in contracting its discounts and augmenting its rate of interest, should in our opinion be referred to the suggestions of a wary policy, unmixing with hostility toward any particular branch of trade.

During the same debate Sir John Reid in referring to the gloomy condition of monetary affairs, said:

"It was his firm conviction and belief, that this present difficulty was a passing cloud, and that this cloud which overhung them had not been produced by any action of the bank, but by nothing more nor less than by the balance of trade being against them. He knew as a merchant, that the trade of the country was improving; he knew, also, that at the exports took place their money would be returned; and he had no doubt—no more anxiety—about seeing every thing rectified, than he had about seeing the sun rise to-morrow morning."

NATIONALITY OF WHALE SHIPS WITHOUT A LICENSE RE-AFFIRMED. In the U. S. court of the district, judge Belts presiding, some sailors of the whale ship Georgia were, on the 3d instant, tried for revolt. The defence was in part, that the Georgia not having a license was not to be considered, in virtue of recent decisions, as a foreign vessel—and that therefore, the court had no jurisdiction.

The court, as reported in the New York Express thus laid down the law: [*N. Y. American.*]

I lay it down as a rule of law, that persons at subject to criminal prosecution for offences committed on board American vessels on the high seas, in foreign ports, and that the ownership of the vessel determines her international character, within the interpretation of these laws.

Whatever effect the want of a license, and proceeding on a fishing voyage under a register may have as to the privileges and advantages of the ship under our revenue laws, her being documented by the one or the other improperly, does not denationalize the vessel. She may be subject to duties at disabilities at the custom house, as if not documented

ed at all, or as if she was a foreign vessel, but no act of Congress takes away her intrinsic character of American property. But the court will go further, and say that vessels under a register, and not having a license, can be legally employed on a whaling voyage, and can come into American ports without subjecting themselves to the disadvantages or disabilities of foreign vessels. And that these vessels which go to the South Atlantic ocean, ought to be admitted on paying American tonnage duties, and no duty on the oil; and that the statute which requires a license refers to a different sort of trade.

IRELAND. Some counties of Ireland appear to be in a frightful state of distress. Colonel Percival recently called the attention of the government to the subject in the house of commons. He said—
He could not suffer one day to pass, having a knowledge of this distressing case, without putting a question to the government upon it. When hundreds of people are endeavoring to live on one meal a-day, and that composed of the worst description of potatoes, called bladders, with the aid of wild spinach, he felt it his duty at least to draw the attention of the government to the fact, and particularly to the state of the people of Newport. (Hear, hear).

Mr. O'Connell thought it was impossible that any discussion, in that house or out of it, could increase the amount of misery in Ireland. (Hear.) Owing to the failure of the second potato crop, the people were on the verge of starvation. He spoke with a knowledge of the state of things in Kerry, in which county the gentry had made every sacrifice and done all they could to alleviate the sufferings of their poor neighbors. The case was of that pressing nature that it was absolutely necessary that something should be done in the way of relief, without the least delay. (Hear, hear.)

Mr. Serjeant Jackson said he had also received the most melancholy accounts from the south-western parts of the island. He had received four letters on this subject from Brandon and its neighborhood; and, to mention one fact only, it appeared that, out of a population of 7,000 persons, there were 3,000 in a state bordering on starvation, and 1,000 utterly destitute. A very small amount of relief from the government, promptly administered, would save great numbers of the population from perishing. (Hear, hear).

THE COST OF THE CANADAS TO GREAT BRITAIN. John Bull loves colonies dearly, or else he would not pay so dearly for them. The daily pay of 14,000 regular soldiers, to say nothing of volunteers, who squander more money than the regulars, would make as brother Jonathan would guess, a good many rail roads—According to the budget of the chancellor we see that the cost of keeping the Canadas is running the two great treasury ashore. If we had their 14,000 soldiers on our public works, with the officers and engineers, we would soon finish up our New York and Erie, and New York and Albany rail roads. The armed body in Canada is now estimated at 33,000 men. [N. Y. Express.

(From the Chancellor's speech.)
The extraordinary expenses in Canada in 1837-38, amounted to 245,620*l.* the extraordinary expenses in the following year was 701,400*l.* making a total of 947,000*l.* of extraordinary expenditure for the years 1837-38, and 1838-39, that is to the month of April, 1839. This included every article of extraordinary expenditure incurred in Canada, according to the best information I have. For this amount, a vote had been taken on account of 500,000*l.* Deducting this sum from 947,000*l.* there would remain a balance of 447,000*l.* to be provided for. This disposed of the expenditure of the two previous years. I now come to the possible expenditure of the present year for Canada. I shall take the total expenditure which bears on the subject at 1,101,300*l.* that is for the year ending April, 1840. Of this sum we have already provided for 500,000*l.* which has been voted on an estimate. In the charges are given of the force in Canada. This I do not mean to deal with at present, but there are certain other charges in the ordinance extraordinaries, which may be taken. Adding this amount to the sum I have just mentioned, we shall have the sum of 594,700*l.* provided for by estimates. Deducting this from the charge of 1,101,300*l.* there will remain a balance to be provided for of 506,600*l.* If this sum is added to the surplus of 447,000*l.* arising in the two previous years, it will appear that the total extraordinary expenses incurred in Canada for these three years, and not yet provided for is 1,053,000*l.*

This is not a state of things that can be regarded as satisfactory, and it is thought that the extra expenditure for Canada was likely to become a permanent

charge, I should feel it to be my duty to come down to the house to propose that provision should be made accordingly, and I should feel it to be my duty to propose a tax to meet this charge. But this charge of a million does not apply to the service of the present year, but also to an arrear of charge for services ordinary and extraordinary for the whole of this extraordinary expenditure is not one which I contemplate as a permanent charge on the country. God forbid that Canada should continue to call for such an expenditure, and that we should not see the time when this charge might be greatly or entirely reduced. If the expenditure arises from circumstances of a temporary nature, I do not think it would be prudent, or that I could with justice ask the house to impose a permanent tax to meet the charge.

[The permanent tax must come, the way things are managed in the Canadas.]

SIR ALLAN MACNAB. About ten days ago some unfavorable reports reached this city from Upper Canada with respect to the hon. Allan MacNab, speaker of the house of assembly of that province, which, however, no one believed, though every one regretted to find that the gallant knight had been made the object of the malicious aspersions of his enemies.

We now rejoice to learn from the Toronto Patriot, that the whole of the reports in question were altogether void of foundation. The first of these reports alluded to by the Patriot, is a charge of forgery against sir Allan, which is scarcely necessary to add, the Patriot contradicts in terms of just indignation and scorn. It is added that sir Allan has entered a criminal infraction against the author of this falsehood.

The next report related to the private embarrassments of sir Allan MacNab, which is stated to have originated in the same quarter. The third report was that sir Allan's property at Hamilton had been seized, under legal proceedings, by the bank of Upper Canada, for a debt of £10,000; but the report turns out to be untrue, as the hon. gentleman owes that institution not one farthing for which the bank has not satisfactory security. In conclusion, the Patriot says:

The rest of the slanderous spawn we have neither time nor inclination to touch upon, except to say, that the two or three additional stories about executions, &c. &c. are all trifling lies, the consequence attendant upon the great ones, and we do trust the public, in all parts of the province, will express, in the most marked manner their indignation and abhorrence at the wicked and malicious slander with which the honorable and gallant speaker has been covered. [Montreal Gazette.

LETTER FROM SIR ISAAC COFFIN. From the British Naval and Military Gazette. It is again most gratifying to us that we are the channel of presenting another hundred pounds from our gallant and esteemed friend admiral sir ISAAC COFFIN to the royal naval school. The letter which we subjoin from this noble veteran and excellent sample of the best British sailor, will warm the heart of many a rich countryman, and we earnestly pray that the peers and rich countrymen of the land may not be unmindful of the appeal. This is the third hundred pounds we have received from sir Isaac Coffin, for the same patriotic purpose.

To the editor of the Naval and Military Gazette.

Cheltenham, June 6, 1839.
I have been sometime fitting for foreign service, or, as a landsman would say, *terra incognita*, and remain ready to trip my anchor at a moment's notice.

The last festival meeting has revived my hopes that our naval school will now meet with encouragement from noblemen and gentlemen who cannot fail to remember what the navy have done to protect them from invasion, plunder and devastation.

With such names as the earl of Devon and lord Yarborough our advocates, we may expect the host of naval officers who have not subscribed will come forward to a man, and make up for lost time by a very handsome subscription. It would be invidious in me or could mention names high up in the service, and well able to contribute, who have never subscribed one shilling, sheltering themselves under the futile pretext that such an establishment was uncalled for; to those men I would say *memo mortuorum omnibus horis sapit*.

In return for the general refusal of the dukes of the empire, to support the school, I wish the next time the country is in danger they may all pass a winter off Brest, with a batch of them at watch and watch; then they would see and feel what we poor sailors undergo. A thousand pounds from each of the potent nobles would affect their pockets much less than my humble donation. I live in hopes that they will yet follow the duke of Bedford's example, and *pone dustum*. Fearful I may suddenly slip my

wind, and in the hurry of departure forget to order (my bankers, Messrs. Coutts, & co.) £100 to be set aside as my last effort to maintain the credit of the naval school, that always has had my fervent prayers for its success, you have herewith the necessary document. Please, when cashed, to hand the amount to my friend, sir Edward Codington, for and on account of the institution.

I am, &c. ISAAC COFFIN, admiral.
P. S. I may now exclaim with the Greenwich pensioner, "Then put up my tarpanlin jacket, sing, fiddle and dance to my grave."

THE THIRTEEN STRIPES. The Nantucket Inquirer published the following article from a London periodical of 1753, as corroborative evidence of an often asserted fact, that the first vessel which displayed our national flag on the waters of Great Britain was a Nantucket ship.

The ship Bedford, captain Moores, belonging to Massachusetts, arrived in the Downs the 30 of February, passed Gravesend the 4th, and was reported at the custom-house the 5th instant. She was not allowed regular entry until some consultation had taken place between the commissioners of the customs and the lords of council, on account of the many acts of parliament yet in force against the rebels in America. She is loaded with 487 bolls of whale oil, is American built, manned wholly by American seamen, wears the rebel colors and belongs to the island of Nantucket, in Massachusetts. This is the first vessel which displayed the thirteen rebellious stripes in any British port. The vessel is at Horseydown, a little below the tower, and is intended immediately to return to New England.

DONALD MACLEOD, ESQ. It will be seen by the following from the *New York Times* that Donald MacLeod, esq. late of Washington city, has purchased an interest in that paper, and will hereafter be its principal editor. Mr. Mac L. is a bold and vigorous writer, and we sincerely hope that his career may be pleasant and profitable.

"We have the pleasure of announcing to our friends and readers, that Mr. Donald MacLeod has become a proprietor in the establishment of the *New York Times* and *Commercial Intelligencer*.—The principal charge of the editorial department will hereafter devolve on Mr. MacLeod, who is a gentleman of experience in the business he has undertaken. The political character of the paper will remain unchanged, and the commercial and news departments will continue to be kept up with vigor.

"To our numerous friends and readers we feel grateful for the support they have given to the *Times*, and shall endeavor to merit increased patronage.
"Mr. MacLeod will enter on the discharge of his duties to-morrow."

THE LATE COMMODORE PERRY. It is stated in the New York Star, that the Rhode Island Historical Society, at their recent annual meeting, adopted, without a dissenting vote, a resolution which has for its object to vindicate the truth of history in relation to the celebrated victory achieved by the late commodore Perry, on Lake Erie. The merits of that heroic commander on that occasion, have been drawn into question, by several writers on American history, and it is due to the character of his native state, to protect from every injury his well earned fame.

PRIDE OF BIRTH. Catherine, duchess of Buckingham, natural daughter of James the second by the countess of Dorchester, was so proud of her birth that she would never go to Versailles, because they would not give her the rank of princess of the blood. At Rome, whither she went two or three times to see her brother, she had a box at the opera distinguished like those of crowned heads. She not only regulated the ceremony of her own burial, and dressed up the waxen figure of herself for Westminster Abbey, but had shown the same insensible pride on the death of her only son, dressing his figure, and sending messages to her friends that if they had a mind to see him lie in state, she would carry them in conveniently by the back door. She set to the old duchess of Marlborough to borrow the triumph car that had carried the duke's body. "Sarah, as mad and as proud as herself, sent her word that it had carried my lord Marlborough, and should never be profaned by any other corpse." The duchess of Buckingham, to mortify her, sent her word that "she had spoken to her undertaker, and he agreed to make a finer one for twenty pounds." When very ill, she sent for Mr. Anstis, and settled all the ceremonial of her funeral; and, fearing she should die

before all the pomp was sent home, said—"Why don't they send the canopy for me to see? let them send it, though all the tassels are not finished."—And she made her attendants vow that, if she should be senseless, they would not sit down in the room before she was dead.

ANOTHER HERO GONE. Jonathan Mason, a soldier of the revolution, recently died in New Hampshire, at the age of 74 years. It is stated that he was once taken prisoner, and that being brought before general Burgoyne, that officer questioned him as follows:

"Well my lad, what do you think of yourself now?"

"Same as I always did."

"What do you think of being a prisoner?"

"Why, I think that you and all your men will be in the same fix in three weeks."

"All the yankees in America can't make me a prisoner of war."

"You'll see."

In three weeks, sure enough, Burgoyne and all his men fell into the hands of the yankees.

FORTUNE OF AN EMIGRANT. We find the following in a late New York paper, every word of which is true:

"Among the passengers who left New York for England, in the Great Western, we perceive the name of Mr. Francis Hall, one of the editors of the Commercial Advertiser. The history of that gentleman's career is an admirable exemplification of the reward which sterling merit and persevering industry are sure to obtain in this country. He came to America when a boy of 15 years of age, a steerage passenger, and obtained employment as a carrier boy of the Advertiser. From that station he was promoted to the office of "packer." Next he became clerk, and afterwards part proprietor of the establishment. Now he is one of the principal owners of that lucrative concern, and has amassed an independent fortune. The exile who came to America a poor boy in the steerage of a packet ship, returns to his native land in the luxurious cabin of a steam ship, with honors and wealth acquired by his own industry."

PHILADELPHIA, as it was laid out by the wise founder would have been truly a surpassingly beautiful city at this day, had its plan not been set aside by subsequent legislators. Of all the changes made in the original plot, there is but one for the better. William Penn designed a street, now so called, as the main thoroughfare of the city between the Delaware and the Schuylkill, and named it Broad street. The street now so called was afterwards determined upon as the dividing line, and we think judiciously, as it is higher ground. Here, however, all compliments to the founder's successors must cease. He designed several public squares, large, and well situated, which have been long covered with houses. No lanes or alleys were in any part of his plan; now the number and narrowness of them are on many accounts exceptional. Above all, the most tasteful of the primitive designs of Philadelphia has been ruthlessly subverted. Penn laid out the wharves or landing, without a house east of Front street.

He intended that the entire bank of the river in front of the city should be left unoccupied by buildings of any description, and being planted with trees, 'should form a wide and shaded promenade, extending from the most southern to the most northern point. But after his death merchants began to invade the sacred ground. The provincial legislature at first granted permission to them to build houses upon the river bank, the tops of which should not be higher than the level of Front street. By degrees further innovations were made, until the whole space was covered with buildings, and with a mean, narrow and unhealthy street dividing them along the line of the river.

It cannot be pretended that ample room and verge enough could not have been found west of Front street for all the immediate or prospective business of the city. To have stored merchandise a few yards higher up could not have injured it, and sail lofts, shop-stops, and sailor boarding houses could have flourished equally well, removed to an equal distance. In these days of brick and mortar, with the theodometer at 100, and the sun blazing upon the red pavement, the citizen confined to the limits of Philadelphia, may at leisure lament the folly of his ancestors, who destroyed the beautiful plans of good old WILLIAM PENN. [Nat. Gaz.]

SABBATH SCHOOLS IN LOWELL. A writer in the Lowell Courier makes the following statement.

There are now in the city fourteen regularly organized religious societies, beside one or two others

quite recently established. Ten of these societies constitute a Sabbath school union. The third annual report was made on the fourth of the present month, and it has been published within a few days I derive from it the following facts. The number of scholars connected with the ten schools, at the time of making the report, was 4,936, and the number of teachers was 433, making an aggregate of 5,369. The number who joined the school during the year, was 3,770, the number who left was 3,129. There were three quarters of the scholars are females. A large proportion of the latter are over 15 years of age, and consist of girls employed in the mills. More than five hundred of these scholars have, during the last year become personally interested in practical piety, and more than six hundred have joined themselves to the several churches. Now, let it be borne in mind, that there are four or five other Sunday schools in the city, some of which are large and flourishing, not included in this statement. Let it be borne in mind, too, that a great proportion of these scholars are the factory girls, and furthermore, that these most gratifying results, just given, have nothing in them extraordinary—they are only the common, ordinary results of several of the past years. There has been no unusual excitement, no noise, no commotion. Silently, quietly, unobtrusively, from Sabbath to Sabbath, in these little nurseries of truth, duty and religion, has the good seed been sowing and springing up—watered by the dews and warmed by smiles of heaven—to everlasting.

I said, after making some statements in relation to the rate of mortality during certain years, among our manufacturing population, that these results could hardly find a parallel in medical statistics. I now ask, and I trust that I may do so without any vain boasting or presumption, whether the moral or religious statistics of any part of moral and religious New England can furnish more gratifying results than those which I have just given. Let us look at them once more. In a population of about 20,000 souls—some what less, probably, than this—there are fifteen religious societies, ten of which have connected with their Sunday schools, in the capacities of teachers or scholars, more than five thousand individuals. If to these we now add the scholars and teachers in the remaining schools, we shall have an aggregate of more than six thousand souls, connected with one third of the entire population, connected with the Sunday schools. This is no place for invidious comparisons, and I will not venture but I may speak with some confidence, I think, whether these facts are very compatible with the existence of a corrupt, debased, licentious and morally deteriorating population.

MIRACULOUS ESCAPE.—A CHILD RESCUED FROM A PANTHER! Last Saturday forenoon, Mr. James Rainey and wife, who live about 9 miles east of this village, in the town of Watson, set out home on business, leaving their house in charge of their oldest child, a girl aged 12 years. Near noon the girl heard an infant, aged 14 months, who had been laid while asleep on a bed in an adjoining bed room, utter a horrid scream, upon which she immediately ran to its relief, and imagine her feelings upon opening the door, to see a panther with the babe in its mouth, leaping from an open window immediately over the bed! But she, like a true heroine, sprang upon the bed and then out of the window, screaming at the height of her voice, and upon being joined by the other children about the house, pursued the panther at her utmost speed. They followed it about forty rods to a pair of bars which separated the clearing from the forest, at which place the girl states that she, approached to within 15 or 20 feet of the panther, when it relinquished its hold of the child, leapt the bars and made its way into the woods. The infant was picked up almost strangled from its rapid movement through the grass and sand, which had filled its mouth and eyes, but soon recovered, and is now well, save a few scratches over its body, which have the appearance of having been made by the panther's teeth. These marks are very plain, and there are several blood-blisters raised where the teeth in slipping came in contact. The girl states that the panther dropped the child once before arriving at the fence, and it is supposed the giving away of the clothing was the cause, as they were much torn.

We have the above particulars from unquestionable authority, and the probability of the story will not be questioned, when it is known that the immense forest east of the river is inhabited by panthers, and that at this season of the year they frequently are the personification of famine itself, which fact accounts for its approaching the dwelling, the tardiness of its movements, and its inability to leap the bars with its prey in its mouth, as we under-

stand it made two ineffectual efforts before giving it up.

[Lowville, (Ky.) Journal.]

HISTORY. From the *Virginia Advocate*, Messrs. Editors: The Richmond Whig and National Intelligencer, with I know not how many papers besides, have lately published a letter purporting to be from John Adams to some male friend, (commencing, "Dear sir,") and dated July 4th, 1776, mentioning the adoption of the great act of independence, and predicting the glory which, through future times, would enircle the annual returns of that day.

Now, it happens that the letter in question was addressed to no man; but to the WIFE of Mr. Adams. That lady, than whom none that ever lived felt deserved to be the wife of such a patriot, shared most intimately all the hopes, knowledge and counsels of her brave and virtuous husband. No sage or hero of the times had a wiser mind, or a madder heart. It was this character of her, which made Mr. Adams address her in a style not usual towards women, but such as one statesman would employ towards another, his equal, and bosom friend. And it was no doubt this style which misled some newspaper editors, several years ago, into the error now committed by the Intelligencer and Whig, for it does not begin with them.

You will find the true version of the letter on page 329 of Niles' valuable book of documents called "Principles and Acts of the Revolution," which I have now before me. Mr. Niles took it from a Boston paper, to which it was communicated by the late Judge Rufus Dawes, who had received it, he says, from the hands of Mr. Adams himself. The true date of the letter is July 3d—not the 4th—and it is the 2d of July (when the resolve to declare independence was finally adopted) that Mr. Adams says "will be a memorable epocha in the history of America."

Of this day, (the 2d of July), Mr. Adams goes on to say—

"I am apt to believe that it will be celebrated by succeeding generations as the great anniversary festival. It ought to be commemorated as the day of our deliverance, by solemn acts of devotion to God Almighty. It ought to be solemnized with pomp, shows, games, sports, guns, bells, bonfires and illuminations, from one end of the continent to the other, from this time forward for ever.

"You will think me" (he continues) "transported with enthusiasm; but I am not. I am well aware of the toil, and blood, and treasure that it will cost us to maintain this declaration, and support and defend these states. Yet, through all the gloom, I can see the rays of light and glory. I can see that the end is more than worth all the means, and that posterity will triumph, although you and I may rue it—which I hope we shall not."

These passages, and others from the same letter, are woven by Mr. Webster into the noble speech which, in his eulogy on Adams and Jefferson, he imagines to have been uttered by the former in support of the Declaration of Independence. By a singular accumulation of blunders, that speech has, in several instances, been copied into newspapers (and Massachusetts newspapers too) as a real one of John Adams, and not as a mere felicity of Mr. Webster's imagination.

It seems to me, Messrs. Editors, that these mistakes are worth correcting; especially that which defrauds Mrs. Adams of the high place belonging to her in history, as the partner of a pure and great patriot's public plans, no less than of his tender affections. L.

THE CASE OF JACOB RIDGWAY AND OTHERS. At Philadelphia, the court of common pleas, before which, under a writ of habeas corpus, the evidence of an alleged conspiracy by Jacob Ridgway, Daniel Mann and T. M. Lloyd, to defraud the creditors of the latter, was examined, have unanimously discharged Mr. Ridgway. The opinion of the court was delivered by Judge Randall. We take the occasion again to remark briefly upon the conduct of certain journals in cases of this kind. All the ex-parte testimony offered before the mayor during the examination, which resulted in his binding over the parties above named on a charge of conspiracy, was spread before the public, without their having the privilege of explaining or contradicting it, and their characters, which should not have suffered in such a case, any taint until a verdict by a jury should have proved them guilty, were thus exposed to all the imputations attendant upon an actual conviction. For our own part, we cannot, having in view this wrong done to a citizen, who is now discharged as wholly innocent, after a fair investigation of the case, discover any public good which may be supposed to balance the private injury which may be inflicted in this manner. We have

seen in numerous journals published at a distance, mention of the "conspiracy," and of the parties, as if proven guilty. The presses which caused this injustice cannot now repair it, but it should at least be a lesson for their future consideration.

[Nat. Gaz.]

CATTLE AND RAILWAYS. A complete revolution is being made in the mode by which the supplies exhibited at Smithfield cattle market for sale are received. Previously to the formation of railroads, the whole of the stock—with the exception of the calves from Essex, which, from time immemorial, have been conveyed by wagons—arrived at the above market by drift; but now the case is quite different. Since the opening of the Southampton line, all the most extensive graziers in the Isle of Wight have transmitted their lambs by this conveyance. By the Great Western and Birmingham roads the receipts have been large; but by far greater things are expected, immediately the northern and eastern railway (or Cambridge line) is completed, since a direct conveyance will be secured from our grazing districts. On an accurate calculation we find but little, if any, difference exists between the sums charged by the railway companies and those by the drovers; but when the excellent condition in which the stock arrives is taken into consideration, every disinterested person must admit that the transmission by railway is advantageous both to the seller and purchaser—the former receiving, in many instances, higher rates than those whose stock has been driven to market, the latter being far less liable to be deceived in the weighing qualities, since it is a well known fact, that all kinds of stock, which travel far, lose a considerable portion of their internal fat. [Farmer's Mag.]

NAVIGATION OF THE RIO GRANDE. The *Extract of a letter dated, Metamoros, June 22.* "The United States sloop of war *Vandalia*, captain Levy, is now at anchor off the mouth of the Rio Bravo del Norte, having arrived there on the 19th from Pensacola, whence she sailed on the 8th instant. Captain Levy and some other of the ship's officers are now in this place, having come up the river with a boat's crew of 12 men. Captain Levy informs me that the ascent was not effected without much tugging and tracking, and some wading. This is the first time a national boat of the United States has ever accomplished this feat, (which occupied two days), or visited *Metamoros*—The well known perseverance and energy of captain Levy, herein exemplified, deserve commendation, particularly when we consider the meagre which his presence gives to Mexicans of the vigilance of our government in protecting the rights of its merchants and citizens here, against the capacious officers and rapacious people of a needy government. Captain Levy speaks of the Rio Grande as one of bold majestic aspect, and having a channel of from fourteen to twenty or more feet in depth, with its banks most perpendicular. It is thought to be easily navigated by steam. The distance, however, from the sea to this place, is about ninety miles by the river, though by the road it is but about thirty-six miles."

FROM NORTHEASTERN TEXAS.

By a gentleman arrived yesterday from Nacogdoches, Texas, via Natchitoches and Red River, we learn that considerable excitement prevails in the neighborhood of St. Augustine and Nacogdoches, in relation to the hostile movement of Bowles, the Cherokee chief, who, it is feared, contemplates a hostile invasion. General Rusk had sent expresses in different directions for all the militia to turn out, and had already collected nearly one thousand men. His camp, when our informant left, was within two miles and a half of that of Bowles, and an engagement was hourly anticipated.

Bowles, in the meantime, was hourly receiving reinforcements from Arkansas, and the struggle was expected to be severe.

There is little doubt, in the neighborhood of Nacogdoches, that Bowles has an understanding with the Mexican authorities, and that he has been incited to this hostile movement by a promise of immense grants in Texas in case he succeeds, and that moreover the Mexicans have agreed to attack the western frontier in the vicinity of San Antonio or Goliad to instigate him still farther. We are anxiously looking for the results of the action near Fort Houston, at the forks of the Sabine and the Trinity, which must have taken place on the 13th or 14th instant, unless a treaty had been effected between the vice president of Texas and Bowles, of which there was little hopes.

The Kickapoos, a warlike and dangerous tribe, whose skill with the rifle is said to be as great as that of the Tennessees, Kentuckians or Texans, have joined Bowles, who is spoken of as shrewd,

designing and ambitious chief, well educated, and perfectly conversant with the English language. The Texans desire no treaty with the Indians—all they want is a war of extermination, since they have learned the treachery of Bowles. The latter has always pretended to act a perfectly friendly part; but the interception of several letters lately, to the authorities of Mexico, has shown him in his true colors. [New Orleans Pic.]

LATER NEWS.

From the *New Orleans Bee*, July 29.

The following highly interesting letter to the editors of this paper was received yesterday by the steamer *Velocipede*, from Red River:

Natchitoches, July 29, 1859.

GENTLEMEN: Enclosed you will herewith receive an official report of an engagement which took place on the 15th inst. and a letter from gen. Rusk, dated the 17th instant, 75 miles northwest of Nacogdoches, Texas, between a large body of Cherokees, Caddoes, and other Indians, and the troops under the command of brig. gen. K. H. Douglass, from which it will be seen the enemy sustained a heavy loss.

Taken from the Red Lander, a newspaper at San Augustine, Texas, dated July 20, 1859.

Head quarter, San Carter, July 16, 1859.

To the hon. Sydney Johnson, secretary of war:

SIR: On yesterday the negotiation on the part of the commissioners having failed, under your order the whole force was put in motion towards the encampment of Bowles, on the Neches. Colonel Landrum crossed on the west side of the Neches, and marched up the river; the regiment under colonels Burleson and Rusk moved directly to the camp of Bowles.

Upon reaching it, it was found to be abandoned. Their trail was ascertained, and a rapid pursuit made. About six miles above their encampment, in the vicinity of the Delaware village, at the head of a prairie, they were discovered by the spy company, under captain J. Carter, and a detachment of 25 men from captain Todd's company, led by general Rusk. The enemy displayed from the point of a hill—gen. Rusk motioned to them to come on—they advanced and fired four or five times, and immediately occupied a thicket and ravine on the left.

As we advanced, the lines were immediately formed and the action became general. The ravine was instantly charged and danked on the left by colonel Hleson, and a part of his regiment; the rest of Burleson's regiment were led by lieutenant colonel Woodlee. A portion of general Rusk's regiment charged at the same time, and another portion took a position on a point of a hill to the right, and drove a party who attempted to flank us from that quarter; thus instantly driving the enemy from the ravine and thicket, leaving eighteen dead on the field, that have been found, and carrying off, as usual, their wounded, as was seen by our men.

Our loss was two killed, one wounded mortally, and five slightly, to wit: D. H. Rodgers, of captain Tipp's company; John Crane, of Harrison's company; H. P. Cronson, of same; Hooper, H. M. Smith, and Ball, of Burleson's command; James Anderson, of captain Lewis's company; Solomon Albright, of captain Vansickle's company; Geo. S. Daughter, of captain Box's company, slightly.

Col. Landrum was not able, having so much further to march, to participate in the engagement, but has been ordered to join this morning. All behaved so gallantly, that it would be invidious to particularize. The action commenced about half an hour before sunset, which prevented pursuit. Most of their baggage was captured, 3 kegs of powder, 250 lbs. of lead, and many horses, cattle, corn and other property. By order of

K. H. DOUGLASS,

Brigadier general commanding T. A. JAMES S. MAYFIELD, *aid-de-camp.*

A letter from general Rusk, dated 17th instant, has also just reached this place, in which the remarks: "We have had another engagement to-day with the Indians, who occupied a very strong position. The contest lasted an hour and a half, when we charged and drove them from their station, in which, however, they sustained considerable loss, the amount of which is not yet ascertained. Bowles was found among the dead.

"Their number was very considerable, I think 500 or 600. Our loss was 2 men killed and upwards of 20 wounded, amongst whom are my brother and major Augustine, of San Augustine county." We are happy to learn that every precaution has been taken to cut off the retreat of the enemy, and thereby prevent a protracted war. We shall anxiously await further intelligence from that quarter, and will endeavor to keep our readers promptly and correctly advised on this important subject.

AFFAIRS IN FLORIDA.

Tallahassee, July 17, 1859.

On Saturday night, between nine and ten o'clock, the family of Mr. Green Chairs—living about ten miles from town—were attacked by the Indians, and his wife and two children killed.

Mrs. Chairs was sitting by the table sewing, surrounded by her interesting family, consisting of her husband and six children. Mr. Chairs was rising on the bed, in the same room, when an Indian rifle was fired, and Mrs. C. fell dead from her chair. Mr. C. instantly sprang from the bed, blew out the candle, closed the door and windows, and seizing his gun took his stand, with the determination to kill one Indian at all hazards when they should attempt to enter the house. The Indians, however, approached the house in such a way as to be unseen by Mr. C. and proceeded to set fire to the dwelling and out-houses on the premises. Soon after the dwelling house caught fire, Mr. C. started four of the largest children out at the back door, and told them to escape to the next neighbor's; they did effect their escape, and were all saved; the eldest, however, a young lady about seventeen, was discovered by the Indians, who gave her chase, and were well nigh making her a victim; but she had taken the precaution, as she was leaving the house, to take with her a dark cloak, and when she found herself so closely pursued by the savages, she suddenly fell in the bushes, and, throwing this garment over her person, concealed herself from the keen eye of her ruthless pursuers. The Indians, she says, passed within three feet of her! This young lady's life was saved so narrowly as to make the blood run cold even at the thought; and it should not be forgotten that it is entirely attributable to her presence that it is entirely attributable to her presence of mind.

So rapid was the fire, and so great the consternation produced upon Mr. C. by the sudden death of his wife, that, in making his own flight from the house, he forgot his two youngest children—the one about two years old, and the other a babe of six months—and they were both burned to ashes! Information of this horrid transaction reached our city during the night, and our citizens were aroused by the beating of the drum, and the stirring preparations to go in pursuit of the foe. About sunrise, the "minute men," a mounted company under the command of capt. Hugh Fisher, started in pursuit; and, after visiting the scene of murder and outrage, took the trail of the Indians, and followed it some miles, when, owing to a very heavy rain which fell during their pursuit, they lost it, and were obliged to return. The minute men are still out scouring the country. [Star.]

Tallahassee, (Florida), July 27.

Two wagons, with an escort of eight men, left Fort Frank Brooke, Deadman's bay, on Monday morning last, and, after proceeding near half the distance to Fort Andrews, Henderson, the hospital steward, with five men, was fired on by a party of Indians from a hammock near the road. *Henderson and Parks fell dead.* The horse of another of the escort, being shot, fell, and entangled the leg of his rider in such manner as to prevent his rising. On the near approach of the Indians the horse rose; the rider, at the same time remounting, was borne off to the party and the three joined the wagons. One man, being sent back to Fort Frank Brooke, returned with a severely mutilated, his eyes dug out, his throat cut, and other disgusting outrages committed on his body. The body of Henderson had been removed, and could not be found. The enemy was trailed some distance without finding them. Scouts are still in pursuit.

St. Augustine, July 25.

The way the money goes.—A small schooner chartered by government at \$600 a month, returned here on Friday from New Smyrna, a distance of 60 miles, having performed the voyage in the short space of thirty-nine days—the sixty miles out, was performed in thirty days. All humane persons will be pleased to learn that though the land road between this and Smyrna is unsafe, the anchorage is in many places excellent and fishing grounds delightful!

From one end of Florida to the other, we have heard the following story told, never contradicted, and therefore should not doubt it to be true. A little steamboat drawing 21 inches of water, was offered for sale to an officer of government on the west coast, at \$5,000, and refused; but was taken into service, and retained about a year at three hundred dollars a day. Eighty odd thousand dollars have been paid for her hire, and about ten thousand more remains in dispute. [Herald.]

St. Augustine, July 27.

The following gentlemen of Florida have been instructed by his excellency gov. Call, to repair to

Washington, and confer with the president, and urge on him the adoption of the necessary measures, not only for the defence of the country, but the successful prosecution of the war; honorable Charles Downing, his honor R. Randall, W. H. Brockenboro, esq. S. K. Walker, esq. col. G. S. Hawkins.

The hon. Charles Downing will leave for Washington on Wednesday next. [News.]

Extract of a letter to the editor of the Baltimore Patriot, dated St. Augustine, July 24.

In a former letter I ventured to suggest the opinion to you that the humbug *treaty* made by gen. Macomb with some common Indians would not be regarded by the Indians generally—that their regular chiefs and head men having been all removed or dead, the scattered vagabonds who remained for purposes of murder, rapine or revenge, could, and ought not to be treated with as if they were a regular nation, who could enforce and observe obligations. The Indians, I told you further, were out of ammunition, and were anxious for a truce for the purpose of laying in supplies for a renewal of the war. All my predictions, I fear, are about to be realized.

A week has now passed by after the time limited by the general for their removal to the southern boundary, but not one of them has gone! On the contrary they have given several strong indications of a settled purpose to remain and renew the massacres!

The negroes of Mr. Kingsley, on Drayton Island, about seventy miles from here on the St. John's river, have within a few days been driven off by a party of Indians, who took all their provisions, and informed them that they intended to renew the war at the next new moon!

THE YOUNG MEN'S CORRESPONDENCE WITH GOVERNOR SEWARD.

New York, July 20, 1839.

To his excellency governor Seward.

Sir: We have been appointed a committee of the general committee of whig young men of the city and county of New York, to communicate to your excellency the enclosed preamble and resolutions, which were adopted at their meeting of last evening. It is unnecessary for us to add any thing to the action of the committee, beyond the expression of our sincere acquiescence in the propriety of the course which has met with their unanimous approval.

With assurances of the most respectful consideration and attachment, we have the honor to be, your excellency's friends and servants,

JOHN O. SARGENT,
R. C. WETMORE,
JAS. F. FREEBORN,
JAS. H. LYLES,
JAMES R. WOOD,
HAMILTON FISH,
A. W. BRADFORD,
WM. TURNER.

In general committee of whig young men of N. York.
Friday, July 19, 1839.

The following preamble and resolution were unanimously adopted:

"Whereas, it has been stated in the official organ of the corporation, that a correspondence took place between a committee of the common council and governor Seward, having reference to the recent reception of the president, and that the letter of governor Seward, in reply to that of the committee, was of a 'disrespectful and abusive character,'

"And whereas, the committee of the common council, by their studied silence and by their omission to publish the correspondence in question, have countenanced and encouraged this statement of their official organ;

"And whereas, the members of this committee repose a confidence in the chief magistrate of the state, the first choice of the young men of New York, which assures them that he is incapable of doing any act unworthy the relations of his office or disrespectful towards the common council of this city or any portion of his constituents;

"Therefore, resolved, that a committee of eight, including the chairman of this committee, be appointed to communicate with governor Seward, and request a copy of the correspondence referred to for the press, that it may be submitted to that judgment of the people, which is the only true test of public measures and public men."

Albany, July 26, 1839.

GENTLEMEN: I am instructed by the governor to acknowledge the receipt of your communication to him of the 20th ult. Personally he has no motive for desiring the publication or suppression of

the correspondence to which it refers. Without regard to the reasons assigned by the committee for their request, he does not feel himself at liberty to withhold information relative to his official conduct, where it is called for by a respectable number of his fellow citizens, whether their views concur with, or differ from his own.

A copy of the correspondence is therefore transmitted.

I am, very respectfully, your obedient servant,
SAML. BLATCHFORD, *private secretary.*
John O. Sargent, R. C. Wetmore, Jas. F. Freeborn, Jas. Hyllyer, James R. Wood, Hamilton Fish, A. W. Bradford, Wm. Turner, esqrs.

(COPY).

June 29, 1839.

Sir: The committee of the common council of the city of New York, appointed to make suitable arrangements for the reception of the president of the United States, respectfully invite yourself and military family to participate with them and their fellow citizens in his reception, on the 2d July next, to meet this committee at the City Hall, at 9½ o'clock, A. M. to proceed on board the steamboat, to meet him at Jersey City. By order of the committee.
THOS. G. TALMADGE, Clk'n.
To his excellency governor Seward.

(COPY).

Albany, June 30, 1839.

Sir: I have this evening received your letter of yesterday, in which, as chairman of a committee of the common council of the city of New York, you invite me to participate with the common council and their fellow-citizens in the reception of the president of the United States in that city.

I might perhaps be content with declining to accept the invitation upon the ground of other engagements and duties which will not permit me to be absent from this place. But as this would leave me liable to be misapprehended, I am obliged to add an explanation. I desire to do so without disrespect to the president, and with the highest respect for the common council.

Should the chief magistrate of the union favor the place of my residence with a visit, or should my duty call me into his vicinity, I should, with cheerfulness and pleasure pay him all the respect called for by his public station or properly due from mine. Nor do I intend to say, or imply that the demonstrations of respect proposed by the common council are not justly due to him, both in his public and personal character.

I cannot consider the question of acceptance of the invitation tendered to me without reference to the public station I have the honor to hold; nor can I have misunderstood my fellow-citizens so much, as not to know that, whatever other circumstances may have moved their favor towards me, every public demonstration of their confidence I have had the honor to receive during my life, has proceeded in some measure upon the ground of my avowed disapprobation of his political character and his public policy. By no means intending to express a doubt of the sincerity of his motives, and entertaining, as is most just, entire confidence in the purity and disinterestedness of the large body of my fellow citizens who admire his character and approve his measures, I cannot forget, in deference to his elevated station, that with a desire no less sincere than his to advance the best interests of the country, I have regarded his policy and measures as injurious to the prosperity and welfare of his native state, and that the state has honored me for firmly and frankly maintaining these opinions.

Nor can I forget, that in carrying out the policy which has crowned, with irreparable honor, the name of one who was his and my most illustrious predecessor in the station assigned to me,—a policy which is destined to extend the fame, enhance the wealth, exalt the condition, and immeasurably increase the happiness of the people of this state, the state administration at every step encounters an uncompromising hostility, proceeding from that powerful administration of which the president of the United States is the chief. While on the one hand the dictates of my judgment, and the conscientious desire to discharge faithfully my official obligations, enforce my adherence to that policy, and while on the other there exists no ground to anticipate an abatement of that hostility, it is manifest that my relation to the president can undergo no change. It would at any time, and under any circumstances, be an extraordinary demonstration of respect on the part of the chief magistrate of this state towards any public functionary, were he to leave his duties at the capital to receive such functionary in your city; and such a demonstration, while those relations exist, would afford evidence of inconsistency and insincerity.

I could have wished, either that the invitation of the committee had been informally made, or had been communicated to me on an earlier day, so that I might have advised its withdrawal; and thus the necessity for this explanation would have been avoided. But I cannot bring myself to regret that I am obliged to decline the invitation. Our republican institutions can never be more safe than when the discussion of public measures, and of the character of public men, is so vigorous as to bring into the offices of the general and state governments individuals whose relations prevent the possibility of combination between them to perpetuate power conferred only for the public good.

I pray you to express to the committee my acknowledgments for this mark of their attention, with the assurance of my sincere respect towards the common council, and my ardent desire for the prosperity of the city over which they preside, and whose welfare is identified with that of the state and the union. I am, very respectfully, your obedient servant,
WILLIAM H. SEWARD.

Thomas G. Talmadge, esq. Chairman com. of the common council of N. Y.

ARMY—OFFICIAL.

GENERAL ORDERS, No. 4. Adjutant general's office, Washington July 30, 1839. The companies of the 3th regiment of infantry stationed at the following named posts will be supplied with the number of recruits set opposite to each respectively:

Fort Snelling,	4 companies,	110 recruits.
Fort Crawford,	2 "	130
Fort Winnebago,	2 "	97
Fort Howard,	1 "	45
Fort Brady,	1 "	39

Total, 524

The recruits which have already been despatched to the 5th infantry, pursuant to the special instructions from the adjutant general's office are included in this requisition. The number yet required to complete the establishment of the regiment will be drawn from the New York depot and the stations on the Ohio, and will be put in route without delay. The provisions of the 2d paragraph of "general order," No. 3, of January 5, will be strictly observed.

By order of major general MACOMB.
R. JONES, adj't. gen.

GENERAL ORDERS, No. 42. Adjutant general's office, Washington, July 31, 1839. The resignations of the following officers have been accepted by the president, to take effect at the dates set opposite to their respective names:

Colonel E. Cutler, 4th infantry, 31st August, 1839.
First lieutenant E. C. Ross, 4th artillery, 31st July, 1839.

First lieutenant J. P. Harrison, 6th infantry, 22d July, 1839.

Second lieutenant J. Darling, 5th infantry, 15th August, 1839.

By order of major general MACOMB.
R. JONES, adj't. gen.

NAVY—OFFICERS.

July 25—lieut. C. H. Bell, to command of brig Dolphin.

Mid. J. E. Duncan and J. Riddle, receiving vessel, Baltimore.

Mid. M. B. Woolsey, receiving ship North Carolina.

26—Boatswain S. Drew, do. do.
29—Boatswain L. Chessman, navy yard, Boston.
Boatswain H. Edgar, receiving ship do.

APPOINTMENTS.

July 26—Samuel Drew, acting boatswain.
29—Loring Chessman do.
Henry Edgar, do.

RESIGNATIONS.

July 25—N. C. L. Hommedieu, acting sail maker.
J. C. O'Connor, do.

BANKS, CURRENCY, &c.

Bank of the United States in New York. The following statement, made according to law, by the association banking under the title of the Bank of the United States in New York, will excite some curiosity, which it will not, nevertheless, gratify. A full statement of the affairs of the bank of the U. S. the act entitled, "an act to authorise the business of banking," passed April 18, 1838, on the first Monday of July, 1839.

First. The amount of capital stock paid in \$200,500 00

Second. Nothing under this head.
Third. The shares of stock held by said association absolutely, or as collateral security, on the said first Monday of July, 1839, were, viz:

1st. Stock held absolutely—
 Stock of the State of Michigan, lodged with the comptroller as security for circulating notes, \$200,000 00

2d. Stock held as collateral security—
 Eight shares in the capital stock of the Bank of the United States, valued at \$100 per share par, \$800 00

Fourth. Amount of debts due to the association on the said first Monday of July, 1839, specifying such as are due from moneyed or other corporations or associations, and also specifying the amount secured by bond and mortgage, or judgment, and the amount which ought to be included in the computation of losses:—

1st. Debts due from moneyed corporations or associations—
 Balance due by sundry banks, being cash with said banks to the credit of this association, \$1,745,328 47

2d. None.

3d. Debts in judgment, supposed collectable, 518 59
 “ “ supposed not collectable, 190 93

4th. Other debts:—
 Bills and notes discounted, supposed collectable, 1,408,999 27
 Amount over due, not in suit, supposed collectable, 4,671 31
 Amount due from individual over-drawts, 610 94
 Apparent amount, \$17,786 54
 Payable at notice, 17,175 60
 Cash on hand, 2,801,031 96

5th. Losses:—
 The amount of debts which ought to be included in the computation of losses, 1,490 93

Fifth. The amount of debts due by this association on the first Monday of July, 1839:—
 Amount payable on demand, \$5,971,570 20
 Of which is due to corporations and associations, 4,447,033 52

Sixth. The amount of claims against the association not acknowledged by it as debts, on the said first Monday of July, 1839, none.

Seventh. The amount of bills, notes or other evidences of debt, issued by this association, is in circulating notes of the denomination of five dollars, 124,000 00

Eighth. No dividends have been declared on this association.

Ninth. The average amount of each month during the six months preceding this statement of debts due to this association, (including cash), was,
 For the month of January, \$3,842,021 08
 February, 3,608,187 35
 March, 3,809,576 47
 April, 4,040,375 20
 May, 5,069,545 13
 June, 5,521,082 20

The average amount in each month, during the same period of debts due from this association, was,
 For the month of January, \$3,842,021 08
 February, 3,608,187 35
 March, 3,809,576 47
 April, 4,040,375 20
 May, 5,069,545 13
 June, 5,521,082 20

The average amount of specie possessed by this association during the same period, was,
 For the month of January, \$132,601 05
 February, 215,381 43
 March, 183,085 08
 April, 188,550 37
 May, 157,927 29
 June, 532,736 34

The amount of notes issued by this association and put in circulation as money and outstanding against it on the first day of each of the preceding six months was as follows:—
 Issues for the month of January, \$10,000 00
 February, 10,000 00
 March, 10,000 00
 April, 20,000 00
 May, 14,000 00
 June, 14,000 00

Circulation first January, 45,240 00
 “ February, 53,900 00
 “ March, 52,990 00
 “ April, 86,970 00
 “ May, 100,935 00
 “ June, 97,325 00

Tenth. Nothing under this head.

Eleventh. No increase has taken place in the capital of this association during the last six months.

No persons have become parties to the association since the last statement to the comptroller.

M. Robinson, esq. has withdrawn from the association.

State of New York, city of New York, ss.—Thomas H. Young, cashier of the Bank of the United States in New York, being duly affirmed, deposes and saith, that the facts set forth in the foregoing statement are true to the best of his knowledge, information and belief. T. H. YOUNG, cashier.

Affirmed and subscribed to before me, this 24th day of July, 1839.

JOSEPH STRONG, com. of deeds.

The New York Transcript observes—“The conduct of the banks during the last year has been extremely prudent, and no danger need or can be apprehended for them. We owe much of the distress of the present year to the numerous speculations in cotton and flour, and we do humbly hope, that it may prove a salutary lesson.”

The State Bank of Alabama, at Tuscaloosa, received \$110,000 in specie on the 23d ult.

Bank of Kentucky.—The Louisville Journal says, “by the statement of the condition of the Bank of Kentucky, on the 30th June, it appears that her specie at that time amounted to \$635,850. On the 1st of January last, she had on hand \$642,776 36 in specie; showing a decrease in that period of \$6,925 39. On the 1st of January her circulation was \$2,781,512, and on the 1st of June \$2,323,299; showing a decrease in her circulation of \$458,313.”

The Harrisburg Reporter states that the Pennsylvania 5 per cent. loan of \$1,150,000, the period for receiving offers for which was closed on Thursday last, was not taken, not a bid having been received. The \$2,000,000 loan, authorised by the internal improvement act, remains open until the 24th instant.

Books for the subscription of stock in the Lynchburg and Tennessee rail road are to be opened on the 17th August.

It is stated that on the 1st of July, the Bank of Missouri had in specie \$1,631,714; in circulation, \$323,860; in bills discounted, \$1,636,575; and she owed the U. S. \$1,085,755. This is emphatically a pet bank.

Mr. Smith, president of the Bank of Missouri, is now in London, whither he went to sell \$2,000,000 in Missouri bonds, being part of the subscription of the state to the bank, and also \$1,500,000 in Trust Fund bonds.

New York banking law.—The question of the constitutionality of the law passed last year by the legislature of New York, to authorise the business of banking, was argued in a case pending before the supreme court at Utica last week. The question came up on a general demurrer to the declaration in a suit brought by the president of the bank of Central New York, against one of its debtors.—The decision of the court is not yet known.

The following is an estimate of the specie taken to Europe by the steam and packet ships, which sailed from New York on the 1st inst:—

Great Western,	\$450,000
British Queen,	300,000
Baltimore, for Havre,	225,000

The Journal of Commerce says, the banks were called on for large sums, which they paid promptly and without complaining, or seeming to consider the calls unkind or any thing else than fair business transactions.

Banking capital of Pennsylvania.—By a recent report to the legislature upon the subject, the entire banking capital of the state is set down at fifty-seven millions four hundred and fifty thousand dollars! more than one-half of which is held by the miscalled Bank of the United States! Think of that, and remember the traitors to democracy through whom it was obtained. [Philadelphia Times.

The subjoined bill, entitled an act to prescribe the mode of application, for banks, in Pennsylvania, has passed both branches of the legislature and is a law.

Whereas, by the twenty-fifth section of the first article of the amended constitution, it is provided that no corporate body shall hereafter be created, renewed, or extended, with banking or discounting privileges, without six months previous public notice of the application for the same, in such manner as shall be prescribed by law. Therefore,

Section 1. Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, and it is hereby enacted by the authority of the same, that whenever any citizen, or association of citizens, of this commonwealth, intend to make application to the legislature, for the creation, renewal, or extension of any corporate body, with banking or discounting privileges, it shall be their duty to cause a notice of such intended application to be advertised in one

paper printed in Harrisburg, and two newspapers printed in the county, in which such corporate body is, or is intended to be located, at least once a week in each paper, for six months before the meeting of the then next legislature; and the notice of such application shall specify, the name and style, or the intended name and style, the location or intended location, and the amount of capital or intended amount of capital, of such corporate body, and in the case of the renewal or extension of any such corporate body, such notice shall also specify the amount of increase of capital, if any increase be intended.—Provided, That if there be only one paper printed in the county in which such corporate body is, or is intended to be located, the publication of such notice in one paper shall be deemed sufficient.

Banks in Pennsylvania. Fourteen applications for new banks and the renewal of old charters, are advertised in the Harrisburg papers—should these applications meet the favorable consideration of the legislature, the banking capital of the state would be increased about five millions of dollars.

At a convention of the banks of Ohio, held at Columbus on the 26th ult. pursuant to previous notice, James Hall, esq. of Cincinnati, was chosen president, and T. P. Handy, and E. F. Drake, secretaries.

The object of the convention having been stated, it was moved,

That a committee, consisting of Messrs. Fosdick, T. P. Handy, Creed, McCoy, Drake, Bentley and Hall, be appointed to take into consideration the general objects of the convention, the present condition of exchanges as existing among the banks in the different parts of the state, and report thereon; which report, after having been duly discussed and amended, was unanimously adopted, viz:—

1. Resolved, That we consider the practice of meeting in convention as often as once a year, for the purpose of interchanging opinions and producing harmony of operation between the respective banks of Ohio, highly conducive to the advantages of the banks and the public, and that we recommend the continuance of the same.

2. Resolved, That the condition of the banks of Ohio, as compared with those of other states, is such as to warrant the most entire confidence in each other, and on the part of the public, and that we recommend to our respective institutions, that they persevere in the same cautious and safe policy, by which the Ohio banks have heretofore maintained their credit.

3. Resolved, That believing as we do, that bank are established for the public good, and can exist only in the observance of such policy as shall benefit the public and secure confidence, we recommend frequent and frank disclosures between banks, and by the banks to the public, in regard to their condition and business.

4. Resolved, That Ohio being a great agricultural and productive state, and the prosperity of the banks depending on that of the people, we recommend that the separate and united exertions of the banks be used, in good faith, to furnish exchange at low rates and a sound paper currency, to facilitate the sales and transmission to market of the produce of our soil.

On motion,
 Resolved, That the proceedings of this convention be printed under direction of Messrs. McCoy and Dehler.

The convention then adjourned to meet at Columbus on the third Wednesday of June, 1840, or sooner, if it shall be deemed necessary, and that the banks of Ohio are earnestly solicited to send delegates to such convention.

JAMES HALL, president.
 T. P. HANDY, } secretaries.
 E. F. DRAKE, }

The Bank of the United States.—We learn that the Bank of the United States has declined receiving the deposits of all brokers. An extraordinary move this, and calculated to be attended by no very agreeable consequences. We may mention that since the establishment of the branch of the U. S. in New York, the notes of the institution have been kept at par in that city. Hence the brokers made use of them very freely as remittances to their New York correspondents. Now, however, under the new arrangement, they will be compelled to forward specie—which specie, they must obtain from the Philadelphia banks. The result will be to drain our banks to a considerable extent, for the benefit of New York. [Dicknell's Reporter.

Vicksburg Bank.—The committee of fifteen, lately appointed at Philadelphia by the stockholders of the above institution, made their report on Tuesday, and gave their entire approval of the report made some time since by Messrs. Carpenter and Mitchell,

commissioners sent to Vicksburg to examine into the affairs of the institution. They recommended to the stockholders and board of directors, the appointment of David Conyngham, as president, and John A. Barclay, of Philadelphia, as assistant cashier, which was unanimously approved by the stockholders. [Phil. Herald.]

Rate of interest in England. The Baltimore Transcript publishes the following table, showing the rates of interest paid in Great Britain previous to 1714:

On £100	Per cent.	per annum.
In 1255	£50	0s. 0d.
1265	43	6 8
1270 to 1307	45	0 0
1422 to 1470	15	0 0
1545 restricted to	10	0 0
1553 to 1558	12	0 0
1571 restricted to	10	0 0
1574 to 1604—about	9	16 0
1625 reduced to	8	0 0
1645 to 1660	6	6 0
1660 to 1690	7	6 0
1690 to 1697	8	0 0
1697 to 1706	6	0 0
1714 reduced to	5	0 0

In the reign of Henry VIII, the rate was fixed by act of parliament at 10 per cent. In 1553 an act was passed prohibiting the taking of any interest whatever, but it was soon after repealed. In 1625 the rate was reduced to 8 per cent. for 1751 to 6 per cent. and 1714 to 5 per cent. Since that time the Bank of England has been allowed to charge 5 per cent. and within a few years it has been allowed under certain circumstances to charge 6 per cent.

It will thus be seen that the Bank of England is now charging a higher rate than at any time for the last 125 years.

STEAMBOAT STATISTICS.

From the *New York Journal of Commerce*.

By a notice issued from the office of H. B. M. privy council for trade, on the 2d of January last, capt. Pringle, of the royal engineers, and Josiah Sparks, esq. civil engineer, were appointed a committee to institute an inquiry into the number, nature, and causes of steamboat accidents, and the means of preventing their recurrence. Accepting the appointment, these gentlemen immediately entered upon the task assigned them, and on the 20th of May, submitted an elaborate report to the board from which they received their commission. On the 31st of the same month it was laid before the house of commons, and ordered to be printed.

Through the kindness of Wm. C. Redfield, esq. who has received an early copy of this important document, we are enabled to state some of the leading facts which it embodies. It makes a volume of 198 pages, besides several sheets of diagrams.

It appears from this report, that the whole number of steam vessels in Great Britain and Ireland at the commencement of the present year, including 83 not registered, was 760 with an aggregate tonnage of 140,718 tons, and an aggregate power of 56,490 horse power. In the isles of Guernsey, Jersey and Man, there were (in 1837) 6 steamers, with an aggregate of 1,450 tons, and 600 horse power; and in the British plantations, (in 1837) 41 steamers, with an aggregate of 15,661 tons, and 6,160 horse power, making a total, in the United Kingdom and its dependencies, of 810 steamers, with an aggregate of 157,840 tons, and 62,250 horse power. This is exclusive of government steamers. The tonnage is not the "custom house tonnage," but the real tonnage, as computed, including the tonnage of the engine room, which is not entered at the custom house.

According to secretary Woodbury's report, submitted to congress on the 13th of December last, the number of steamboats in the United States was about 800, with an aggregate tonnage of 160,000, and 57,019 horse power.

Hence it would seem that the steamboat tonnage of the United Kingdom and its dependencies, is about exactly equal to that of the United States. We had supposed it was a good deal less; and are not sure now but it is. If however the mode of computing tonnage is the same, the tonnage of the two countries is equal within a small fraction. We observe that of 677 British steamers registered, 256 averaged 60 tons each, including engine room—145 averaged 122 tons each—81 do. 211 tons—63 do. 287 tons—76 do. 361 tons—41 do. 530 tons—10 do. 769 tons—one 1,340 tons, and one 1,855 tons.

We come now to the more immediate object of the report. The general impression in this country is, that there are comparatively very few steamboat accidents in England; but we find from the list detailed by the committee, who speak of it as necessarily incomplete, that within the last ten years,

or thereabouts, no less than 92 British steamers have met with disasters, attended with the loss of 634 lives.* Of these 92 vessels, 40 were wrecked, foundered, or in imminent peril; 23 suffered by explosions of boilers; 17 by fire; and 12 by collisions. The greatest ascertained number of lives lost at any one time was 119, by the wreck of the Rothsay Castle; greatest number at one time by collision, 62; do. by explosion 24; do. by fire 2.

According to Mr. Secretary Woodbury's report, the number of steamboats in the United States which have met with disasters of one kind or other, is about 228; viz: about 99 by explosions, collisions, &c.; 25 by shipwreck or collision; 28 by fire; 52 by snags and sawyers; and 24 by causes unknown. Whole number of lives lost, about 2,000. Mr. Woodbury ascertained the loss of 1,676, besides which 416 persons were wounded. The greatest loss of life on any one occasion, was in consequence of the collision and sinking of the Monmouth, in 1837, on the Mississippi, causing the death of about 300 persons, chiefly Indians. By the explosion of the Oronoco, in 1837, on the same river, 130 or more lives were lost; and by that of the Moselle, at Cincinnati, 100 to 120. By the shipwreck of the Home, on the coast of North Carolina, in 1837, about 200 persons perished, and 130 by the burning of the Ben Sherrod, on the Mississippi, in the same year.

The British committee declare themselves unable to make any satisfactory estimate of the loss of property by steamboat disasters. Mr. Woodbury estimates the loss in the United States at five or six millions of dollars.

From a review of the above statements, we are confirmed in the belief that the number of disasters on board of steamboats on the American Atlantic coast, is not greater than in England, in proportion to the number of boats, and we doubt if it is so great. On the western waters the case is quite otherwise.—This may be in part accounted for by the peculiar dangers to which steamers are subject in those waters, from snags or sunken trees, which it appears have caused 52 of the disasters mentioned, or nearly a quarter of the whole number.

STATISTICS OF COTTON.

From the *Mobile Journal*.

The entire growth of cotton in the world is set down at 1,000,000,000 pounds. Of this, 550,000,000 are supposed to be grown in the United States—30 in Brazil—8 in the West Indies—27 in Egypt—36 in the west of Africa—190 in the west of Asia—35 in Mexico and S. America, except Brazil—and 14 millions elsewhere.

Thus, at ten cents per pound, (a price below which it has rarely ever fallen) this crop is worth \$100,000,000. For the last 50 years, however, the value (though often fluctuating suddenly and widely) has averaged 19 1/3. At this price, the present growth of the world is worth \$192,500,000.

Of this, about 350 millions of pounds are consumed and manufactured in England—about 150 millions in the United States—80 in France—250 in China and India—15 in South America and Mexico, including Brazil—35 in Germany—45 in Turkey and Africa—10 in Spain—25 in Prussia—and the remainder elsewhere.

The value of cotton manufactures in England, is believed to be annually about 170 millions of dollars—in France, 70 millions—in the United States, 60 millions.

The capital employed in manufacturing by machinery is estimated, in England, at 200 millions of dollars—in France, at 120 millions—in the United States, at 110 millions.

The consumption in manufactures of raw cotton in all Europe in 1803, was estimated at only 60 millions of pounds. [Dic. of Span. Com.] The whole consumption in Europe, in 1830, was about 287 millions of pounds. In 1838, it is believed to be nearly 500 millions of pounds.

South Carolina and Georgia were the first states in this union to grow cotton to any considerable extent, 1791, two millions of pounds were grown in the union—1 1/2 millions of which grew in South Carolina, and one half million in Georgia.

In 1801, 40 millions was the crop of the United States—of which 20 millions grew in South Carolina, 10 in Georgia, 5 in Virginia, 4 in North Carolina, and 1 in Tennessee.

In 1811, the crop of the United States had reached 80,000,000—of which 40 grew in South Carolina, 20 in Georgia, 8 in Virginia, 7 in North Carolina, 3 in Tennessee and 2 in Louisiana.

In 1821, one hundred and seventy millions of pounds were growing in the union, as follows: 50

*This number, however, includes about 40 who perished in the Thames, in consequence of accidents occasioned by steamers.

millions in South Carolina, 45 in Georgia, 20 in Tennessee, 20 in Alabama, 12 in Virginia, 10 in North Carolina, 10 in Louisiana and 10 in Mississippi.

In 1826, the whole crop of the union was \$45 1/2 millions. Of this, Georgia grew 75 millions, South Carolina 70, Tennessee 45, Alabama 45, Louisiana 38, Mississippi 20, Virginia 25, North Carolina 15, Florida 2 and Arkansas one half of a million.

In 1833, the crops of the United States had increased to 437 3/4 millions. Of this, 88 millions grew in Georgia, 73 in South Carolina, 70 in Mississippi, 65 in Alabama, 55 in Louisiana, 50 in Tennessee, 15 in Florida, 13 in Virginia, 10 in North Carolina and 3 1/4 in Arkansas.

The next year, 1834, the crops had increased to 457 1/2 million and was grown as follows.—85 in Mississippi, 55 in Alabama, 75 in Georgia, 65 1/2 in South Carolina, 62 in Louisiana, 43 in Tennessee, 20 in Florida, 10 in Virginia, 9 1/2 in North Carolina and 1 1/2 in Arkansas. Subsequently, no certain data are in our possession; but the estimate at this time is 550 millions as the whole crop of the union.

Thus it will be seen, that from 1791 to 1826, South Carolina was the most abundant cotton growing state in the union. In 1826 Georgia took the lead, and held it till 1854, when Alabama and Mississippi took the front rank. At this time, Mississippi is perhaps the most extensive cotton growing state in the union.—South Carolina and Alabama are next. North Carolina is beginning to deteriorate as a cotton country; while the worn lands in middle Tennessee are thought to improve for this culture—maturity, the vital desideratum, not being so easily allowed in the rank luxuriance of the fresher soils. COTTON PLANT.

A late Paris journal gives a tabular statement of the importations and sales of cotton at Havre, for the last fifteen years. We subjoin a statement from 1835 inclusive, made up to the first of June in each year.

On hand	Arrivals	Sales in	On hand
1st Jan.	5 mos.	5 mos.	1st June.
1835, 22,000	137,171	67,571	103,400
1836, 18,800	172,507	125,907	79,800
1837, 45,500	134,959	103,959	91,500
1838, 33,000	143,220	130,340	36,800
1839, 39,800	134,235	111,235	50,000

Our commercial friends will perceive that, compared with the previous years, there has been no excess of shipments to France, the present large stock being caused by the great deficiency of sales which are less than in any year with one exception (1831) since 1825.

BROAD CLOTH SMUGGLING.

The trial which has been going on at Boston, arising out of a seizure of British broad cloths, smuggled through the custom house by one *Bottomly*, a British agent, has resulted in a verdict in favor of the United States. His case is said by the *New York Express* to be similar to that of Samuel R. Wood, in New York a few months since, except that in this case the fraud was committed by collusion with a custom house officer. These cases of fraud have occurred very frequently of late, and unless something is done effectually to stop it, knives will acquire a monopoly of the market, and drive honest importers out of the business. We copy from the Boston Gazette the following excellent remarks on the subject:

Bottomly, the person implicated in the case now before court, is an Englishman, having accomplices in his own country, and in our own custom houses. With such associates our laws are set at defiance, and the revenue defrauded. By such miscreants, immense quantities of British goods are thrown into the market, by paying very low duties or none at all, to the prejudice of the regular importer, and the destruction of the manufacturing interests. It is owing to these infamous proceedings, that our woollen manufactures have languished, and many of those engaged in them ruined.

With such extensive frontiers as we have, and such facilities to corrupt the officers of the government, owing to the leniency of our laws, it is difficult to find a remedy for this glaring evil. Nevertheless, it is incumbent on business men, to devise some means to prevent the practice of smuggling in every shape. How shall this be accomplished? A single mode occurs,—that of having severe penal laws. The existing statutes merely provide for the confiscation of the goods detected, as smuggled. But the profit of the smuggling is so enormous, and the difficulty of detection so great, that these foreign swindlers are willing to run the risk of seizure. They deliberately make calculations, based on the chances of detection. If now and then a lot of goods is seized, they are willing to abandon them to confiscation, and rely on successful future efforts, to make up the loss. Thus is the practice interminable.

Our laws are therefore deficient of rigor. In addition to the confiscation of the goods, the law ought to declare, the smuggling or making false invoices, *felony*, punishable in the territory. This would give character to the laws, and aim at the character of the offenders. Men, who would be willing to expose their property to the chances of forfeiture, for the chances of gain would hesitate to expose their carcasses to incarceration and hard labor.

A memorial to congress on this subject would probably be listened to, and we doubt not, that it would be signed by every honest business man of our city, and of every other city in the union. It is a matter on which people of all parties would concur,—whether tariff men or anti-tariff,—whether free traders or manufacturers. Every body would be for a fair competition. A petition to congress in favor of such a penal law, if followed by enactment, would have a happy effect on the whole community.

The general features of the above case, are contained in the following extract of a letter to the editor of the United States Gazette, from its New York correspondent:

"The case of fraud on the revenue, which has been before the U. S. district court at Boston, for the last week, was brought to close on Friday last, when a verdict in favor of the United States was returned. The general features of the case are as follows:—

"James Bottomly, jr. a large importer of wollens, was very intimate with James Campbell, a deputy collector; he never entered any importations without the assistance of this deputy, and the package sent to the appraiser's as a sample of each invoice, was always of a particular kind, viz: the package of the highest cost in the invoice.

"The officers suspected some design, and seized an invoice of fifteen packages of wollens. The package was sent to the appraiser and found to be exactly invoiced, and the residue one-third at least below real value. On referring to the books of the custom house, it was found that Mr. Bottomly had made at least twenty-one entries, by the assistance of deputy Campbell, in every case by the highest cost package of each invoice.

"The goods at issue are supposed to have been part of those twenty-one false and fraudulent entries. The proper marks, tags and numbers were missing, and the ends of the pieces, and the boxes in which they were placed, were singularly gouged and cut, apparently with the view to erase the means of tracing the goods.

"Judge Davis decided that the government had made out a case of "probable cause" of fraud, and this placed the burden of proof upon the claimant to trace the goods to their origin, and show that they were regularly imported, and that the allegations in the information were false. Having failed to do this, the goods are of course legally forfeited. Their value is about \$10,000."

DEPARTURE OF THE STEAM SHIPS.

We copy the following graphic accounts of the departure of the steam ships from the New York papers of the 21st inst. The scene, indeed, was a glorious one, and the exultation manifested by the people a noble tribute to those who have accomplished the great triumph over the winds and waves.

From the *New York Express*.

At 1 o'clock, yesterday, the Great Western left her pier,—and nearly 2 o'clock, the British Queen followed after. The Great Western was off Staten Island on the quarantine ground before the British Queen got out of the East River. These ships have had superb berths in two new piers built for them at the tobacco inspection warehouse, where they have been agreeably located both for the reception of passengers and of cargo. We understand that the three companies, of London, Bristol and Liverpool, have made a contract to have berths for a term of years,—and that after May next, a steam ship will leave them for England regularly every ten days. They are now the only piers in the city, which can accommodate these Leviathan visitors.

Prodigious masses of people crowded the Battery, and the wharves and vessels on the East River, to see these ships go off. The number was legion,—and the roofs of the houses were pretty well filled, not only in New York, but in Brooklyn and Jersey City. It is stated by those who had a whole view of this display of the multitude from the roofs of houses in favorable situations, that there has been nothing like it in New York for a long time. The ladies of that part of the city which overlooks the East River, and the ladies of Williamsburgh, Brooklyn, &c. seemed to have deserted their parlours and saloons for the roofs of their houses. Brooklyn heights were lined with

people. The steamboats in the harbor made a most magnificent show as an escort on the occasion. How many of these boats there were, it is difficult to say, for at times, the East River seemed to be full of them,—but conspicuous among the number was the Neptune, which, it is said, had eleven hundred persons on board at the time.—Streaming with flags, as they were ad alive with persons, the whole scene presented a picture of uncommon beauty.

Any thing like an estimate of the number of persons who were viewing this departure of the steam ships would be but the merest conjecture, but we are told that the crowd that thronged the piers, where the ships were, was immense,—and we very much doubt whether any event in the city of late years, has attracted at once such a multitude of gazers. The curiosity even of the softer sex got the better of their timidity, that they, with their children pretty well filled the piers, and the surrounding wharves where the ships were. Business of the time quite suspended, so much were the population absorbed, that at times parts of the city seemed to be quite deserted.

The rapidity with which the British Queen was got off, is amazing,—for she has had but three working days, and a small part of Thursday, but the work upon her has been unremitting. Her paddles have been widened. Ballast and coal have sunk her deeper in the water. The most extraordinary efforts have been made to put her punctually upon the line as advertised, and her consignees, her agents and her officers have been remarkably successful. The spectacle often presented about her, has been amusing and novel—and of it, there has been no remission night nor day. Coal and beef, ice and specie, baggage and mutton, have been promiscuously huddled on board, with great rapidity,—and if one thing can be untangled after another, the workmen must have been wonderful in the preservation of order. It is no easy job to send off an Astor house 3,000 miles on the sea, in three days.

We have not heard of any serious accidents, notwithstanding the crowded state of the harbor. The steamboat Novelty broke her shaft, and was towed up to town by the steamboats Liberty and Wave.

The Great Western passed out of the East river at half past 1, P. M. attended by the steamers Arrow and Passaic, both filled to overflowing with passengers. The British Queen left the river at 2, P. M. attended by the steamer Neptune, also crammed with passengers. The pilot boat Essex, capt. Heyer, saluted both steamers in handsome style as they passed the Essex, which was returned by the steamers.

The Great Western passed Sandy Hook light, all sails set, quarter to 3 o'clock. The Queen passed 5 minutes to 4 o'clock. They have now passed beyond the escape of jurisdiction, but the most important item to be noted from the other side, for those who have wagers, will be,—which arrived out first.

From the *Courier and Inquirer*.

About the hour, yesterday, at which it was announced that the British steam ships would leave their moorings at the wharf, on their return voyage, our streets, usually so thronged with people, were comparatively deserted, and the shores on either side of the river were literally swarming with the multitude. On the New York side, the vessels at the wharves were crowded from their decks to their masts, every spot from which a sight of the river could be caught, even the house tops, was filled, and the battery in particular,—the great resort on such occasions—seemed teeming with human beings. Nor was the Brooklyn shore less a place of resort. From the navy yard to Red Hook, the heights were lined with spectators, all anxious, if not to say the least, curiosity, at least to be able to say that they had seen the steam ships depart. Perhaps an expectation that there would be something like a trial of speed between the two competitors for the honors of Atlantic navigation, added to the general curiosity exhibited. If it were so, disappointment, in this respect, could not be more complete, for we are happy to say that the commanders of each vessel, and all concerned in them, repudiate the idea of obtaining any advantage in public estimation by the dangerous expedient of calling to their aid more than the usual quantum of that mighty power which impels them.

On regarding the scene which the East river and its shores yesterday presented, the thought that would probably first suggest itself to a reflecting mind would be: how insignificant are the objects which have called this mass together,—though these objects are the work of human intelligence in one of its highest efforts,—compared with the imposing spectacle of such a concentration of human beings, of the great city they have reared for themselves,

of nature's hand seen in the broad expanse of waters which courses along its shores! Even when the steam ships themselves entered on the scene, we involuntarily called to mind a passage in one of Walter Scott's novels where he speaks of the comparative pigmy display which a large military array made amid the high bills of Scotland.

But a truce to philosophizing. Our task is to tell of the departure of the steam ships. At about twenty minutes past one, the frigate of a gun from the Great Western announced her departure from the wharf, and she proceeded, occasionally firing as she went, along the usual channel to sea. The British Queen left her moorings at ten minutes past two, made a slight curve up to the navy yard, and then stood on her course. As she passed the U. S. ship North Carolina, the band paid her the same compliment they had on her arrival, of playing "God save the queen." She, too, occasionally saluted the city, which was answered from the guns at Castle Garden. At the Narrows she was detained half an hour in putting on board the steam packet Neptune a boat load of the friends of the passengers, and then pursued her way. When last seen, at about 18 miles distant from the city, the Great Western was about fifteen miles ahead of the Queen, the latter then going along majestically, with some sail set.

The steamers Neptune, Passaic, Novelty, Hercules and Arrow accompanied the British steamers to sea. They were crowded with passengers, bedecked with flags and provided with bands of music.

The mayor of Puttsmouth, Eng. previous to the departure of the British Queen steamer on her voyage to New York, invited, in the name of the bourgeois and inhabitants of the place, captain Roberts, her commander, his officers and crew, and *all the passengers* she might bring from New York on her return, to an entertainment on a large scale. Fat times for the passengers.

PERILOUS ADVENTURE AT THE FALLS OF NIAGARA.

Buffalo, July 26.

An occurrence of most thrilling interest took place at Niagara Falls yesterday afternoon, attended with immense peril to the lives of two individuals, but resulting in a most happy and providential deliverance.

The new bridge to Iris island is planted in a frightful rapid, where the current is from 20 to 30 miles an hour, and is only about 100 or 150 yards above the brow of the great precipice or perpendicular fall. A carpenter by the name of Chapin was engaged with others in covering the bridge, and while at work upon a staging about 100 feet from Iris island, accidentally lost his footing and was precipitated into the rapids, and in the twinkling of an eye swept away towards the great cataract. Speedy and inevitable destruction seemed to await him; but fortunately he was uninjured by the fall, and even in this most hopeless condition retained perfect self-possession. Turning his eye toward the only point of hope above the fearful precipice, he succeeded, by great dexterity in swimming, in effecting a landing upon a little island some twenty feet in width and length, the outermost of the group of Little Cedar islands, situated some thirty or forty yards above the falls, and about equidistant from Goat Island and the American shore.

There he stood for an hour, looking calmly and beseechingly back upon the numerous spectators who lined the bridge and shores, but with whom he could hold no conversation on account of the distance, and the roar of the rapids.

There is a man in the village of the Falls by the name of Robinson, of extraordinary muscular power, great intrepidity, and withal an admirable boatman—and he was probably the only one that could have been found in this city, who so generously volunteered his services to attempt reaching the island in a boat and bring Chapin off. A light boat of two oars, similar in construction to the White Hall race boats, was soon procured, and he embarked.

He proceeded with great deliberation and consummate skill, darting his little boat across the rapid channels, and at the intervening eddies holding up, to survey his situation and recruit his strength for the next trial. In a few minutes he neared the island, but a rapid channel still intervened, sweeping close to the island, and rendering the attempt to land very difficult. He paused for a moment, and then, with all his strength, darted across and sprang from his boat—his foot slipped, and he fell backward into the rapid current. With the spectators it was a moment of thrilling interest and breathless silence; his boat seemed inevitably lost, and himself in fearful jeopardy. Retaining, however, his grasp on the boat, he sprang in, and again seizing his oars brought up under the lee of the little

island. All again felt a momentary relief, but still the great labor and hazard of the enterprise remained to be overcome. A cool head and a strong arm could only effect it—Robinson proved equal to the task. Taking his companion on board in the same careful and deliberate manner, though at infinitely greater hazard and labor, they effected a safe landing on Goat island.

There the spectators assembled to give them a cordial greeting. A scene of great excitement ensued. The boat was drawn up the bank, and it was moved and carried by acclamation that a collection be taken up on the spot for Chapin and his noble-hearted deliverer, Robinson. It was a generous one, and was thankfully received; but the rejection to Robinson that he has renewed a fellow-being under such circumstances will be to his generous heart a much richer one. After the collection, Robinson and Chapin took their seats in the boat, and were carried in triumph on the shoulders of their neighbors to the village.

The intense interest of the whole scene was heightened by the presence of Chapin's wife and children, who stood on the shore, watching with unavailing horror and agony what seemed his inevitable and painful fate. With what devout and heartfelt gratitude must they have thanked God when the husband and parent once more stood by their side safe and sound. [Com. *Advertiser*.

SURVEY OF THE COAST OF THE U. S. AND THE PREPARATIONS OF STANDARD WEIGHTS AND MEASURES FOR THE CUSTOM HOUSES AND THE RESPECTIVE STATES OF THE UNION.

From the *Washington Globe*.

Believing that a brief sketch of the object and progress made in these two great national works may prove interesting to our readers and the community generally, we have taken some pains to procure accurate information from authentic sources on these subjects. The following contains the result of our inquiries:

SURVEY OF THE COAST.

The attention of congress was first invited to the subject of a survey of the entire coast of the United States by president Jefferson in 1807, and a law was accordingly passed in that year, authorising and requesting the president "to cause a survey to be taken of the coasts of the United States, in which shall be designated the islands and shoals, with the roads or places of anchorage, within twenty leagues of any part of the shores of the United States; and also the respective courses and distances between the principal capes or head lands, together with such other matter as he may deem proper for completing an accurate chart of every part of the coasts within the extent aforesaid."

The act further authorised and requested the president, "for any of the purposes aforesaid, to cause proper and intelligent persons to be employed, and also such of the public vessels in actual service as he may judge expedient, and to give such instructions for regulating their conduct as to him may appear proper according to the tenor of this act."

The duty of carrying into effect this law was devolved by the president on the secretary of the treasury, Mr. Gallatin. Accordingly, in March, 1807, a circular was issued by that officer, requesting the suggestion of the outlines of a plan of the contemplated work, "to unite correctness and practicability." Various plans were presented, and one submitted by professor F. R. Hassler was adopted by the president; but, owing to the situation of the external relations of the country at that period, the president deemed it best to postpone commencing the work, and, in the mean time, directed Mr. H. to furnish descriptions of the scientific instruments required for the prosecution of the work. These preliminaries being settled, and it appearing that the necessary instruments could not be procured in the country, it became necessary to send to Europe for them, whither Mr. Hassler was instructed to proceed for that object. He accordingly embarked for England in the year 1811, and had the necessary instruments prepared under his immediate direction and inspection. Before this commission was accomplished, however, the peace of the country was interrupted, and Mr. Hassler was thus prevented from returning to the United States with the instruments until towards the close of the year 1815.

In the year 1818 Mr. Dallas, then secretary of the treasury, with the approbation of the president, engaged the services of Mr. Hassler, who entered on the undertaking as superintendent of the entire work, with authority to employ officers from the corps of engineers and from the navy as assistants, and to provide the necessary equipments, &c. for the successful prosecution of the work. After the preparatory reconnoitering and surveys, a base line was established and duly ratified by careful calcula-

tion in New Jersey in 1817, and sundry primary triangulations projected and completed during said year. The work at this period was interrupted by the omission of congress to make the necessary appropriations, presumed to have been owing to the urgent demand for funds to meet the payments on account of the heavy national debt then due by the country, and other important objects of a public nature. Matters thus remained until the passage of the act of the 10th July, 1832, entitled "an act to carry into effect the act to provide for a survey of the coast of the United States," by which the act of 1807 was revived, and requiring the survey to embrace the coasts of Florida. This act also authorizes the president, "in the execution of the law, to employ all persons in the land and naval service of the United States, and such astronomers and other persons as he may deem proper."

Mr. Hassler was again appointed by the president to make the survey under the superintendence of the treasury department, on the same terms agreed upon in 1816. Under the fostering care of congress, this great national work has been since prosecuted with as much vigor and activity as the nature of it would admit of, and many highly important results have already been realized, and amongst them the discovery of another channel to the harbor of New York, of sufficient depth of water for the safe passage of vessels of the largest class in and out of that port.

The superintendent has under his direction several able assistants and officers under them, engaged in the topographical part of the survey, and are divided into separate corps for accomplishing the main and secondary triangulations, and the planetable operations. Besides, there are four vessels employed in the hydrographical portions of the work, in making the necessary soundings and examination of currents, shores, bays, harbors, &c. on the coast. These operations are conducted by intelligent and experienced naval officers, (under the immediate direction of the superintendent) where determinations are grounded on points and results first established by the topographical parties on the land, and thereby giving to them mathematical precision and certainty.

A recent casual examination of the report of the superintendent, made to the secretary of the treasury, and laid before congress at the last session, it appears that the work has been completed in all its details throughout that part of the coast and adjacent waters lying between the eastern extremity of Long Island Sound, to the neighborhood of Long Branch, New Jersey, and the necessary triangulations to pursue the survey and soundings of the Delaware, the outer sea shore and Barnegat bay, have been extended southerly to the vicinity of Cape May, and towards the north to Mount Carmel, in Connecticut. Sounding parties are now engaged in completing their operations between the points indicated. Accurate maps and charts of the respective portions of the work, as it progressed, have been prepared, and whenever directed by congress to be published, will, no doubt, furnish highly important information, and prove of great practical public utility, and especially to the maritime portion of the community.

STANDARD WEIGHTS AND MEASURES.

In December, 1819, on the motion of Mr. Lowndes, of South Carolina, a resolution was adopted by the house of representatives, directing the secretary of state "to report to this house what information he may be able to obtain as to the regulations and standard for weights and measures in the several states, and as to the proceedings in foreign countries for establishing uniformity in weights and measures; together with such a plan for fixing a standard of weights and measures for the United States, as he may deem most proper for their adoption."

In compliance with this resolution, a very able and interesting report was made by the secretary of state, (Mr. Adams), in February, 1821, detailing many important facts, and exhibiting a remarkable difference between the weights and measures used at the respective custom houses.

No further proceedings appear to have taken place in the matter until May 1830, when a resolution was adopted in the senate of the United States, on the motion of Mr. Woodbury, then senator from New Hampshire, directing the secretary of the treasury "to cause a comparison to be made of the standards of weights and measures now used in the principal custom houses in the United States, and report to the Senate at the next session of congress."

In obedience to this resolution, the required comparison was commenced under the immediate superintendence of Mr. F. R. Hassler, whose high reputation for scientific acquirements generally, and

experience in this branch especially, recommended him as peculiarly qualified for the undertaking. It was conducted on the best established scientific principles, and the result exhibited such remarkable disparity in the weights and measures used in the different custom houses, as to demonstrate the urgent necessity of providing standards for their regulation, to insure uniformity throughout the United States. Reports were accordingly made by the secretary of the treasury to the senate in 1831 and '32, accompanied by a detailed statement prepared by Mr. Hassler, showing the mode of conducting the comparison and the results obtained. In some cases the bushel was found to differ quite six quarts, and the twenty-eight pound weight to differ between two and three ounces. The yard stick differed less, though it was usually too long. As the general collection act of 1793 requires a periodical "examination and trial of the weights and measures, and other instruments used in ascertaining the duties on imports, to be made with standards to be provided by each collector at the public expense," the treasury department forthwith gave directions to have the necessary standards prepared according to authentic units ascertained and recommended by Mr. Hassler.

"The avoirdupois pound (which is the pound of commerce) to be derived from the troy pound of the mint by the legal proportions of 5,760 grains, which constitute the troy pound, to 7,000 grains troy, which constitute the avoirdupois pound. The liquid measure to be the wine gallon of 231 cubic inches; and the dry measure the Winchester bushel of 2,150.42 cubic inches, according to the standard of 36 inches, adopted as the English yard."

Brass being decided to be the most suitable material for the standards, and it being important to have it of the best quality, it was accordingly prepared from American zinc ore and the purest copper to be obtained. The result has been the production of brass of a very superior quality, prepared in this city by the superintendent and his assistant.

The standard weights have already been completed and delivered to the respective custom houses, and the measures of capacity and of length have been mostly fabricated, and are now undergoing proper comparison and final adjustment, which it is expected will be completed in an early period. Some judgment can be formed of the difficulty in making this adjustment, when it is stated that the scales to test the weights can be turned by a hair, and that the thinnest silk paper can be detected on the end of the yard.

By a joint resolution of congress, approved the 14th of June, 1836, the secretary of the treasury is directed "to cause a complete set of all the weights and measures adopted as standard, and now either made or in the progress of manufacture for the use of the several custom houses, and for other purposes, to be delivered to the governor of each state in the union, or such persons as he may appoint, for the use of the states respectively, to the end that an uniform standard of weights and measures may be established throughout the union."

We understand that the standard weights have already been completed for the respective states, and the executives thereof duly advised of the fact. In many instances, they have been delivered, and in others the department is awaiting the receipt of proper directions as to their delivery and transmission.

The preparation of the weights and measures, as well as their distribution, has at all times been under the general superintendence of the head of the treasury department; but that of the survey of the coast was, in 1832, transferred from the treasury to the navy department, then in charge of Mr. Woodbury, as secretary. In 1835, after that gentleman was placed at the head of the treasury department, the survey of the coast was again put in charge of the latter department, where it still remains.

We cannot conclude this hasty sketch, without again adverting to the great importance of these works in a national point of view, and according our humble meed of praise to those distinguished men who conceived, as well as those who counted and supported the undertakings. By the first mentioned work, all the wrongs, points in our extensive seacoast, with the numerous bays, harbors, shoals, currents, &c. together with the true location and bearing of the respective light houses and beacons, will be established with scientific exactness and precision; and by the last, the no less important regulation of a system prescribing uniformity in regard to weights and measures throughout the union. These facts cannot fail to commend the works to the favorable consideration of the American people, as they will tend to exalt our national character, and be deemed lasting memorials of the age and of the institutions under which they were matured and accomplished.

OFFICIAL ACCOUNT OF THE PROGRESS OF THE PUBLIC BUILDINGS.

From the *Globe* of 31st July.

THE NEW TREASURY.

Since the adjournment of congress, many additional rooms in this building have been completed, and occupied by the different bureaus connected with the treasury department. Beside the secretary, who, with his suit, occupied rooms in this building the last year, we now have to add the treasurer, the register, the first comptroller, the attorney general, the solicitor and the commissioner of the general land office. The secretary, for the present, occupies the north wing on the first or colonnade floor; the attorney general the west side of the south wing, on the same floor; the solicitor the east side of the same wing, on the same floor; the treasurer occupies rooms adjoining both the attorney general and solicitor. The first comptroller's rooms are on the west side of the south wing, second floor; the register's rooms on the east side of the same wing, and second floor; the commissioner of the land office occupies the whole of the rooms in the north wing, upon the second and third floors.

The west wing is in rapid progress of construction, and will probably be in a state to be occupied the ensuing winter: the four floors in this wing will contain forty-eight rooms.

As this structure draws nigh completion, its adaptation to the object of its construction becomes more manifest. The fears which, in the incipient state of the work, were entertained by some on this and other grounds, have proved to be groundless. The corridors, both in their width and quantity of light, are amply sufficient. The rooms are abundantly large for the transaction of the public business. The attic, or third story rooms, which it was thought would be dark and uncomfortable, are airy, pleasant and sufficiently lighted. And lastly, upon the stability of the building, in its walls and arches, upon which a doubt was expressed by some, there can be now but one opinion, and that altogether in its favor. Nothing can be more beautiful than the vaulted ceilings of the rooms, halls and corridors; in their lightness and form of construction we have exhibited the triumphs of science and art over the gravity of mere matter.

The floors of the corridors in the two principal stories are paved with black and white marble tiles, disposed diamond fashion; the attic corridor floors are paved with the German white and red flag stone; and the cement corridor floor will be paved with the same flag stone.

The main corridor, running north and south, extends 340 feet; that running east and west 170 feet. These corridors, with their vaulted ceilings and tessellated pavements, produced a fine effect to the eye, engaging their whole extent. When the grand staircase (which is to be of white marble) shall have been completed, and thrown into contiguity with its spacious hall, studded with massive doric columns, which support a fretted groin ceiling, this central entrance to the building will be at once striking and picturesque. In front and on either hand extend the vaulted corridors, into which all the various offices open and communicate with each other on every floor.

The whole interior plan is so arranged as to afford every facility of intercourse between the different bureaus, with every admissible economy of space and security of the public records deposited there. The dressings of all the doors and windows, and also the skirting or base course of the rooms and corridors, are of stone, and the floors of the rooms covered with hydraulic cement, which is for this purpose equal to stone itself, and vastly more economical.

There are three main approaches upon the colonnade level to the interior of the building, which conduct to so many marble stairways leading up to the different stories, and down to the basement apartment. On the basement floor a number of rooms have been and are now nearly finished, and some occupied. As the cut stone for the west wing walls, now under construction, has to be carried through the corridor of this story, neither it nor the rooms can be completed for office business. When this operation ceases, the whole will be finished, and the accommodations furnished here will be little inferior to those on the third story. The floor of the basement rooms is a step above the ground, and being constructed of solid masonry, paved and cemented, with hydraulic mortar, they will be entirely dry.

The present extent of plan of this building, when the west wing is completed, will furnish about 150 rooms, of varied dimensions; the area of the office rooms exceeds 300 square feet, and their cubical contents 3,600 feet, ample space for two clerks, which were originally designated to accommodate.

The operations on this building have been chiefly confined this year to complete the interior for early occupancy. Nothing has been done towards rearing its magnificent colonnade. Many blocks of the columns are on the ground, and a few of them worked and set up on the terrace. A number of the capitals and bases are cut, which will forward this work when undertaken.

The grade of 15th street, in front of the colonnade terrace, is now undergoing a change, which, when carried out to completion, will obviate the natural defect complained of in the locality of the building, arising out of the rapid grade of the street, which covered up one end of the basement so deeply. The base of the colonnade will then present a level line in its whole extent, and thus the finished parts of the building be raised entirely out of the ground.

PROGRESS OF THE PATENT OFFICE BUILDING.

This edifice is now having its last or upper tier of arches turned. These arches, which form the ceiling of one immense room, are supported by twenty columns and twenty-eight pilasters, surmounted by their entablature, which decorate and divide it into eighteen alcoves. The whole extent of this grand saloon is 263 feet by 62 feet wide, and will be appropriated to the display of the models of art.

The exterior walls approach their finished height, and in some parts the main cornice is set. As the roof is now in preparation, and the arches are expected to be in a state to be covered in within a month or six weeks, there is every probability that the two suites of rooms below will be prepared for occupancy before the next meeting of congress.

The first or basement story of this building (which is above the ground) contains one large room for models, 70 by 62 feet; two other large rooms, 30 by 20 feet; eight rooms, 20 by 22 feet, besides a spacious hall and stair-case 86 by 38 feet, a corridor 15 feet wide, and four small rooms 20 by 10 feet.—These apartments are all vaulted with groin arches, and those in the hall and large model room sprung upon massive piers of stone.

The second or principal floor, which is level with the terrace of the portico, is similarly divided, and contains the same number of apartments of the same size as the story below, massive columns taking the place of the square pillars for supporting the arches. The upper or third floor has been already described.

The ascent to the principal floor will be by a flight of granite steps, which land on a spacious terrace spreading nearly 100 feet in extent, and 32 feet wide. This terrace is elevated on groin arches, and formed on the base of the building, which is composed of sixteen columns, in double rows, and two massive ante, rising with their entablature 50 feet, the whole surmounted by a portico. The proportions of this portico correspond with those of the Parthenon at Athens.

Passing across the terrace of the portico, you enter a spacious hall, decorated with columns which support groin arches, at the end of which a double flight of circular steps of marble will ascend to the grand model saloon. The whole of this story, together with the entire building, is vaulted, and made fire proof.

The operations on this edifice are all bent to rendering the interior habitable within the shortest period. Consequently, little or no progress has been made with the portico, except constructing its base, which is of massive granite, and turning the arch which is to support the steps.

The basement story of the building is constructed with cut stone (except on the base of the portico, which is dressed). The superstructure is built of freestone. The present building is in length 270 feet, and in depth 70 feet. When its wings are added, the facade will extend 240 feet.

This edifice has a commanding position, seated upon a ridge of ground which, from the top of the building, enabled the eye to range over the whole city. The principal approach to it is by 8th street, which is fronted by the portico, so that this imposing feature in the facade will or may be viewed all the way from Pennsylvania avenue. It is in contemplation to grade 8th street in such a manner as to enable the whole height of this portico, with its basement, to be seen from the avenue.

PROGRESS OF THE GENERAL POST OFFICE BUILDING.

The foundations of this edifice are in a rapid state of construction. Already the massive wall of the southern section are up to the level to receive the basement of granite, of which material three facades of this building are to be erected; the other walls are rising with despatch, and will, in the course of the next month, be ready for the cut stone work on every front. The centres for the first tier of arches will soon be set.

The marble work will commence early in the ensuing month. Extensive shops are now being erect-

ed on 7th street, in the "mill," for preparing the stone. The north front is to be erected of granite, which will proceed to be cut and set simultaneously with the marble, as will also the freestone, of which material the dressings of all the doors and windows in the interior of the building are to be formed.

A stronger or handsomer piece of work than that presented in the foundation walls of this building cannot be found any where. The stone is obtained from quarries on the Potomac, and is of a remarkably good quality for making substantial walls, being long and broad, and with square flat beds. The jamba and quoins in the interior have been formed of the old cut stone saved in the walls of the former building that was burnt; which, while adding to the beauty of the work, economizes in the cost of construction.

The plan of this building is a parallelogram, 204 feet in extent, and 65 feet in width, with two wings at right angles, 103 feet each, and 54 feet wide. The elevation will embrace three floors above the basement, and afford about eighty rooms for the business of the department. It is not intended to locate the city post office in this building, all the space being required for the accommodation of the department.

The style of architecture adopted in this edifice is the Corinthian; the order, composed of columns and pilasters, disposed upon a high rustic or channelled base, forming the first story. The marble to be used in its construction will be from the same quarries as have supplied the custom house in New York—a beautiful white stone. The granite will be obtained from the quarries on the Potomac—a handsome article, a specimen of which is presented in the blockings and steps in front of the treasury and patent office buildings. The freestone will come from Aquia creek, in Virginia.

The whole of this building will be constructed fire-proof, it being intended that every part should be vaulted, and the roof covered with copper. It is expected to be completed in two years.

PROGRESS OF THE NEW JAIL.

This building has progressed with every possible degree of rapidity since its commencement. The foundations were begun in May last; the walls are now raised one story, and the first tier of arches completed. The system of arching is intended to be continued above, so as to render the building entirely fire-proof.

The dimensions of this edifice are as follows: 100 feet front, 50 feet deep and 40 feet high, including three stories. By the interior arrangement, the criminal apartments are clearly separated from those of the debtors—the entrances being distinct to each. The walls of the cells and the arches are constructed with hydraulic cement, and every precaution adopted to guard against any attempt at an outbreak. The dormitories of the watchmen look into the passage leading to the criminals' cells. This passage divides the outer from the inner wall; so that the criminal would have to break through two walls before he could reach the yard or court of the prison. Each cell, as well as the entrances to the passages, will be closed with iron latticed doors.

The walls of the building are all of brick, which, externally, are to be stuccoed with cement to imitate stone work. The design of this edifice is in the simple Anglo Saxon style, with massive buttresses, capped with stone; between these buttresses runs an embattled parapet. A belfry will surmount the roof, to receive an alarm bell.

It is intended to provide accommodations in this building for the keeper and his assistants. The main or south front will not have the appearance of a prison, as the iron bars to the windows will be fixed inside. The edifice is located on the Judiciary square, upon a commanding site, a short distance north of the Court House square, and will include extensive grounds.

COURT HOUSE IN ALEXANDRIA, D. C.

This building was commenced the last spring, and is now nearly ready to receive the roof. Its dimensions are 60 feet square, and 40 feet high to the eaves. The roof is to be hipped all round, and its peak surmounted by a cupola or belfry. The principal front is ornamented with a doric portico of four columns, elevated upon a high basement, flanked by a double flight of stone steps, which ascend to the court-room floor.

The building, in its elevation, presents a basement, the principal and an attic story. On the first floor the offices of the court room are placed, the rooms of which are to be heated, and made fire-proof. These rooms all open into a spacious corridor, extending from front to rear. Beside the public steps on the outside, there is a stairway communicating with the upper floors.

The hall of the court, with its jury rooms, &c., are placed on the second floor, the public access to which is by the flight of stone steps before men-

tioned, ascending to the portico, from which you enter a vestibule, and pass from thence into the outer bar of the court room. This room is of ample dimensions, including the whole breadth of the building, sweeping more than a semicircle in its plan, and rising the height of the two stories. Across its diameter a spacious gallery stretches above, which is communicated with from a stairway in the vestibule. From the inner bar of the court room a door on each side leads into two small apartments under the gallery for the bailiffs, which are in advance of the two jury rooms in which they open. The grand jury rooms are above these, in the attic story, to which access is had by the same stairway that leads to the gallery.

In the sweep of the circle forming the hall of the court, two of the square angles of the building are cut off and enclosed, which furnish two small apartments for the judges and marshals, each having a window. The bar is divided to accommodate a number of desks, besides those for the judges, clerk, and marshal, and the jury boxes, &c. The area of the room includes near 3,500 square feet.

It is expected that the court will be able to occupy this building the coming spring term.

SMITHSONIAN INSTITUTION.

Early in the late session of congress, the president of the United States, in calling the attention of congress to the fact of the receipt and investment in state stocks of the bequest of *James Smith*, for the purpose of establishing in this city an institution under the above name "for the increase and diffusion of knowledge among men," transmitted to the two houses the following replies to letters addressed by the secretary of state to the writers, inviting the communications thus made. The subject being of very general interest, these letters independently of the names of the writers, will probably be generally acceptable to our readers.

[Nat. Id.

Quincy, October 8, 1838.

SIR: I duly received your letter, dated in July last, expressing the desire of the president of the United States to consult the views of persons versed in science and in matters relating to public education, as to the modes of applying the proceeds of the Smithsonian bequest, to meet the wishes of the testator, and which may prove most advantageous to mankind, with a view to present to congress the subject for their consideration and action upon it.

Having been the chairman of the committee of the house of representatives, and reporter of the bill which became the act of July 1, 1836, relating to this bequest, in which act the faith of the United States is pledged for the application of the funds, placed by the founder of this institution at their disposal, to the promotion of the great object of his munificence, the *increase and diffusion of knowledge among men*, I have waited with anxious expectation the consummation of the first requisite for the accomplishment of the purpose—the recovery of the fund itself—aware that, until that should be effected, all speculation upon the most suitable appropriation of the proceeds would be premature. It is with the warmest satisfaction that I have learnt the successful attainment of this preliminary end.

When, at the last session of congress, provision was made by the sixth section of an act making appropriations for the West Point academy, for the temporary investment of the Smithsonian bequest, I regretted first that this provision was made, and secondly, that it was made in a separate bill, but as an appendage to one with which it had no proper connexion; secondly that the investment should be directed in stocks of states; and, thirdly, that it should give to the secretary of the treasury a discretionary power to invest the fund, at a yearly interest of five per cent. at the very time when the government itself of the U. States was issuing treasury notes at the rate of six per cent. Whatever may have been the occasion or the design of these arrangements, it was impossible to evade the remarks, that here was a deduction of one per cent. a year from the free gift of a noble-minded foreigner, for the most exalted purposes, to bestow it at the discretion of the secretary of the treasury, upon some favorite state. This did not appear to me to be an appropriation of the fund to the increase and diffusion of knowledge among men, nor did it lead me to augur very well of the issue.

This, however, was but a temporary investment of the fund, which, I was willing to hope, would under no consideration be made permanent. In the report of the committee to the house of representatives, accompanying the bill which authorised the president to take the necessary measures for recovering the fund, I had set forth in very explicit language, my sense of the duties which de-

veloped on the government of the United States by their acceptance, in behalf of the nation, of this bequest; and with the same views, I introduced into the bill a pledge of the faith of the United States that the fund should be applied to the generous purpose of the testator.

Before leaving Washington last July, I took the liberty of calling upon the president, and of expressing to him my earnest hope that, in the interval before the next session of congress, he would be prepared with some plan for the permanent safe-keeping and security, *unimpaired*, of the fund itself, by investments which would yield a certain income as large as the ordinary interest of the country, and for appropriating that income to the object of the testator—the increase and diffusion of knowledge among men.

I was kindly received by the president, who assured me of his readiness to take into consideration any suggestions which I might be disposed to make on the subject, or those of any other person whom I might recommend.

Thus encouraged, I gave him freely the views which I entertained with regard to fixing the permanency of the fund, *unimpaired*, and to suitable objects of application for its annual income. The opinions which I gave were general, and, of course, not matured. Further reflection since that time has but slightly modified them, and I have not since had the opportunity of consulting with any person in my own judgment qualified to give counsel, or to act as a judicially *perfectly disinterested*, for the disposal of the fund.

The provision made at the last session of congress was made merely for an investment for a few months, that the fund should, after the arrival of the money in this country, not remain unoccupied, even until the next session of congress. The object now first deserving attention will be to secure the permanency of the fund *entire*; for which purpose, I must indulge the hope that it will not be intrusted to any bank, nor loaned upon any pledge of state stocks.

I should greatly prefer that it should be disposed of as was the fund of one hundred thousand dollars which had been held by the president of the United States in trust for an annuity of six thousand dollars, payable to the Seneca Indians. By the act of February 19, 1831, the whole fund was placed to the credit of the department of war, and the duty of making the annual payment to the Seneca tribe was assigned to the secretary. In the present case, the whole fund might pass to the credit of the treasury of the United States, and the annual payment be directed to be made by the secretary of the treasury. The fund, of course, to be redeemable at the discretion of congress, and otherwise invested for the objects of the institution.

This would give an annual appropriation of 30,000 dollars, and, to keep the fund permanently unimpaired, the annual appropriation should be confined to that sum.

I think that no part of the money should be applied to the endowment of any school, college, university or ecclesiastical establishment; to no institution for the education of youth, for that is a sacred obligation, binding upon the people of this union themselves, at their own expense and charge, and for which it would be unworthy of them to accept an eleemosynary donation from any foreigner whomsoever. Nor do I believe it to have been strictly within the intention of the testator. For the immediate object of the education of youth is not the increase and diffusion of knowledge among men, but the education of children in that which is already known. Its results is doubtless to diffuse, and may be to increase, knowledge among men; and so is apprenticeship to trades, and so is the tillage of the ground, and so was the ancient shepherds of Egypt and Challee, the nightly keeping of their flocks; for it enabled them, by the habitual observation of the stars, to trace their courses to some of the sublimest discoveries of astronomy.

Nor could the application of the fund to any ecclesiastical or religious establishment be a proper fulfillment of the testator's intention. The people of the United States have also religious duties to perform, for the charge and discharge of which they should not consent to be tributary, even in gratitude, to the bounty of any foreigner. The preaching of the gospel, like the education of youth, promotes the increase and diffusion of knowledge; but the worship of God, and the fulfilment of moral duties to man, the special duties of religious institutions, do not so much import the increase of knowledge as the right use of what is known.

I suggested to the president that annual courses of lectures on the principal sciences, physical and mathematical, moral, political and literary, to be delivered, not by permanent professors, but by per-

sons annually appointed, with a liberal compensation for each course, were among the means well adapted to the end of increasing and diffusing knowledge among men.

But the great object of my solicitude would be to guard against the canker of almost all charitable foundations—jobbing for parasites, and sops for hungry incapacity. For the economical management of the fund, and the periodical application of it to appropriate expenditures, it should be invested in a board of trustees, to consist partly of members of both houses of congress, with the secretaries of the departments, the attorney general, the mayor of the city of Washington, and one of the inhabitants of the District of Columbia, to be incorporated as trustees of the Smithsonian fund, with a secretary and treasurer in one person, and to be the only salaried person of the board; to be appointed for four years, and be capable of reappointment, but removable for adequate cause by a majority of the board. Into details it is unnecessary to enter.

The first object of appropriation, however, in my judgment, should be the erection of an astronomical observatory for all the purposes of the Greenwich observatory, in England, and the *bureau des longitudes*, in France. This alone would absorb the annual income of the funds for seven years, and will form the subject of another letter. I am, with great respect, sir, your very obedient servant,
JOHN QUINCY ADAMS.
John Forsyth, *esp. sec'y.* of state U. S. Washington.

Quincy, October 11, 1839.

SIR: I have reserved for a separate letter what I proposed to say in recommending the erection and establishment of an astronomical observatory at Washington, as one and the first application of the annual income from the Smithsonian bequest, because of all that I have to say I deem it by far the most important, and because having for many years believed that the national character of our country demanded of us the establishment of such an institution, as a debt of honor to the cause of science and to the world of civilized man. I have hailed with cheering hope this opportunity of removing the greatest obstacle which has hitherto disappointed the earnest wishes that I have entertained of witnessing, before my own departure for another world, now ear at hand, the disappearance of a stain upon our good name, in the neglect to provide the means of increasing and diffusing knowledge among men, by a systematic and scientific continued series of observations on the phenomena of the numberless worlds suspended over our heads—the sublimest of the physical sciences, and in that in which the field of future discovery is as unbounded as the universe itself. I allude to the continued and necessary *expense* of such an establishment.

In my former letter I proposed that to preserve entire and unimpaired the Smithsonian fund, as the principal of a perpetual annuity, the annual appropriations from its proceeds should be strictly confined to its annual income. That, assuming the amount of the fund to be five hundred thousand dollars, it should be so invested as to secure a permanent yearly income of thirty thousand dollars; and that it should be committed to an incorporated board of trustees, with a secretary and treasurer, the only person of the board to receive a pecuniary compensation from the fund.

On the 18th of March, 1826, Mr. C. F. Mercey, chairman of a select committee of the house of representatives of the United States, reported to that house a bill for the erection of a national observatory at the city of Washington, together with sundry documents containing estimates of the cost of erecting the buildings necessary for such an establishment, for the instruments and books which would require, and for the compensation of a principal astronomer, two assistants, and two attendants. These estimates of expense were, however, prepared upon the principle of providing the establishment at the smallest possible expense—to which end it was proposed that it should be attached to the engineer's office, in the department of war, and that the mathematical and astronomical instruments already belonging to that department should be transferred to the use of the observatory. All this must of course be otherwise arranged, if the president and congress should approve the proposal of establishing the observatory on the Smithsonian endowment. But that document contains much valuable information, which may be made available whenever an observatory shall be erected. It is No. 124, house documents of the first session of the 19th congress.

In the estimate of expense at that time, by the chief engineer, he assigned for the necessary buildings only \$14,500. But as it is desirable that the

principal building, the observatory itself, should be, for the purpose of observation, unsurpassed by any other edifice constructed for the same purposes. I would devote one year's interest from the fund to the construction of the buildings; a second and third, to constitute a fund from the income of which the salaries of the astronomer, his assistants and his other necessary expenses, should be paid; a fourth and fifth, for the necessary instruments and books; a sixth and seventh, for a fund from the income of which the expense should be defrayed of publishing the ephemeris of observations, and a yearly nautical almanac. These appropriations may be so distributed as to apply a part of the appropriation of each year to each of those necessary expenditures; but for an establishment so complete as may do honor in all time alike to the testator and his trustees, the United States of America, I cannot reduce my estimate of the necessary expense below two hundred thousand dollars.

My principles for this disposal of the funds are these:

1st. That the most complete establishment of an astronomical observatory in the world should be founded by the United States of America; and the proper expense of which, both its first cost and its perpetual maintenance, should be amply provided for, without costing one dollar either to the people or to the principal sum of the Smithsonian bequest.

2d. That by providing from the income alone of the fund a supplementary fund, from the interest of which all the salaries shall be paid, and all the annual expenses of publication shall be defrayed, the fund itself would, instead of being impaired, accumulate with the lapse of years. I do most fervently wish that this principle might be made the fundamental law, now and hereafter, so far as may be practicable, of all the appropriations of the Smithsonian bequest.

3d. That, by the establishment of an observatory upon the largest and the most liberal scale, and providing for the publication of a yearly nautical almanac, knowledge will be disseminated among men, the reputation of our country will rise to honor and respect among the civilized nations of the earth, and our navigators and mariners on every ocean be no longer dependent on English or French observers or calculators for the tables indispensable to conduct their path upon the deep.

In the document to which I have above referred, there is a letter from M. de Wallenstein, then attached to the Russian legation in this country; a report from major Kearney of the topographical engineers; and extracts from a memoir of Mr. Francis Baily, respecting a new method of determining the longitude; all of which contain precious information, both of facts and encouragement for the application of a strenuous and persevering effort, on the part of the government of the United States, to contribute their effective aid, by this establishment, to the progress of physical and mathematical science. When the opportunity for this is afforded by the maintenance of a foreign astronomical observatory, the taxation of a dollar upon the people, I cannot forego the hope that this opportunity will not be lost, believing that, of all the physical sciences, there is none for the cultivation of which brighter rewards of future discovery are reserved for the ingenuity and industry of man than practical astronomy.

There is appended to the same congressional document a memorial to congress, from William Allen, president of Bowdoin college, and sundry other distinguished citizens of the state of Maine, praying for the establishment, at the charge of the nation, of an astronomical observatory in the town of Brunswick, in that state; and a memorial of Mr. Hassler, recommending two observatories—one in Maine and one in Louisiana. The memorial from Maine urges with great force and elegance some of the general considerations pointing to the usefulness and importance of an astronomical observatory in the western hemisphere. But it is doubtful, at least, whether any application of the Smithsonian bequest can, in fulfillment of the testator's will, be located otherwise than in the city of Washington; and if hereafter congress should ever be disposed to appropriate any portion of the national funds to these elevated purposes, observatories may be erected in Maine, or Louisiana, or both, which may be auxiliary to the labors of the Smithsonian institution at Washington, without in any manner interfering with its pursuits.

If the president should approve and give the weight of his recommendations to those suggestions I have no doubt they will receive the sanction of congress at their next session. As I propose the appropriation for seven successive years of all the income from the fund to this special object, there will be ample time for considering the best manner of appropriating the same income afterwards to

permanent establishments for increasing and diffusing knowledge among men. Nothing could be more easy than to dispose of a fund ten times as large, without encroaching upon the proper sphere of any school, college, university or academy. Not so easy will it be to secure, as from a ratlesnake's fang, the fund and its income, forever, from being wasted and dilapidated in bounties to feed the hungry or fatten the leaden idleness of mountebank projectors, and shallow and worthless pretenders to science.

Since I have begun this letter, I have conferred with Mr. Bancroft, the collector of the customs at Boston concerning its object, who has promised to communicate his views on the subject to the president. I may, perhaps, after consultation with others, again address you in relation to it before my departure for Washington. I am, very respectfully, sir, your obedient servant.

JOHN QUINCY ADAMS.

John Forsyth, esq. sec'y. of state U. S. Washington.

Providence, Oct. 2, 1839.

SIR: In reply to your communication, dated July last, requesting my views respecting the Smithsonian institute, I beg leave to state as follows:

1. It is, I suppose, to be taken for granted, that this institution is intended for the benefit not of any particular section of the United States, but for the benefit of the whole country; and also, that no expense, which may be necessary in order to accomplish its object, will be spared.

2. I think it also evident, that there is no need, in this country, of what may be properly termed collegiate education; that is, of that education which may be given between the ages of fourteen and sixteen, and eighteen or twenty. All the old states, and many of the new ones, have as many institutions of this kind as their circumstances require. And besides, since persons of the ages specified are too young to be, for a long period, absent from home, it is probably better that a large number of such institutions should be established within convenient distances of each other. The age of the pupils in these institutions would also render it desirable that very large numbers be not associated together.

3. It is probable that professional schools—that is, schools for divinity, law and medicine—will be established in every section of our country. Divinity must be left to the different Christian sects; law will probably be taught in the state, or at least the district, in which it is to be practised. The same will, I think, be true of medicine.

4. If the above views be correct, it will, I think, follow, that the proper place to be occupied by such an institution would be the space between the close of a collegiate education and a professional school. Its object would be to carry forward a classical and philosophical education beyond the point at which a college now leaves it, and to give instruction in a broad and philosophical principles of a professional education.

The demand for such instruction now exists very extensively. A very considerable portion of our best schools now graduate as early as their nineteenth, twentieth, or twenty-first year. If they are sufficiently wealthy, they prefer to wait a year before studying their profession. Some travel, some read, some remain as resident graduates, and many more teach school for a year or two, for the purpose of reviewing their studies. These would gladly resort to an institution in which their time might be profitably employed. The rapidly increasing wealth of our country will very greatly increase the number of such students.

The advantages which would result from such an institution are various. It would raise up and send abroad in the several professions a new grade of scholars, and thus greatly add to the intellectual power of the nation. But, specially, it would furnish teachers, professors and officers, of every grade, for all our other institutions. As the standard of education was thus raised in the colleges, students would enter the national university better prepared. This would require greater effort on the part of its professors, and thus both would reciprocally stimulate each other.

The branches which should be taught there, I suppose, should be the same as in our colleges, only far more generously taught—that is, taught to men, and not to boys—and the philosophical principles of law and medicine. This would embrace lectures on Latin, Greek, Hebrew, and the oriental languages; all the modern languages of any use to the scholar, with their literature; mathematics carried as far as any one would desire to pursue them; astronomy; engineering, civil and military; the art of war, beginning where it is left at West Point; chemistry; geology; mining; rhetoric and poetry; political economy; intellectual philosophy; physi-

ology, vegetable and animal; anatomy, human and comparative; history; the laws of nations; and general principles of law, the constitution of the United States, &c.

5. Supposing such an institution to be established, something may be added respecting the mode of its constitution and organization.

I suppose then, that an institution of this kind is a sort of co-partnership between the instructors and the public. The public furnish means of education, as buildings, libraries, apparatus and a portion of the salary. The professors to do the labor, and provide for the remaining part of their income by their own exertions. Hence their arises naturally a division of the powers and duties of the parties. To the corporation, or governors, or trustees, or by what name they may be called, would belong the management of the fiscal concerns of the institution, and the control of that portion of its affairs which depended specially upon its relation with the public donation. The government of the institution, the conferring of degrees, the appointment of professors, would be performed jointly by the officers of instruction and the corporation.

In the English universities the government of the institution is vested in a general meeting of the former graduates. This forms a literary public, which exercises ultimate jurisdiction in most matters which require deliberation. How far such an institution might be constructed upon this principle, may be fairly a question.

6. If the above mentioned views should be adopted, it will be perceived that no funds will be required for dormitories. The young men will provide for themselves board and lodging wherever they please, and the professors will be responsible for nothing more than their education. It is supposed that they are old enough to govern themselves.

Hence the funds may be devoted to the following purposes:

1st. A part would be appropriated to the creation of a library, cabinets, and for the furnishing of all apparatus necessary to the instructors.

2d. A part to the erection of buildings for the above purposes, together with buildings for professors' houses.

3d. A fund would be established for the endowment of professorships, giving to each so much as may form a portion, say one-third or one-half, of his living, and the rest to be provided for by the sales of the tickets to his courses.

7. If the institution is governed by a board, this board should be appointed by the president and senate, or by the president alone, and they should hold their office for no longer a period than six years, one-third of them retiring, unless re-appointed, every two years.

8. Graduates of the university should be allowed to teach classes and receive payment for tickets, upon any of the subjects on which instruction is given in the regular course. This will prove a strong stimulant to the regular professors, and will train men up for teachers.

Degrees should never be conferred as a matter of course, but only after a strict and public examination. They should never be conferred either in course, or *causa honoris*, unless by the recommendation of the faculty.

I have thus very briefly, but as far as my avocations would allow, thrown together a few hints upon the subject to which you have directed my attention. That I should go into detail, I presume, was not expected. Whatever may be the plan adopted, I presume it will not be carried into effect until an extensive observation of the best universities in Europe has furnished the government with all knowledge which the present condition of the science of education can afford.

I have the honor to be, sir, respectfully, your obedient servant,
F. WAYLAND.

Hon. J. Forsyth, secretary of state.

Columbia, South Carolina, July 20, 1839.

SIR: With respect to the Smithsonian legacy, two courses only suggest themselves to my mind: one annual premiums for the best treatises on given subjects, which we have not literary or scientific men enough to supply or enter into any thing like competition with the Bridgewater treatises; and, therefore, we should only be disgraced by it. I therefore cannot recommend this mode of application. Add to which, it would be very apt to degenerate into a political and party institution, in various ways. The other is an institution of the character of an university. I am well aware the power of erecting an university was twice refused to congress, in the convention of 1787. But the objection may be gotten over by transferring the donation to the corporation of Georgetown, under such limitations as may be expedient and constitutional,

and let an university be instituted by that corporation. This would be a sufficient approximation to Mr. Smithson's required locality, and would obviate the constitutional objection.

Such an university ought not to be opened, except to graduates of other colleges. The studies might be higher algebraical calculus; the application of mathematics to practical mechanical knowledge of every description, and to astronomy, to chemistry, electricity and galvanism; the principles of botany and agriculture. No Latin or Greek; no mere literature. Things, not words.

Strict attendance; strict and public examinations. I object to all *belles-lettres* and philosophical literature, as calculated only to make men pleasant talkers. I object to *medicine*, which cannot be well taught in a locality of less than 100,000 inhabitants.

I object to *law*; for all that can be orally delivered can be more profitably and deliberately learnt by perusal. *Ethics* and *politics* are as yet unsettled branches of knowledge.

Whether physiology and political economy ought to be rejected, requires more consideration than I can at this moment bestow. I want to see those studies cultivated, which, in their known tendencies and results, abridge human labor, and increase and multiply the comforts of existence to the great mass of mankind. Public education should be useful, not ornamental.

The course should not be less than 3 years, of 10 months each. The instruction afforded gratis; examinations for admission rigid. Such, in few words, are my notions on this subject, which I respectfully submit, sir, to your better judgment.

Accept, I pray you, the assurances of my sincere and high consideration.

THOMAS COOPER, M. D.

Sydenham, near Philadelphia, Nov. 6, 1838.

Sir: Referring to your letter of July, the receipt of which I had the honor to acknowledge, and desiring now to meet the wishes it conveys, however sincerely distrustful I am of myself in attempting the task, I proceed to remark, that a university or college, in the ordinary sense, or any other institution looking to primary education, or to the instruction of the young merely, do not strike me as the kind of institution contemplated by Mr. Smithson's will; declaring it, in language simple, yet of the widest import, to be "for the increase and diffusion of knowledge among men;" and making the United States the trustee of his intentions, it seems to follow that it ought to be as comprehensive as possible in its objects and means, as it must necessarily be national in its government. In turning my thoughts to the subject, it is, therefore, only upon a basis the most comprehensive, under all views, that I can think of any general plan for its organization. Hence it appears to me—

1. That even officers of the United States, abroad and at home, might be made subservient to some of the main objects of the institution—as their consuls, naval and military officers; and, their foreign ministers.

Consuls, by their residence in foreign ports, have opportunities of becoming acquainted with the natural history and productions of the places where they reside, and other things to be known. This class of officers had instructions, at a former period of the government, to send home seeds, plants, and other productions beneficial to agriculture, manufactures, or any of the useful arts. But their efforts were frustrated or impeded for want of a fund to defray incidental expenses, which, however small, constitutional scruples existed against providing. The Smithsonian fund might supply the means of renewing such instructions, giving to them more scope as well as efficacy.

Our naval officers, those especially in separate commands on foreign stations, must have opportunities of gaining knowledge in other spheres than those to be filled by their usual reports to the navy department; and the same may be said of officers of the army, in regard to the war department. Many of the latter, by their stations at garrisons, or employment otherwise in remote and unexplored parts of our country, are in a peculiar manner situated, to collect facts bearing upon its geology, its natural history in all branches, its antiquities, and the character of its aboriginal races; the communication of which might advantageously fall in with the purposes of this institution, and be ultimately promulgated through its instrumentality.

I propose to include, also, ministers plenipotentiary among the functionaries who might serve the institution, and, through it, the general public, on this occasion. By their power of commanding the best intercourse in the several communities to which they are sent, they may open to themselves avenues to knowledge of all kinds; the transmission

of which to the institution, under executive instructions to that effect, might often prove of high value. It would not be expected from them but at convenient intervals, and never when interfering with their primary duties. When an appropriate channel was opened for receiving communications of this nature, they would become, it may be presumed, an agreeable appendage to the primary duties of our ministers, affording a resource for their leisure, with opportunities of a more enlarged usefulness to their country and fame to themselves. Permanent missions were once objected to by Mr. Jefferson, as not within the true theory of our foreign intercourse, which seems to countenance the more a proposal for connecting with them the honorable appendage suggested, since neither official dignity nor usefulness can ever be impaired, though both may be heightened, by co-association with knowledge in other fields.

2. A building to be erected at Washington, with accommodations for the business of the institution. Ground to be attached to it, sufficient for re-producing seeds and plants, with a view to diffusing through the country such as might be found to deserve it. The officers of the institution to be a director, a secretary, a librarian and a treasurer. Persons to be under them to take care of the building and grounds. The officers to be appointed by the president and senate. The director to make an annual report to congress on the state of the institution, and oftener if necessary. Its affairs to be subject to the visitation of the president, aided by a standing board, to consist of the chief officers of the government, say, taking the example of a law already in the statute book in relation to the finances, the vice-president, the chief justice, the secretaries of state and the treasury, and the attorney general. The institution to have its press, as the university of Oxford, or otherwise authority to employ one for printing communications sent to it, and the lectures to be presently mentioned. Nothing to be printed but under the sanction of the director and standing board of visitors. To this and other ends, for the good government of the institution, the standing board to have the right to call in the assistance of three or more scientific or literary persons unconnected with it. The profits arising from all publications to go in aid of the needs of the institution. Communications from learned societies, or from individuals eminent in science or letters, in whatever part of the world, to be received by the director, and taken charge of by the secretary. The director to be authorized to correspond with any such societies or persons. A council to assemble once a month, to consist of the officers of the institution and the lecturers attached to it, before which all communications to be laid. Order to be then taken upon them. Such as go upon the archives, with a view to the question of publication, to be brought under the consideration of the standing board of visitors at the proper time, when that question will be decided. The director to preside at these councils, at the meetings of the standing board of visitors, and at all other meetings required by the business of the institution; and the secretary to keep the minutes. The standing board of visitors to hold stated meetings twice a year, and assemble on other occasions when they deem it necessary. At the commencement of the institution, the duties of librarian and treasurer to be united in the same person.

3. Lectureships to be established, comprehending as many of the leading branches of physical and moral science as the funds of the institution may be able to bear. Apparatus to be provided for the branches requiring it. One of the lectureships to be dedicated to government and public law. When conflicting opinions on government are raging in the world, to have the democratic principle, as modified by our systems of representation, and the conjoint workings of the federative and national principle, illustrated in elementary disquisitions, apart from temporary topics and passions, is a desideratum which the Smithsonian institution might supply. Such productions seem due to mankind, as to ourselves, imperfectly described as our institutions have been, through adverse feelings in the minds of our countrymen, as well as in the case of the Roman liberty fared in the hands of the royal historians. Rarely can foreigners, however enlightened, be equal to the task of justly analyzing the complicated movements, unintelligible to hasty observers, yet full of harmony, that maintain the order, prosperity and freedom of this great confederated republic, under guards combining the efficacy of popular sovereignty with its safety. Authentic explanations of them, all issuing from this institution, at an age when steam is quickening all intercourse throughout the world, would give new motives for listening to the doctrines and results of the democratic principle in this h-mis-

phere. So expounded, it would go before the world without disparagement, and be fairly judged by its results. Under public law, the tenets of America, now locked up in diplomacy, or otherwise hidden or overlooked in Europe, might come into useful publicity; her proposals to Europe, to abolish privateering, and prohibit public ships from capturing merchant vessels upon the ocean, thus forever stripping war of more than half its evils upon that element—a stride in civilization to transcend, whenever it may be made, the West India abolition act; her resistance, single-handed, against the enforcement of British municipal law upon the ocean, as seen in the individual miseries and national violations involved in the feudal claim of impressment; and her desire, shown in other ways, for freeing the international code from barbarous relics, whereby this institution, working in its orbit of calm discussion, might become the ally of America towards gaining for these great public benefactions and others, the growth of our institutions, in our days, (so maligned for retaining the domestic servitude bequeathed to them by our progenitors), favor and acceptance among nations.

The steady abhorrence expressed by this government against employing savages in warfare between civilized and Christian states, and the numerous negotiations to prevent it, would further illustrate the harmonizing policy of America. Such are samples of the maxims that might claim elucidation from an institution reared under the sanction of this republic, and thence, by the principle of its existence, desirous of doing justice to them, examined in juxtaposition with those taught in the ancient and cloistered seminaries of the old world, and upheld by its governments.

The other lectureships, as the foregoing, might be made to yield, each in its proper field, contributions to "the increase and diffusion of knowledge among men." I am aware that voluntary lectureships have not always been found to succeed. But, in the foundation of these, considering the time and all concomitant circumstances, there seems reasonable ground for anticipating success. The plan would imply that the lecturers to be also appointed by the president and senate. It would imply that they were to be selected from the command and assistance, and admit of the exclusive devotion of their time to the studies and investigations of their post. They might even be laid under the restriction of not engaging in other pursuits, as our laws interdict the revenue officers from trading. Genius being of all countries, and the intentions of the founder peculiarly expanded, the range of our own and other countries would be open for selecting the incumbents. The desire of fame, increased by the hope of their lectures being published, might be expected to stimulate them to exertion; and if incentives so high were wanting, the tenure of their appointments, were the executive and public eye would be upon them, would act as a guard against slackness in their duties. If knowledge is power, power, directing knowledge, may make it efficacious. The place where the lectures were delivered would impart to them interest and dignity. If delivered when congress was in session, and not recurring to the members might be needed occasionally to attend to them from the turmoil of politics, and possibly a good influence on legislation itself might grow out of these new intellectual elements gathering about its precincts. To the public functionaries of all sorts, to distinguished foreigners and to visitors at Washington, as well as its resident inhabitants, the Smithsonian lectures might prove attractive. It will have been their lot, if established, to spring up when stupendous agents in nature, and new contrivances in art, are changing the state of the world, in peace and for war; when this country is taking a conspicuous share in these magnificent innovations, which some of the lectures would doubtless treat of; and when the successful results of its popular institutions hitherto are among the causes at work in modifying the political and social condition of other nations. Can it be that, delivered under such circumstances, they would be devoid of interest? Can they be so uninteresting to the nation, to which the eyes of the states are apt to turn with a curiosity both natural and ambitious, may not these lectures do their part also, if recommended by ability, towards raising up among us new homage to mental accomplishments and renown—those memorials of a nation's glory when others perish?

Each lecturer, at the conclusion of his course, to deposit with the director a copy of his lectures. These to be published or not, as determined by the board of visitors. Hence, if the audience in the lecture-rooms proved, after all, to be inconsiderable, the publication of the lectures, when of merit to authorise it, would be fulfilling the intentions of the founder, and the prospect of publication be suf-

ficient to keep up the spirit of the lecturer. We have heard of the Bridgewater treatises, in England, emanating from the provisions of a munificent will. Perhaps it might not be too sanguine to anticipate in good time from the Smithsonian lectures, disquisitions doing honor to their authors, and let it be hoped, to their country, whilst diffusing knowledge among men every where. We have seen also the publications that issue from those recently formed associations that hold their annual meetings in Europe, and seem to have made a fashion there, enrolling statesmen, and nobles, and kings among its votaries. May not the Smithsonian institution mark an occasion for our country to start in this rivalry of mind? The race among nations is going on, of wealth, of power, and of science; the two first extending as the last extends. An immense achievement, which the present year has finally witnessed, the crossing of the Atlantic by steam, is a revolution in human affairs. Distance, once an element in our safety, as in all our relations with the old world, and the basis of all our real essential maxims in our policy, has disappeared. Europe has suddenly become neighbor to us, for good and for evil, involving consequences that baffle all foresight. Our statesmen must wake up to the mighty change. There is no time to lose. They will have to ask themselves what are the parts of our policy to be accommodated to the change. Our men of science, feeling new excitements from this approximation of the hemispheres will naturally be on the alert, growing more emulous in their several fields. The continent that Columbus found was a desert, overspread with barbarous people and institutions. The continent that steam has found teems with civilization, fresh, advancing, and unavoidably innovating upon the old world. The statesmen, the warriors, the active and enterprising men, the whole people of the two worlds, now almost confront each other. It is our point in the destinies of America that the Smithsonian institution comes to us. By their physical resources we know the United States are well known. Their resources of intellectual and moral strength have been more in the back ground; but may not an auspicious development of them be aided by an institution like this, rising up in their capital simultaneously with this new condition of things, guarded, as it will be, by the annual watchfulness, fostered by the annual care, and improved, from time to time, by the superintending wisdom of congress?

The usefulness of the institution would doubtless be increased, if young men could be regularly educated at it. But here imperious obstacles seem to interpose. If only, in conclusion, touch this part of the plan, without dilating upon it, it is from a fear that the fund would not bear their maintenance, in connexion with what has seemed to me other indispensable objects. Perhaps a limited number of students, from the age of 15, taken equally from the different states, save two, from England, under the federative principle, might come to the institution, be formed into a class, and attend its lectures for a couple or three courses; their expenses to be paid under such restrictions as the government might prescribe, and the young men to undergo public examinations at the end of the term, prize metals being awarded by the board of visitors, or a committee of congress, to keep the tone of ambition high. But would the fund bear even this? Again, I fear not.

In the foregoing suggestions as to the nature of the institution, sent to you in compliance with the president's call, I have confined myself to a very general outline and a few reflections. The subject has many aspects, and I have dealt only with some of them, and those partially. It is intrinsically one on which much diversity of opinion may be expected to prevail, and that hardly any discussions could exhaust. However, in response to the president's call, and desirous of responding to it adequately, I have felt incompetent to the task of going into the arrangements in detail necessary to the complete organization of an institution designed by its philanthropic founder to be so universal in scope, so far reaching in its benefits. It ought to have all the simplicity compatible with its ends; but these are momentous, since they may run, by their effects, into distant ages. It is like a new power coming into the republic—it is like a new power coming into the human mind, its ends still the triumphs of the mind; its fields of glory beneficent and saving—a power to give new force to the moral elements of our institutions, helping to illustrate, strengthen, and adorn them. Such, in my humble conception, it is, or may be made. Even as to the brief outline I venture upon for the plan of such an institution, I must repeat how greatly I distrust myself, as yet, as it has been, without consultation with others, giving their thoughts to the same subject, who

might have corrected, modified, and improved my own. Many of these can be turned to the least profit in abler hands, or serve to start better ones in better minds. I shall be amply rewarded.

I beg to add that this communication would have been sooner sent to you, but for interruptions incident to the first month or two after returning to my home after a two years' absence.

With great respect, I have the honor to be your obedient servant,
RICHARD RUSH.

College Hill, D. C. November 26, 1838.

SIR: In an interview I had with you some time since, you desired me to express my views respecting the anticipated Smithsonian institution. I will therefore attempt to do so, though conscious of my inability to do justice to a subject so important in its character and relations. It is wisely organized, and supplied with a corps of distinguished professors in the various departments of learning, it will affect not only the highest interests of our country, but its influence will be felt in foreign lands, and its influence in character worthy of its liberal founder, let it be sustained with the zeal and liberality becoming the object and our own reputation, and it will add to our national points of union; in these we are not very rich, and, therefore, should be glad to multiply them, to bind together more firmly the elements of the American confederation. The object of the contemplated institution is "the cultivation and diffusion of knowledge among mankind." This object, I believe, is distinctly expressed in the will of Mr. Smithsonian. In making his will, he probably had his eye upon those modern institutes and universities in Europe which are designed, not to teach the first elements of science and letters, but to receive graduates, and men looking forward to professional eminence, for the purpose of advancing them to the highest grades of learning, and thus to give them power to enlarge the boundaries of knowledge, by fresh discoveries, and investigations. We may conclude, then, that the intentions of his bequest should be applied to the erection of an institution for liberal and professional purposes, and for the promotion of original investigation—to carry scholars through a range of studies much above those of the ordinary collegiate course. I am happy to know that this is the opinion of John Quincy Adams, a gentleman whose judgment in the present case is entitled to all respect.

Admitting that this is to be its object, it is natural to inquire, in the next place, how it should be organized so as most fully to promote this design. In organizing it, respect should be had to the spirit of the present age, to the genius of our government, and to our peculiar wants as a nation. It is of vital moment that it should receive such a shaping as will best correspond with all the particulars. Many of the institutions of learning in Europe, in rightly adapting to systems of government and industry, and to the benefits of commerce, and to our own, do not send forth men fitted to meet the exigencies of modern society. Though richly endowed, and supplied with teachers of great powers and attainments, they serve for little else than to show the strength of the current that is setting by them. We, at this day, and especially in this country, need men who are acquainted with something better than the learning of the ancient schools; men who have studied profoundly the relation of scientific principles to practical purposes, and who can teach their fellow-men how to apply them in advancing the public welfare.

The general superintendence of the institution may be committed to a board of commissioners, appointed by government, to hold their offices during good behavior, and with power to perpetuate their existence. In this way, the institution would not only be free from the evils of frequent changes and political agitations, but would secure to itself, in the highest degree, the benefits of permanent obligation. These commissioners would feel a deep sense of their responsibility, and that their powers and permanency in place were given to them that they might have the best opportunity to make the institution what it ought to be—a distinguished honor to their country, and a blessing to the world.

Let this board of commissioners procure the best men that can be found to fill the several professorships that may be instituted; and, in order to secure the services of men of the first powers and attainments to lecture and conduct investigations in their appropriate departments, let their several means to facilitate their studies be ample, and their stated salaries liberal; and then its public course of lecturing will be most fully attended—numbers being allured both by the fame of the professors and the lightness of the fees. It was in consequence of high salaries that the university of Göttingen, in the 15th century, rose to the first eminence in Germany.

As the funds are not now, nor are they likely to be for some time to come, sufficient to support professorships in the whole circle of science, it will be necessary to make a selection. The temptation will be to undertake too much. A few chairs, well fitted and well sustained, would effect more than a number far greater than there are adequate means to support. In deciding upon the branches of knowledge to be taught, I would select those that would make the institution as much American as a regard for general science will allow. In addition to the ordinary professorships of law, of medicine, of the exact sciences, and physics, of classical literature, and of modern languages, &c. I would have one of the English literature, one of American history, one of American constitutional law and jurisprudence, one of American institutions, one of civil engineering and architecture, one of the practical application of the exact sciences to the mechanic arts.

You will perceive that I have said nothing about professorships in the department of metaphysics. I would rather leave the whole business of ethical and moral philosophy to be taught elsewhere, than to introduce it as a distinct course in a national institution of learning.

Some of the above professorships are of a local and novel character; but this, I trust, will not be urged as an objection against them. The achievement of our independence formed an epoch in the political world. Let, then, the institution of this our first national university form an epoch in the republic of science. Much might be said in recommending the branches appropriate to our country. They are such as ought to be adopted, out of a regard to our reputation and to our present wants and future prospects. What have we done, as yet, to enrich and improve our own tongue? Besides, when we consider that the English language embodies, perhaps, richer treasures of science and literature than any other, and when we consider that it is spoken by two of the most commercial, enterprising, and powerful nations upon the earth—and which are doing more than any other two that can be named, in forming colonies, and in diffusing knowledge and the light of Christianity—how powerful is the motive to cultivate and carry it to the highest state of refinement and power.

With regard to buildings, it may be remarked that it would be wisest to erect no more than are necessary for the library, the apparatus, a cabinet of minerals, collection of models, specimens, curiosities, &c. for the accommodation of the professors when lecturing or engaged in their investigations. The scholars, instead of eating in common, might be accommodated in private boarding-houses. If this course be pursued, the interest which has accrued and which will accrue on the bequest, before the institution can be organized, will probably be sufficient to erect all the necessary buildings, and leave a handsome sum to be expended upon a library, apparatus, &c. so that the whole of the original donation may be invested for permanent fund.

It will be of vital moment that the professors and students should be rich in the external means of knowledge—an extensive and well-chosen library, instruments, apparatus, models, specimens, &c. Especially would I recommend that there should be an astronomical observatory connected with the institution. The expense of this would not be very great, and the government are already in possession of many of the requisite instruments. By such means, a meridian may be established, not only for our own country, but for the western continent. To this all our national surveys, our charts, &c. may be referred. Astronomical observations might be made, for which our position and climate offer peculiar advantages. There is now no observatory worth naming in this part of the world. Let, then, the American government now build one, and it will not only be an honor to the nation, but it will be a powerful reason for giving permanency to the present act of government.

It may not be thought best to employ any artificial means for stimulants to rivalry, and to seek for literary honors. Congress will always have the right of visitation, and they can, if they please, direct the committee whom they may appoint to attend the stated examinations of the various classes, to award medals, or some other mark of distinction, to those scholars who shall give the best proof of proficiency, or the ablest essays on appointed subjects. But it should be remembered that the community at large constitute, in fact, the most efficient board of overseers, and that that institution will be the most honored and frequented which sends forth the best prepared and the most faithful agents to meet the wants of their country. I have the honor, sir, to be yours, with sentiments of great respect and esteem,
G. CHAPIN.

To Martin Van Ewen, president of the U. States.

CHRONICLE.

Light houses on the coast. It is stated in the Boston papers, that Mr. Pleasanton, first auditor of the treasury, with Mr. Senator Davis of Mass. accompanied by the collector of the port of Boston, embarked at that port a day or two ago, on board the revenue cutter *Hamilton*, on a voyage of survey, authorized by the government of the United States, with a view to introducing uniformity and other improvements in the light houses on our coast.

Beacon on the Romer shoals. During the last session of congress an appropriation of \$20,000 was made for the purpose of erecting a beacon on the Romer shoal, at the entrance of the harbor of N. York; and our worthy and enterprising fellow citizen, captain Winslow Lewis, is now engaged in carrying the intention of congress into effect.

The Romer shoal is an extensive sand bank, situated about four or five miles N. N. W. from the light house on Sandy Hook, and exposed to all the fury of the gales of the Atlantic. It was upon this shoal that the steamer *Hogue* struck when leaving New York, on her last voyage, which proved fatal to so many of her passengers and crew.

The beacon will be erected on the south east part of the shoal—where the water is nine feet deep at low tide; it will be of a conical shape, 26 feet in diameter at the base, and 6 feet at the top, to be built of large blocks of heavy granite, strongly clamped and dovetailed together, with copper materials—and rising to the height of 10 feet from the foundation of hard sand. This will be surmounted with a spar 24 feet in height, on the top of which will be placed a conspicuous object—the whole to be painted in a manner that will attract attention.

We understand that capt. Lewis has met with some difficulties in laying the foundation stones for this beacon, owing to the rocky nature of the soil. His attempts to make use of a diving bell proved fruitless. These obstacles, however, he has surmounted by an ingenious and admirable contrivance, something on the principle of the coffee-dam—and which has enabled him to execute the work of laying the foundation in the most faithful manner. A beacon of this description, on the Romer shoal, will afford a safe service to vessels entering the harbor of New York.

[*Best. Mer. Journal.*]

Prince George's county, Md. The total assessed value of the real and personal property in Prince George's county, in this state, as officially declared for the present year, is \$5,384,424. There are in the county 229,260 acres of land, which with the improvements are assessed at \$3,679,355; the number of slaves is 8,962, valued at \$1,665,725; the amount of silver plate is 17,177 ounces, valued at an equal number of dollars; and there is other property valued at \$520,302, making the aggregate assessed value of personal property, \$2,295,073. On the entire aggregate, a tax of 34 cents per hundred dollars has been levied, which produces \$20,097—the total amount of the county expenses for the year.

Monument at North Point. The military companies of Baltimore have resolved to erect a monument at North Point to commemorate the battle fought there on the 19th of Sept. 1814. The project is a laudable one, for few battles fought during the war were more honorable to our citizen soldiery or tendered more to check the inroads of a ruthless enemy.

Canada prisoners. Eleven more of the Prescott prisoners have been released, and have reached Sackett's Harbor. Their names are David Deffield, J. M. Jones, Oliver Lawton, Elgar Rogers, Garrus Powers, Samuel Livingston, Truman Chipman, Levi Chipman, John Graves, Alonzo Mallitt and Baptiste Jason.

At Toronto, on the 22d ult. Philip Jackson, Diogenes McKenzie, Benjamin Warner, Isaac Mace and John McIntyre, the last of the above named, were taken prisoner in the invasions of Upper Canada—with the exception of one named Myers, who was in a dying state—were tried and found guilty on the testimony of Samuel Woods and William Carroll, who were implicated in the same enterprise but admitted as evidence for the crown. Sentence had not been pronounced.

The Gloucester, Mass. Telegraph says one or two vessels have returned from the bay without any mackerel, which the Telegraph considers pretty good evidence of the scarcity of the fish. We should think so. The argument is logical and well considered. If no mackerel were found, we too, should consider the proof *prima facie*, at least, that they were not very abundant. Some of the places on Cape Cod, however, where they angle for them with seines, furnish pretty good fishing. For instance, the *Squam Company* recently took from seventy-five to a hundred mackerel in a haul. Of course, it is not to be thought of as a miracle, but that they have a poor appetite this season. They want bite, though they have no objection to being taken if you fairly surround them with a seine. They have no notion of volunteering, but submit cheerfully to impressment.

Health of New Orleans. The Bulletin of the 22d ultimo says:

We have this far advanced into the dangers of the summer season with entire immunity. The city, as we learn from conversation with several intelligent and experienced physicians, continues totally free from epidemic disorders, and altogether is marked by excellent health. The abundant rains which have of

late fallen, have tempered the fervid heats of summer, and rendered the atmosphere comparatively mild and delightful. We have had quite a sufficient quantity of rain for the purpose of thoroughly cleansing the streets, and keeping up public salubrity. More would be dangerous, and we hope that we are to remain exempt from any epidemics, or visitations for some weeks to come. Hitherto we have had no signs of yellow fever, and though it must be acknowledged that all prognostics are frequently falsified by facts, we are not without the confident belief that we shall this year be spared the calamity of an epidemic.

There were 121 deaths in Philadelphia last week—26 adults and 95 children.

There were only three deaths at Cincinnati during the week ending on the 9th ult.

Health of Charleston, S. C. The yellow, or stranger's fever is prevailing at Charleston, by which, for the week ending on the 23d ult. there were 18 deaths—5 of which were white adults.

Steamboat burnt. A ship from the Mobile Chronicle, under date of 27th July, states that a steamboat *William Hurlbut*, which left that city on the previous evening, with a large number of passengers and a full cargo, was burnt to the waters' edge, when about ten miles above the town. The fire originated in the hold, being first observed breaking out of the hatches. The boat was immediately run ashore, but burning was not checked, except by the passengers and crew. The cargo was entirely consumed. There was no insurance upon either boat or cargo.

Secretaries of state in Illinois. It is stated, and several facts going to prove the statement are cited, that there are at this time, three secretaries of state in Illinois. The story is that governor Carlin, growing tired of the delay of Mr. Clermand in obtaining the papers from Mr. Field, appointed a Mr. Morris, of Quincy, secretary—and that when Morris arrived in Springfield, and the attempt to take possession by a writ of replevin, failed, Morris returned home, without announcing his appointment. It is thought if Mr. Clermand succeeds in ousting Fields, Morris will oust Mr. Clermand.

[*S. Louis Rep.*]

Tornado in Connecticut. A destructive storm of wind and rain passed over several places in the state of Connecticut, on the afternoon of the 31st ult. It appears to have been most severely felt in the vicinity of New Haven, where some of the most substantial buildings were blown down or so injured, persons were carried through the air, and forest and fruit trees in great numbers, torn up by the roots. The Daily Herald, which notices this storm, was not published early enough on Wednesday to give a full account of the damage occasioned by the wind. At North Haven several houses were destroyed, and at East Windsor great injury was done to the crops.

In the city of New Haven itself the house of a capt. Gregory, about a mile from the state house, had all its chimneys blown down, part of the roof carried off, and its barn, fences and trees demolished. A house in the vicinity belonging to Mr. Way, was blown entirely to pieces. A small new tenement, the property of Dr. Gregory, was blown or entirely demolished. The house of Mr. Sperry was uninjured. The house of a professor Shepard was considerably injured. Several buildings in a direction west from the city were blown down or greatly injured, and at one place several lives were lost.

A family had just sat down to dinner in the basement of a small house, when the wind struck the house carried it away, leaving the family and table untouched.

The precise direction taken by the current of wind we have not been able to learn.

Slow promotions in time of peace. By examining the Navy Register, it is found that there are now in the navy 127 lieutenants, who have been twenty years and upwards in service, and that twenty of these entered the service twenty-seven years ago. There are also 79 passed midshipmen, who have been in the service 11 years and upward, and are still waiting for promotion.

A locomotive engine was tried at Lowell, (Mass.) a few days since, which drew a train of cars, six or seven in number, filled with merchandise, weighing three hundred and thirty-three tons, of 2,000 pounds, over an ascent of 10 feet to the mile, at the rate of nine miles an hour.

Mississippi direct trade. Last week we noticed the arrival of the ship *Franklin*, from Grand Gulf at Liverpool. Since then, we observe that the ship *Talleyrand*, from Natchez, arrived at Liverpool on the 11th June, and the ship *Victoria*, from Vicksburg, on the 13th.

[*Grand Gulf Advertiser.*]

Colonization without cost. The legislative council of Trinidad, one of the British West India islands, in which slavery was abolished on the 1st of August, 1834, has passed an ordinance for the encouragement of the emigration of colored laborers to the island. It provides for the payment at the public expense of \$25 for the passage money of each laborer of African descent coming from the United States, and \$30 for each one coming from Canada.

The history of Mr. H. Bowley, a member of the legislative council of Trinidad, is now in New York as an agent to endeavor to induce the colored people to emigrate. The island of Trinidad is said to be very fertile and very healthful.

[*Pennsylvania.*]

Immigration to Hayti. The brig *America*, Kingsley sailed 20th July from St. John's river, East Florida having on board nearly 100 free colored and some white passengers of that neighborhood for Hayti.—They were mostly of the useful and laborious classes of the community, such as agriculturists, assisted with black and white mechanics, together with some first rate ship builders and other mechanics, intending to settle near Port au Plate, under the patronage of Mr. Kingsley, a Florida planter, who wishes to transfer their industry to his own fertile lands in Hayti.

The ship *Salada*, about to sail from Norfolk for Liberia, will carry out among other emigrants eighteen emancipated slaves lately belonging to John K. Mir, esq. of Raleigh, N. C. who were liberated on the condition of their emigrating to that colony.

The new packet ship *Rochester* made her passage out in sixteen days. She sailed from New York on the 6th ultimo, and arrived at Liverpool on the 22d.

Abolition. The conference of the Methodist Episcopal church, which convened at Washington, Pa. adjourned on the 26th ult. after a session of nine days. The following resolution, which had been sanctioned by the New York conference, was considered and rejected—nays 86, yeas 5.

Resolved, That no person can, or should be, a member of the Methodist Episcopal church, who either holds, buys or sells a negro slave or slaves, unless the express object of liberating them immediately.

A line of Brazilian steam packets has been established by a company at Rio de Janeiro, for the purpose of keeping up a regular communication with all the ports north of the capital. The first packet, belonging to the company, returned from Rio de Janeiro, having made the circuit of the ports, going and returning, in sixty days.

The Wilmington Whaling company's ship *North America*, capt. Simmons, arrived on the 6th inst., with a full cargo of oil. The *North America* has been out but 14 months, and has made one of the most successful voyages on record. In addition to the oil, with which she is completely filled, she has brought home about \$1,500 in specie, the proceeds of some oil sold at Hobart's bay. She filled up the vacuum on her passage home.

The Louisianaian of the 24th ult. states, that on the 6th inst. the steward of a Spanish schooner, on a coasting voyage from Havana to Trinidad de Cuba, with a crew of negroes, and twenty-six white passengers, men, women and children, managed to excite the blacks against the whites; the latter were all murdered, together with the officers and crew of the schooner. As soon as this news reached Havana, the government dispatched a vessel of war in search of the coaster.

An old newspaper. The Pittsburgh Gazette of Monday last, announces that on that day, the Gazette completes fifty-three years since the publication of the first number. It was the first newspaper which was published in that vast region which extended from the Alleghany mountains on the east, to the Pacific ocean on the west, and from the Gulf of Mexico on the south to the frozen regions of the north.

Indian running. At the Laprairie races, last week, eight Indians entered for a foot race, one of whom ran the distance—a mile and sixty yards—in five minutes and fifteen seconds. In another heat the same swift runner did it in five minutes and two seconds, with apparent ease. The running was not equal to Stannard's ten miles within the hour.

[*N. Y. Com. Adv.*]

National road. The Cumberland road convention, composed of delegates from the states of Ohio, Indiana and Illinois, met at Terre Haute, Ia. on the 8th July. The object of the convention was, if possible, to concert measures by which the road shall be prosecuted to completion. A committee of the convention reported a memorial to be presented to the next congress, which was accordingly adopted. Among other things set forth in the memorial is the doctrine, that the government stands pledged to complete the work, in justice to the western states, referring to the large appropriations annually made for the improvement of eastern states, in clearing out of harbors, erection of light houses, &c.

[*Net. Int.*]

American copper. Some notice is taken in the Batesville (Arkansas) News, of the operations of the Current river copper mining company. The mine at present has been neglected, but it is situated in a rich country, Missouri, and the copper ore is supposed to extend over a space of many miles. Since September, 1837, about 1,000,000 pounds of ore have been raised, the average yield of which has been about forty per cent. A smelting furnace was erected in April last, since which time about seventy-five tons of copper have been melted, but the ore is situated in such a manner, that the ore is situated in a rich country, Missouri, and the copper ore is supposed to extend over a space of many miles. Since September, 1837, about 1,000,000 pounds of ore have been raised, the average yield of which has been about forty per cent. 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[VOL. LVI.—WHOLE No. 1,455.]

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

ELECTIONS. We have not received official returns of the recent congressional elections, but the following summary will be found nearly correct:

In *North Carolina*, seven whigs and six friends of the administration have been elected. In *Kentucky*, eleven whigs and two friends of the administration. In *Indiana*, two whigs, four friends of the administration, and one, (Mr. Wick), whose position is not satisfactorily "defined." In *Tennessee*, seven whigs and six friends of the administration. From *Alabama* we have news from only the two of the districts, which states that two whigs and one friend of the administration have been elected.

Mr. Polk has, no doubt, been elected governor of Tennessee by a handsome majority; and it is believed that a majority of the delegates elect are friends of the administration.

The result is a decided whig loss—the particulars of which will be given in our next.

GOLD COINAGE. Statement of the coinage at the several branch mints during the half year ending on the 30th of June last:

GOLD.		SILVER.	
Half eagles.	Qr. eagles.	Half dimes.	Half dollars.
Charlote, 7,210	10,760	62,950 00	62,950 00
Mahonega, 6,573	13,673	67,047 50	67,047 50
		223,160 00	223,160 00
		\$333,157 50	

THE CHEROKEE TROUBLES. We have seen a letter, hastily written, from the Cherokee nation, west of Arkansas), on the 24th of June. The information it gives is to be relied on, and is the first questionable intelligence that has come to hand. It confirms the report of the destruction of the two agencies and Boudinot, but gives no particulars of the immediate cause. From certain expressions in the letter, we should infer that their death was resolved on in a general assembly, which Mr. Ross strove curbed, but could not; for the writer speaks of the constraints attempted in vain to be imposed by "the moderation of Mr. Ross."

The succession of events, as stated in the letter, are as follows:

A general council of the representatives and people of the Eastern and Western Cherokees was convened for the purpose of forming a union of the two nations, and of remodelling their government. It closed on Friday, the 21st of June, without effecting the objects for which it was convened. The people, however, who formed a branch of the general council, expressed their sentiments on the subject. They resolved that the interests of the nation required such a union to be speedily effected, and held a national convention to take the subject into consideration at an early day.

On Saturday, June 22d, major Ridge, John Ridge and Elias Boudinot, were killed.

On Sunday, June 23d, news spread among the people that Bell, one of the Ridge party, was collecting a company to kill John Ross and Edward Gunter. An hour's notice a large band assembled at the tent whence our informant writes, and started at speed to guard Mr. Ross; and from a few miles off another company went, in like haste, to guard Mr. Gunter.

On Monday, June 24th, a person who passed the agency guarded.

"For the sake of humanity," says the very intelligent gentleman from whose letter, written on the 4th, we derive our information, "it is to be hoped matter will stop here; for there can be no doubt it, should Mr. Ross or Mr. Gunter be killed, the regular army will burst all the restraints imposed by the moderation of Mr. Ross, and nothing short of utter extermination of the treaty men will satisfy them."

The convention for the union of the Eastern and Western Cherokees was to have met on Monday, 17th inst. [New York Journal of Commerce.]

That portion of the tribe which removed west many years since are called the Western Cherokees; those who recently removed, the Eastern Cherokees. Vol. VI.—Stc. 25.

FROM GUATEMALA OR CENTRAL AMERICA. From the *New York Journal of Commerce.* Our readers are aware that, some months since, the states of Honduras, Nicaragua and Costa Rica, each declared itself independent of the general government, at the head of which is president Morazan. Honduras and Nicaragua raised an army of 1,600 men, and invaded the province of San Salvador. Men, gave them battle, and defeated them with the loss of about 400 men. In consequence of this battle, the nullifiers abated their pretensions, and there was some hope of the restoration of peace without further bloodshed. The government of Guatemala has addressed a circular to the other states, inviting them to a general convention for the purpose of adopting a new constitution, and effecting the desired reforms in a pacific manner. El Tiempo, of Guatemala, says, under date of May 24th, "The election of deputies for several districts has taken place without any great commotion or loss of lives, so generally attended on such occasions." The latest intelligence, which we find in the *Blize Advertiser* of the 13th ult. is as follows: *Central America.* The last papers, dated 30th May, received from that place, inform us that gen. Morazan was at the head of the federal army, a well disciplined and "full of fight" body of men. Gen. Ferrera, of the allied pacificator army, was in San Miguel on the 21st May, reorganizing the troops under his command, in consequence operations, as he says, "against the enemies of the sovereignty and independence of the states who keep San Salvador under the most shameful slavery."

As is usual with this unfortunate people, bulletins and proclamations are being daily issued, expressive of the utmost brotherly and loving kindness towards one another whilst meditating the most sanguinary butchery.

MEXICO. Advices from the city of Mexico to the 8th, and Vera Cruz to the 13th of July, have been received at New Orleans. The report that gen. Bravo had superseded Santa Ana in the presidency of *ad interim* that republic, turns out a hoax. General Bustamante was daily expected in the capital, having quitted for the present, the most formidable enemy of the internal peace of his country. He had been received with every demonstration of joy and respect, in all the populous places through which he had passed.

Our minister, Mr. Ellis, was received with all the honors that could be shown him at Vera Cruz.—A military escort was sent to conduct him to Mexico, and the public authorities seemed anxious to make every possible demonstration of respect towards him.

The Mexican congress had refused to concur with Santa Ana in his hostile measures towards Texas recommended by him, and the latter had retired to his country seat.

From the New Orleans Bulletin.
By the schooner Eclipse, capt. Delaville, which arrived here yesterday, we have received our files of papers and letters from the city of Mexico to the 8th, and from Vera Cruz to the 13th inst. inclusive. Santa Ana was still the president *ad interim*, and though in a precarious state of health exercising the functions of his office with increasing aplomb and success. At the date of our correspondent's letter, Bustamante was momentarily expected in the capital. The expedition to Tampico being crowned with such entire success, his return was every where greeted with the most enthusiastic demonstrations of affection and regard. According to the *Diario del Gobierno*, Santa Ana and he are to effect the most salutary reform in the constitution,—to do away with the cause of the late disastrous disaffection, conciliate all parties, and to crown the whole with reconquering the "ungrateful colony." For accomplishing this great undertaking, the executive is to be empowered to raise the necessary means. All the federalists who gave themselves up to the disposal of the government are to retire to their farms, and never to reside in a city, or near a fortification under pain of death.

Urrea was sentenced by Santa Ana to be banished for six years, but a perverse man of "French descent," who had him in charge, allowing him too much parole of honor, the *quandam* generalissimo, while on his way to Vera Cruz for embarkation,

made his escape at Perote on the 30th ult. and has not been heard of since.

Lemes was chased out of Monterey by Canalizor; he and his brother fled to Monclavo. According to the papers in our possession, the career of this general is of late marked by much barbarity.

In several states in the interior, the small pox is raging with great violence.

Throughout the whole republic, the censorship of the press is maintained with the greatest rigor, but the foreign merchants resident in Vera Cruz have been allowed, and are about establishing a splendid exchange or reading room in that city, on the European plan.

Extract from the correspondence of the Louisianian.
No news in the interior, St. Ana is expected shortly in his *hacienda de nanga del clavo*. Bustamante should be on his way to Mexico to take the reins of government.

Two hundred thousand dollars of the second instalment are on the way from Mexico to Vera Cruz. The Mexicans give this the greatest punctuality.—This money will arrive only a few days after being due.

Commercial affairs have a good appearance.—There has not been as yet any arrivals from Europe, and the want of goods is immense.

General Urrea is to go to Europe.

FLORIDA. *Seizure of Indians.* Extract of a letter, received this morning from lieutenant W. K. Hanson, of the 7th Infantry, U. S. A. dated Savannah, August 11, 1839.

"I am now on a U. States steambot at Savannah, having in charge forty-six Seminoles, prisoners of war, who were captured by me, at Fort Mellon, last week. Let me give you the particulars: On the 31st July, I received intelligence at Fort Mellon of the massacre of the dragoons on the Caloosahatchie. The Indians, you probably know, have been visiting me at Fort Mellon, during the summer, and a considerable number were in the fort at the time when the news reached me. I carefully concealed from them the intelligence which I had received, and continued giving them provisions as before. They showed, however, some little distrust, and did not visit me again for two days. On the afternoon of the 8d August, forty-five of them came to the fort to receive rations. They looked cautiously about the fort, and finding nothing suspicious, sat themselves down at my door in their usual fashion. The soldiers loitered about the garrison with an attitude of carelessness, and there were no signs save the most pacific. Presently, I discharged a pistol, as if by accident. That was the signal! The gates of the fort were closed as if by magic, and the Indians in a moment surrounded by the troops. The Seminoles made a start to escape, and two of their men broke through the circle of soldiers. They both dropped dead beneath a heavy discharge of musketry, which cut them in pieces. The remainder of the Indians then quietly surrendered.

"None of my men were injured. Two of the Indians were killed, as I have mentioned, and the others were unharmed. The steambot came up two days after, much to my relief, as my force was so very small that had I been attacked from the outside, self-preservation would have compelled me to execute the men prisoners. The arrival of the steambot spared me that painful duty.

"On the 3th August another Indian, with his wife and child, were captured, making in all 46 prisoners, of whom there are 14 men, the rest women and children. My men behaved well.

"I am now, with these prisoners, on my way to Fort Moultrie, Charleston harbor, where I am ordered to remain until further orders, with a detachment of troops to guard the Indians."

[*Army & Navy Chron.*]
One of the greatest impediments to a successful prosecution of this disastrous Florida war, and the most serious obstacle with which our army had to contend, was the want of an accurate knowledge of the topography of the country. There is no question whatever, that much of the blood and treasure that have been expended would have been saved, had a reconnaissance of the country preceded our military operations. We are likely, however, to be better prepared in future, should circumstances require another campaign. Besides the officers of the corps of topographical engineers, who were assigned

to duty in Florida and have been actively employed, the officers of the line of the army have not been idle; but together they have obtained a pretty thorough knowledge of the topography of the whole territory.

Capt. Mackay and lieutenant J. Edmund Blake, of the corps of topographical engineers, have constructed a map, mostly from their own personal reconnoissances, and partly from the surveys of officers on duty in the field. From the manner in which the map is dotted, we should judge that no portion of the territory had been left unexplored. Every hammock, swamp, lake and river, is minutely traced.—The map was drawn by lieutenant Blake, with that neatness and taste for which he is so much distinguished, and we hope it will soon be published.

Some idea may be formed of the operations of our troops, from the fact that upwards of seventy forts have been established. Part of these, it is true, are now abandoned, a portion of them are merely stockades, and others again have scarcely any outward defences. Not only have those officers who have fallen victims to the foe or the climate, been remembered by having a fort called after their names, but many of the living officers who distinguished themselves are in like manner complimented. From a hasty glimpse of the map, we gathered the following names of forts: Andrews, Atkinson, Armstrong, T. B. Adams, Brooke, Butler, Basinger, Clinch, Crane, Clarke, Cross, Cooper, Christos, Crabbe, Cummings, Center, Dade, Drane, Downing, Dallas, Dulany, Davenport, Deynand, Fanning, Foster, Fraser, Fowle, Gates, Gardiner, Gatlin, Heileman, Harlee, Hanson, Hook, Izard, Jupiter, Jennings, Jackson, Roger Jones, Keats, King, Kingsbury, Lawson, (2) Lander, Lane, Lane, Lane, McCall, McCalland, Micanoni, McNeil, McClure, Macomb, (2) Pleasant, Pointsett, Pierce, Peyton, Russell, Stearns, Taylor, Thompson, Van Swearingen, White, Wheelock, Walker, Ward, Waxassassa.

Besides these, there are twenty or more forts laid out under the plan of general Taylor, of dividing the territory into squares, and named numerically.

There are in the vicinity of the Okeefeenee swamp near the southern boundary line of Georgia, fourteen military posts, viz: Forts Barnum, Dearborn, Floyd, Gilmer, Lamotte, McLane, Muse, A. S. Miller, Mudge, Monac, Norton, Tattnall, Tompkins, Walker.

[Army and Navy Chronicle.]

In the last number of the Register it was stated that the governor of Florida had appointed a deputation of several of the most prominent citizens of the territory, to proceed north and confer with the national executive on the subject of prosecuting the war against the Indians, who, it appears, pay no regard to the terms of the armistice, and comb. The editor of the Richmond Enquirer, after stating that he had a long conversation with general Brown, of Tallahassee, one of the deputation, adds—

"We are now satisfied that the Indians are in greater force, supplied with better means, and more determined on hostilities, than is generally supposed. It will become necessary to strike at them again, and drive them off. The only question is, what is the best species of force for this purpose? It seems to be the impression in Florida, that another species of force is necessary besides the regular troops or volunteer militia, who have not been acquainted with the modes of Indian warfare. Either United States mounted volunteers, from parts of the country which are familiar with the habits and mode of fighting of the Indian—and who can operate without being controlled by the United States officers, and who can with proper guides dash into the interior of the woods, &c., or entering the persons, who will be allowed to settle in portions of the public lands, upon condition of fighting the Indians and protecting the country, &c.—or, both these, and similar species of force combined, are considered the best troops for the purpose. At all events, Florida requires arms, ammunition and provisions for her own volunteers for the present. A small and bold band of about 40 men have consented to act, under a leader, to hover over the hiding places, and dash among the enemy.

They are to be allowed so much for the scalp of each Indian warrior, or a prisoner, and the money has been raised by private subscription among the people. This band is about proceeding to operations. We understand the commissioners will proceed to New York, to confer immediately with the secretary of war."

THE SIOUX AND CHIPPEWA INDIANS. The St. Louis Bulletin, of the 29th, publishes an extract of a letter from a gentleman in the Indian department at St. Peters, to a friend in that city, which says:—"The Sioux and Chippewa have had two distinct engagements on the 3d instant, at the Lake St. Croix and Rum river, some forty miles from this

place, in which 35 Sioux were killed and wounded, and between 140 and 150 of the Chippewa killed.

On the 29th and 30th of June, they mutually pledged themselves at the agency to remain at peace for one year at least; but the murder of one of the Sioux near the agency, an excellent man, by the Pillager band of Chippewa, was the cause of the unfortunate affray." In relation to the exaggerated reports which were likely to be circulated, he has the following. "We are now as calm as if this unexpected storm as ever. Some busy body may, however, make a tale of this transaction, but the agents know what is what in such matters."

In relation to the above battles, the Globe, of a late date, contained the following:

In the National Intelligencer of Tuesday last, there was published an article from the St. Louis Republican, containing an extract from a letter written on the 10th of July last, at Fort Snelling, giving an account of two conflicts on the St. Croix, and above the falls of St. Anthony, between the Sioux and Chippewa, in which a number of the latter were killed. A letter of the same date, written at St. Peters' by the Indian agent, has been received at the office of Indian affairs, which does not mention the above engagements. It is inferred, therefore, that there must be some mistake about the matter, as it would have been the duty of the agent to communicate the unfortunate occurrences referred to, especially as he has charge of the interests of the Sioux. There was such a report no doubt, but the hope is entertained that it was groundless.

SAILING OF EMIGRANTS. From the Norfolk Herald of the 9th inst. The Liberia packet ship *Saluda*, capt. Walters, sailed, from this port on Tuesday last, bound for Monrovia, having on board a cargo of merchandise and provisions, for the colony, and about 40 emigrants, 30 of them liberated slaves, having their passages paid, and clothing, agricultural implements, &c. and twelve months provision furnished at the expense of their former owners. Also, seven young men, captured Africans smuggled into Florida by a Spanish slaver, and seized and sent on here by the U. S. marshal, to be returned back to their native land at the expense of government.

Among the cabin passengers are the rev'd. Jno. F. Pinney, the rev'd. O. K. Camfield and J. P. Alward, missionaries, who go out under the patronage of the general assembly's board of missions.

Also, Mrs. Seyes, with her two fine healthy children, born in Africa, returning from a visit to her friends in the United States, to join her husband, the rev'd. Mr. Seyes, missionary of the Methodist Episcopal board in Liberia. This is the first instance we recollect of such an increase of a white family in our African settlement.

And six other citizens of Liberia, four of them respectable merchants—one of them Colin Teague formerly of Richmond, who emigrated with his family about 19 years ago, in company with Lott Cary, in the brig *Nautilus* from this port; he informs us that all his family are alive and in the enjoyment of good health, and very comfortably settled and perfectly pleased with the land of their adoption.

Also, Joseph Roberts and wife: he is the son of Amelia Roberts, formerly of Petersburg, who emigrated also, from this port eleven years ago, with her family then 19 in number—13 of them are now alive and in the enjoyment of health and prosperity. The others all speak well of the state of their lands and of the prospect before them.

The *Saluda* being a regular packet, will return to this port in December next, for another company of emigrants.

EMIGRATION. The New York American estimates the passengers that have arrived in this country within the last twenty years at 1,000,000. The Journal of Commerce has compiled the following statement of arrivals at that port for each of the last twenty years:

Years.	Passengers.	Years.	Passengers.
1819	9,442	1829	10,064
1820	4,430	1830	30,224
1821	4,452	1831	31,739
1822	4,811	1832	48,589
1823	4,999	1833	41,702
1825	8,779	1834	48,110
1826	9,764	1835	35,300
1827	22,000	1836	60,441
1828	19,023	1837	54,975
		1838	25,681

First 10 years 93,152 2d 10 years 392,875

In 20 years 486,030 passengers.

NAVAL. The following vessels of war are fitting out at the navy yard at Norfolk: frigate *Branlywine*, com. Bolton, destined for the Mediterranean; sloop of war *Torktown*, recently launched, and the schooner *Grampus*, lieutenant com. Paine, for the West Indies. The frigate *Potomac* is in the dry dock undergoing repairs.

The Pensacola Gazette of the 3d inst. mentions the arrival there of the U. S. ship *Levant*, from a cruise to windward—all well.

The U. S. ship *Vandalia* also arrived there on the 3d, from a cruise of two months fifty days along the coasts of Texas and Louisiana, without going into a single port, the object of the cruise being the suppression of the slave trade. Captain Levy, finding the soundings on these coasts inaccurately laid down, for his own satisfaction has ascertained, by a careful examination, a true line of soundings, which will be of immense benefit to vessels trading as far down as Galveston.

The U. S. vessels at Pensacola, are the frigate *Macedonian*, and ships *Ontario*, *Levant*, *Vandalia*, *Eric* and *Warren*.

U. S. ship *Independence*, com. Nicholson, sailed from Montevideo June 12th.

The sloop of war *Pride*, which was launched at Porthmouth, (N. H.) a short time since, will be ready for the reception of her crew in the course of a couple of weeks.

Admiral Boudin and Commodore Shubrick. A correspondent of the Army and Navy Chronicle says, that no correct account of the affair between these two officers has yet been published. The Chronicle says that copies of the whole correspondence between them has been forwarded to the department at Washington.

THE N. E. BOUNDARY. The Bangor Courier says, that Mr. Featherstonhaugh and col. Mudge, British commissioners, have passed through this city on their way to the disputed territory, with a large quantity of surveying, astronomical and other instruments, for the purpose of ascertaining topographical and other information respecting the boundary line.

FUNERAL OF THE REV. J. B. SEIXAS. The funeral of the rev. J. B. Seixas, Rabbi-teacher of the Portuguese synagogue Shearith Israel—Remnant of Israel—in Crosby street, where officiated for upwards of eleven years, took place yesterday with more than usual pomp and display. At 5 o'clock the attendants of the funeral met at the church in Crosby street. There could not have been less than five hundred persons present, consisting of the most wealthy and influential among the Jewish people.—From thence the company proceeded to the burial ground on 21st street. There, after the seven holy steps had been taken around the coffin, which ceremony was performed by the several readers of the different synagogues of New York, a discourse was delivered by the rev. Isaac Leeser, of Philadelphia, who had journeyed to our city expressly to take part in the ceremonies of the interment.

The progression and chant being finished, Mr. Lesser commented on the virtues of the deceased, and then proceeded to point out the duties incumbent on the Israelites to fulfil, in order to render themselves acceptable to God and man. One part of his discourse we cannot refrain from giving, as it tends to dispel a very common prejudice that the Jews are not believers in a future state of being and felicity. "It is inconsistent with the justice of God, that all that we can, to aid in the welfare and happiness of our fellow beings, that our conduct will be an emblem of gratitude to the Great Creator for the manifold blessings bestowed on us. Moreover, when we pass from this earthly life, let us hope that we shall be spiritually refined, and restore unpolluted our souls to the source of light and being thereafter to enjoy permanent bliss and contentment."

The coffin was then lowered into the grave, and the nearest relative, a son of the deceased, approached and cast a shovelfull of earth upon the corpse.—A son of Mr. Seixas had to perform this sad office, and it so overcome him that he fainted. The nearest relatives in turn then approached, and each threw a portion of earth into the grave, until it was entirely filled up. The company then separated.

There is something peculiarly touching in this last ceremony. The granite back to earth that which is of earth—the animate clay casting the clod upon its source of life and being, now reduced to nothingness—the consciousness that one day the same fate will attend every looker on,—impresses with awe and reflection the most careless observer. We have witnessed many different modes of sepulture, but certainly none more solemn than the one now recorded. [New York Express.]

MR SENATOR DAVIS. The Claremont (N. H.) Eagle, speaks of senator Davis, as a suitable candidate for the vice presidency. No one would be more acceptable to the whigs of Massachusetts. He is a man whom they delight to honor.

We copy the above paragraph from the Lenox Eagle, the Claremont paper referred to having failed to reach us. This is not the first time that we have heard the name of *John Davis*, of Massachusetts, spoken of as a candidate for the vice presidency. Mr. Davis is one of the ablest, the purest, and the best men in the country. He is the very personification of unbending integrity, unsullied honesty, and sterling patriotism. He is admirably fitted for any station, however exalted, to which the popular voice may call him. [Boston Atlas.

THE STEAM SHIPS. The ship Europe, at New York from Liverpool, reports that on Friday, at 9 A. M. Sandy Hook distand 150 miles, she exchanged signals with the Great Western; at 10, saw the British Queen 20 miles astern. The Roscoe, also arrived at New York from Liverpool, saw at 1, P. M. on the same day, lat. 40 16, the Great Western, 195 miles from the Hook, and at 2, P. M. saw the British Queen, 193 miles from the Hook, the Great Western 13 miles ahead and about 15 miles farther south.

PROPERTY IN CINCINNATI. Thirty years ago, Ethan Stone purchased three lots of ground in Cincinnati, for which he paid fifty dollars each. He afterward sold the lots and moved into the country. Within a few weeks past he returned to the city to reside, and for one-fifth of one of the three lots before mentioned, he was obliged to give nine thousand dollars.

The foregoing short paragraph is from the Middletown Mail. It is thought to furnish a convenient peg upon which to hang a short story of the ups and downs of life, in this, our good city of Cincinnati.

Ethan Stone settled himself in Cincinnati about the year 1800, in the practice of the law, and soon made pretty extensive purchases of lands and lots. He was in due season numbered with the well to live, and upon the three lots named above, erected the buildings now occupied by Geo. W. Jones, and planted the fruit trees and shrubbery that surround it. In addition he cultivated a portion of the grounds as a garden, in which choice fruits and flowers had their departments. In the accompaniments the best table vegetables. Mr. Stone advanced to be *squire Stone*, was president of the bank of Cincinnati, and marked down as a Cincinnati millionaire. But then came the reverses of 1818—and 1820 extended. And Mr. Stone had been liberal in his endorsements for friends, and in assuming responsibilities to sustain the bank of which he was president, and the crash came upon him. His mansion and his garden, his shrubbery and his fruit grounds were surrendered to the monster, and Mr. Stone from almost a paradise and palace, removed to a shanty of rough planks, planted on the hill side at the commencement of the narrows, below Mill creek. Before winter he completed a small brick building, into which he removed, and occupied it as did the cobbler his stall.

"It served him for kitchen, for parlor and hall."

In 1836 the monster came back to Cincinnati, and property again began to fetch a price. Mr. Stone still retained some refuse remnants which gradual changes converted into a little hoard of wealth. And in progress of time, he erected a comfortable mansion, in addition to his beginning, and surrounded himself with garden and shrubbery, and orchard, and all the permanent curtilages of an established home. Convinced that this home was located where it might remain undisturbed, he had set himself, at seventy years of age, to rest in peace the remainder of his life. When here came a navigable canal marching up the Ohio river, and sweeping in its course, the garden and the shrubbery, and the orchard, and cutting away the mansion to its first constructed apartment. And Mr. Stone is again turned out of doors, and compelled to find a new home. When he returns to purchase in the city, he finds himself required to pay at the rate of fifty thousand dollars for a property purchased thirty-five years ago at sixty dollars. Thus is every thing around us effected by the ten thousand conjoint operations of trade which build up cities and construct channels of communication with them, producing results that would seem to leave the lamp of Aladdin no longer an extravagant fable. [Cincinnati Gazette.

SALE EXTRAORDINARY. "The sad remains of beauty once admired"—the dresses, ornaments, gewgaws and trinkets—which were once wont to

beautify the person of the well known tragedian Thomas Cooper, *esq.*, were all sold at auction, by Jesse Cady, on Monday last, he and his daughter having abandoned the stage and entered upon the field of *morus multicaulis* culture.

It may in many a waking some reminiscences of bygone times, and to others prove not uninteresting, if we give the price at which some of the veteran's "regiments" were disposed of.

The whole stock was divided into 194 lots, some of which contained several, and others but a single article.

Lot No. 14, a buff kersey shirt and steel stlap. Breastplate, white under shirt, full dress for Virginius, \$7 75

No. 34 was a crimson satin Spanish shape, richly trimmed with spangles and studs slashed with blue silk and satin 15 00

Further on the catalogue was a costly and magnificent regal shirt, splendidly trimmed with silver and spangles, 35 00

A green cloth regal shirt, with white kersey under shirt, full sleeves, richly spangled and trimmed with steel studs, spangles and leather, 45 00

A splendid black silk velvet Hamlet's dress jacket, fully trimmed, most magnificently beauteous, 75 00

A splendid white cloth Greek dress, richly trimmed with spangles and studs, crimson shirt and white do, trimmed, 35 00

A buff kersey and purple velvet Roman dress, elegantly spangled and trimmed with lions heads, 35 00

A splendid coat, trimmed with silver, a pair of breeches, and a foistone spangled vest for sir Peter Teazle, 17 00

Lot No. 100 was a splendid suit of chain and stud armour complete, shoes, gauntlets, leg and knee pieces, all complete. 46 00

A complete sir John Falstaff's dress, with a stuffing and breastplate, hat, feathers, &c. 25 00

A regal robe of crimson velvet, richly trimmed with gold and silver leather studs and spangled, 15 00

Many of the articles of stage jewelry, trinkets, &c. were purchased not by professional people, but by citizens generally, as a memento of their former wearer.

A handsome Greek sword, of a very antique pattern, said to have been made for Talma, richly mounted with silver, and cost when new \$80, was knocked down to *Edwin Forest* at fifteen dollars.

A genuine *Indian Tomahawk* was also purchased by Mr. Forest.

The jewelry and ornaments generally brought a very high price.

The dresses were mostly made by Mr. Palmer, the celebrated costumer of Drury Lane theatre, London. Many of them, however, were made by Mr. John G. Taylor, of this city. [N. Y. Courier.

THE MASCAL PLANT. If the description below be not very much exaggerated, our gardeners should lose no time in producing the *mascal plant*.

This extraordinary vegetable production, (a description of which has never been published,) is said to be found on the Rio Grande, and its tributary streams, N. W. of the Mexican republic. It grows spontaneously on the most barren and sterile mountains in that country, and is as much esteemed as an article of food by the Mexican Indians, as is the buffalo and the deer, by their more northern neighbors. The mascal grows in the shape of a cabbage head, and may be found as large in size as a half barrel; it is thickly covered with sharp prickly protuberances to the length of from twelve to eighteen inches, the root is very small, the head has also a thick covering of leaves, much resembling in shape those of the plantain tree, which are very juicy, and when prepared for eating in the same manner as the head, afford a sweet and nutritious beverage, answering every purpose to ally thirst.

The process used for cooking this plant is very singular, yet if digressed from in a single instance the mascal is spoiled and rendered unfit for use: it consists of digging a hole or pit in the ground to the depth of four or five feet, which must be covered with a layer of heated rocks on which the mascal is to be placed with the root downward, a thick coat of leaves and bushes must be thrown over the mouth of the pit, over all of which is to be laid a thin coat of dirt just sufficient to prevent the heat from escaping. In this situation must the mascal remain (according to Indian computation) for three days and three nights, when it may be taken out and will be found perfectly cooked, and most delicious. In flavor it resembles a ripe mellow peach, each succeeding day adding to its good qualities; it

increases in excellence by age. On this plant alone do the Indians subsist for months, being perfectly satisfied with their food, and esteeming it above all other. About half a pound of mascal is by them deemed sufficient to satisfy the cravings of hunger for a day, and is always carried with them on their hunting and other excursions—as I before observed the leaves of this flavored plant contain a rich and beautiful beverage, although forming a most extraordinary combination of food and drink, thus affording another illustration of the beneficence of a kind Providence in securing even to the wild and untutored savage a luxury which their more favored and civilized brethren might well envy.

I have seen the mascal so thick in some places as to form an almost impenetrable forest of thorns, so formidable in appearance as would be the same number of glittering spears covering the whole expanse of the country as far as the eye could see, in travelling through which the incautious or unwary will be reminded by a gentle stab, of the necessity there is to have a care.

I may also mention that many of the peasantry of the states of *Lanora* and *Chihuahua*, bordering on this country, also cultivate the mascal in their fields and gardens, and I have been informed distil it into liquor, which is said to be excellent and not inferior to the best Jamaica rum. [St. Louis Argus.

LATER FROM ENGLAND.

An arrival at Boston, briggs latter, and not less gloomy, news from England.

The cotton market is said by the Boston papers to be lower, but it must be observed that the fall of 1d. noticed in the Liverpool report is the fall of the whole week, and that there was a slight revival in consequence of a withdrawal of a large quantity of the staple. So that the news does not materially differ from that brought by the British Queen.

From the Boston Courier.

Three days later from Liverpool. The fast sailing ship *Oneco*, capt. Drew, arrived below on Saturday morning, in twenty-seven days from Liverpool, whence she sailed on the 13th ult. We are indebted to the politeness of capt. Drew for Liverpool papers to his day of sailing, and a London journal of the 10th—the latter, however, is no later than the London papers received by the British Queen.

We find no local or political news of any moment. The commercial intelligence, it will be seen, is no better than that received by the British Queen. Cotton had sustained another fall in price, as will be seen on reference to the report of the Liverpool market.

Letters from Rome state that a large promotion of cardinals was to take place on the 8th of July.

Mr. Samuel Spring, well known in the theatrical circles, died on Sunday last.

A public dinner will be given to Mr. Macready, on the 20th inst. in testimony of the sense entertained of the zeal, taste, genius, and liberality he has devoted to the drama of his country, eminently shown in his revival of Shakspear's plays." The duke of Somerset takes the chair."

At the excise court, Samuel Ellis, of the king's arms, Roupel street, Lambeth, was fined £300 for adulterating his beer, and for attempting to bribe the officers who detected him. The penalty for the adulteration was £100, and the further fine of £200 was imposed for the attempt to bribe.

The seaman of her majesty's steamer *Medea*, who had his leg shot off a short time since in the accidental encounter of that vessel with a French corvette on the coast of Mexico, has been awarded a pension of £55 per annum by the French government.

There is no foundation for the report of the death of the bishop of Litchfield and Coventry.

The chancellor of the exchequer has purchased for the national gallery a painting of Velasquez. It was exhibited last year at the British institution, and represents the arena of a bull fight. It was bought from lord Cowley, and £4,000 is the sum paid for it. The picture is of the highest class, and worthy the collection in which it is to be added.

Letters from Bagdad announce an overflow of the Tigris which had laid the whole city nearly under water. It was stated that already more than 1,000 houses had been destroyed, and that the whole population, without reference to age, rank or sex, were employed in attempting to check the ravages of this inundation.

The duke of Sutherland has been appointed lord lieutenant of Salop, in the room of lord Powis, deceased. His grace is one of the largest landed proprietors in the county.

The authorities had withdrawn the military and police from the streets of Birmingham, and the town was comparatively quiet.

The crops are represented to be extremely good, and never looked better or gave greater promise of a plentiful supply.

Two females were instantly killed on the Birmingham railway, (Mrs. Yates and Mrs. Saunders). Their attention was diverted another way, to a train that was approaching them, and were not sensible of the one approaching them in an opposite direction.

The Paris papers are principally occupied in endeavors to induce the government to forego the execution of any of the insurgents of the 12th of May, who may be capitally condemned by the court of peers.

The termination of the trial of the Paris prisoners by the court of peers, is the only intelligence of any interest in the Paris journals. The president announced that on Wednesday their lordships would meet so as to pronounce sentence, so that the fate of the accused was not known.

The duke de Fezenack quitted Madrid on the 1st July, after having asked for and obtained the grand cordon of Charles III.

Madrid journals of the 3d July mention the return of the 28th June of a band of 200 Carlists.

Some letters of July 7th state that Don Carlos was still at Onate on the 4th. Nothing new had occurred at Lidio or Avbiegna.

Letters from Constantinople of the 19th ult. represent the recovery of the sultan as almost hopeless. The heir to the Ottoman throne is a young man about 18 years of age, brought up in that seclusion so common to princes of the Osmanli dynasty, of whose notions of government nothing can be known before his assumption of the imperial and pontifical authority—hence the indisposition of Mahmoud is an affair of more than ordinary interest. But the sultan's illness has not in the least cooled his ardor for war. On the contrary, he has expressed himself indifferently to the protraction of his life after seeing Mehemet Ali and his son in chains before him. The recovery of Egypt and Syria would reconcile him to the loss of Greece.

Since the last advices from Constantinople, the sultan has diffused great joy among the inhabitants, by the promulgation of a firman abolishing the government monopoly bread, and the house tax imposed for defraying the expenses of quarantine establishments. His highness has moreover commanded that to all persons who have paid the house tax, the sums paid by them shall be returned on application to the imperial treasury.

In Switzerland, the Swiss diet, in its sitting of the 4th instant, adopted the resolution of nominating a general commission to inquire into the causes of the dispute between the high and low Valais. The proposition of dividing the Canton into two states was almost universally repulsed by the deputies.

Liverpool, July 12. Cotton. The market opened with the same limited and inanimate demand as marked the close of last week, and on each day prices gradually gave way in favor of the buyers, until yesterday, when a complete panic seized the majority of the holders of American cotton, and the most irregular sales were made, but generally at 1d. per lb. below the closing prices of Friday last. At this great decline the trade bought freely, and showed an equal disposition this morning to go on with their purchases, but have been in a great measure stopped by the holders suddenly withdrawing a great proportion of the cotton that had previously been pressing, and demanding generally 1-8d. to 1-4d. per lb. advance in price. A more limited business has since consequently been transacted, but as the advance has been obtained, the market has assumed a more decided appearance, and something approaching to a correct quotation can be given. The ordinary qualities of Uplands and Orleans are now 3-4d. and the fair and good 1-2d. to 3-4d. per lb. below the currency of this day week. In Brazils and Surats, the variations have not been so great, and the decline does not exceed 1-8d. to 1-4d. per lb. In Egyptian cotton there is no change to notice. The imports of the week are 30,882 bags, and the sales for the same period, including 1,500 American taken on speculation, and 2,260 American, 50 Surat and 360 Bengal for export, amount to 21,480 bags, of which 100 Sea Island, 20 a 30 1-2; 4,390 Upland, 1 a 8; 3,190 Alabama and Mobile, 5 1/2 a 8, 8,850 N. Orleans, 5 3/4 a 9. Imports up to this date, 1839, 716,712 bags; same time, 1838, 992,786 bags.

DESCRIPTION OF A TORNADO.

The New Haven Register gives the following particular account of a remarkable storm which visited that place on Wednesday the 31st ult. The tornado began at half past eleven in the morning, and was preceded by heavy rain, with constant thunder and lightning. Its course was from the southwest to the northeast, extending over a width of from twenty to thirty rods. Its first ravages

were observed in the western part of the town on the Derby turnpike, and in its progress it unroofed two or three dwelling houses, destroyed several barns and out buildings, twisted up by the roots several large elms, and destroyed gardens, fruit trees, &c. Thence its progress is thus described by the Register.

The next object of its wrath was the African church, (a wooden building), which it knocked into a thousand fragments, many of which were carried high in the air on the top of the tempest. Several small houses, standing at intervals in this part of the town, were blown to pieces as they were severally reached by the tornado, leaving in almost every instance, nothing but the foundations. In one of these houses, occupied by a Mr. Warner, his wife, the only person in the house, was washing when the storm burst upon her, and the next instant found herself in the cellar, with her kettle of boiling clothes upset beside her, and uninjured, but no part of the house to be seen! G. F. H. Read, esq. who had taken shelter in one of these buildings, is said to have had an arm broken, or badly bruised; and a woman residing in another, had her leg shattered by the falling of the house. A new house in the course of finishing, owned by Dr. Munson was blown down, and the house of Mr. Way scattered to the whirlwind. The air was now filled with rafters, boards, shingles, parts of fences, &c. gathered in the space of about two miles, and the tornado proceeded in the direction of captain Gregory's beautiful seat, which seems to have escaped the very brunt of its fury. Surrounded by fine trees and shrubbery, which checked somewhat the force of the missiles, the house itself was not as much injured as it otherwise would have been—still many of his fruit and large trees bowed before the blast, were torn up by the roots, and hurled against the fences. The roof of his house was carried to the ground—a high chimney tumbling through the floor into the very room where his family were sitting; yet they all miraculously escaped injury! His barn and out-houses were nearly demolished, and the whole appearance of his splendid grounds was as if a battery of chain shots had been poured among them. His loss must be severe. To the left of his premises, the barn of Mr. James Munson was levelled with the ground, and several large trees immediately in front of his house were dragged up by the roots, and thrown across the street. The house was not injured.

The house of his neighbor, Mr. Miles Sperry, who supports his family by raising vegetables, was cut off from the road upwards, and blown in every direction—while the family were all at home. No one injured. Its violence was so great at this point as to completely strip a flock of fowls of their feathers, which were afterwards found dead. On the right of capt. Gregory, the house of professor Charles U. Shepard, on the "Plains road," was slightly damaged, and several trees were blown down; the roof of his large barn was taken off, and carried more than a mile by the force of the blast! It had now reached the woods which extend several miles in the north part of the town, through which it passed in the rear of "Sachem's wood," the residence of James A. Hillhouse, esq. doing but little damage, except to the fences; occasionally tearing up a huge oak, or wrenching off the tops of the forest trees. Here it crossed the Hartford turnpike, throwing down a dozen or two of the old poplars which line the road, and just grazed the top of buildings, and passing to the residence of "High Belmont" (the new and splendid residence of Henry Whitney, esq.) tearing up by the roots a great many trees, and throwing down the fences. Approaching the front of the highest bluff of East Rock, the tornado diverged slightly to the north, taking up the bridge at its base, and flinging its fragments over the surrounding meadow; it passed through the gap of the mountain, about half a mile north of the "Hermits' Cave," and came out on the North Haven road, near the farm of Mr. Jabez Potter. The roof of his house was taken off, his barn and cow house blown down, and a boy, who was in the loft of the barn at the time, was hurled several rods across the street, into the Yankee's "native element," a pumpkin patch. The unceremonious manner of his exit from the barn somewhat surprised him, but he was not injured in the least. The roof the brick house of Horace Potter, esq. was blown off; the barn and the house of Mr. Lynn Potter were demolished; the roof of Mr. Chester Potter's house was lifted off, and his fine orchard completely destroyed. It then crossed the rail road, and swept over the meadow to the east of it, pitching the innumerable hay stacks into the air, and playing the same pranks with the fences.

We have not heard of any further damage, but fear that the people of Northford have had a visit

from it. It is almost miraculous that no lives were lost in so great a carage. Many poor people have lost their all, and are turned out of house and home. We went over the whole breadth and length of the course we have described the next morning, and such a scene of devastation and misery we do not often see. We hope measures will be immediately taken for the relief of those who have been made penniless by this dire calamity. It is a remarkable fact, that those trees which were blown near houses fell in every instance, from the house, although towards different points.

Incidents of the storm. Almost the entire length of its course, the ground was strewn with bits of wood, cloth, household furniture, &c. &c. but not an ugl of scarcely a piece to identify the nature of the article, or the owner. The occupants of several of the houses, particularly Mrs. Warner, who was thrown with her kettle of boiling clothes into the cellar, while the house and its furniture ascended into the air, it is said, had not the next day found a single article of either their furniture or wearing apparel! Even the clothes she had on were all stripped from her back, with the exception of a strong belt about her waist, and she was left as naked as the place of dwelling was desolate. A bureau filled with wearing apparel has not been seen since the moment it left the premises, except, as is supposed, fragments at a distance of three or four miles, upon the top of East Rock—a bonnet was there found lodged in a tree, that was taken from the same place. Beds and bedsteads, pots and kettles, alike disappeared! A very heavy sheet iron fireboard, which had been used in Mr. Way's house, was found in an easterly direction, on the powder house road, in the rear of the house. A lot of blacksmith's tools were scattered in different directions—some of which have been found at a great distance from each other, east and west. A pen containing two or three good sized pigs, near capt. Gregory's, was carried away, and nothing since heard of either. The orchard of judge Darling, in the rear of his house, containing some fifty or more large thrifty trees, and field of corn adjoining, appear as if they had been pressed down by rolling a huge mountain over them—while a quantity of pole beans, situated between the trees and corn, stand perfectly erect, as if nothing had happened. A heavy plank from the bridge at the base of the rock was found, it is said, on the Middletown turnpike, on the opposite side of the mountain from where it was taken; if so, it must have been carried up about 300 feet, nearly perpendicularly, before it could have crossed. The tornado, in descending the north side of the "Rock," in the absence of other objects to break its vengeance upon, it is said, took possession of, and carried along with it, large quantities of "mother earth."

EXPLORING EXPEDITION.

We find in the Army and Navy Chronicle the following extract of a letter from a gentleman on board the ship Relief, attached to the expedition, which give some very interesting particulars of the voyage, up to the time of its date, April 10, 1839.

"We sailed from Rio de Janeiro on the 19th December for Orange Bay, in Terra del Fuego, with instructions to run a line of soundings down the coast of Patagonia. We had a delightful passage, in sight of land almost the whole time. At port St. Elena we were so near the land as to see the llamas feeding on the sides of the hills. On the 21st we were south of the sun. Christmas day was passed in lat. 23° 27' S. long. 45° 12' W. We had for dinner roast plover, partridges and green peas, all cooked in France! About the 1st of January, we began to see albatross, and occasionally a seal. On the 9th of January we were off port St. Elena, and saw the llamas; it was a delightful day, the land looked very tempting, but we could not land, not having leave. The country appears barren, no large trees, but a stumpy vegetation. The whole coast of Patagonia has the same rough and flat appearance; no thick woods to be seen; nor the least sign of inhabitants. The places called ports are uninhabited.

"On the 21st January we made cape St. Diego, Staten Land, &c. and arrived at Good Success bay, so named by capt. Cook. Here we anchored, and went on shore. The appearance of the land about the straits of Magellan was very dreary, barren and rugged rocks, mountains covered with snow, &c. Good Success is a very pleasant bay; the hills are covered with trees, principally, beach, birch and winter's bark; most beautiful barberries, with yellow flowers like small roses; bush cranberries, and a great variety of heath like shrubs. We went on shore, armed to the teeth, but no natives were seen; several butts were found, and other signs of people

having been there. The next morning, however, our attention was called by a shouting on shore, where we discovered the natives. The captain and some of the officers immediately landed. After dinner I went on shore and saw about fifteen natives round a fire, with our men; they were a tall looking people, with nothing but llama's skin thrown over their shoulders. They appeared to be a simple people, and jealous, and not allowing us to go in the direction we supposed their women and children were. They were evidently Patagonians, being taller than the tallest of our men; they had bows and arrows, but no knives. Old iron was every thing with them, taking that in preference to bread, meat, &c. Their food was fish and shell fish. They went off early in the afternoon, probably being on a visit to this place.

"Upon the whole I was very much pleased with Good Success; the woods reminded me much of Brazil, the dead trees being covered with beautiful mosses, ferns and small flowering plants, and gave me a very different opinion of Terra del Fuego from what I had been led to expect from books.

"We left Good Success on the 23d January, and anchored on the 24th off New Island. The appearance of the country all around us was mountainous and bleak, with occasional white patches of snow, which is probably the reason why this part of the world is considered to be nothing but a barren rocky place, destitute of vegetation; but it is quite the contrary. Upon landing at New Island we found it covered with trees and shrubs, and several flowers, lots of berries, such as brush cranberries, a beautiful shrub, black currants, and two or three species of strawberry, with a most delicious berry, in flavor between a raspberry and strawberry. Here we found signs of inhabitants, but none were seen. A great many ducks were killed, and a pair of geese; the female a beautiful snow-white bird, was shot first, and the male would not quit her, but suffer'd himself to be killed also. Civilian man carries—I was going to sermonize, but it went do.

"On the 27th we anchored off Hermites island, where the vegetation is similar to the other places visited; the scurvy grass abounds all along the shore, and appears to be placed here for the benefit of poor Jack, who by the way, does not like it very well—probably for its name.

"On the 29th we sailed again in search of Orange Bay, the charts of this part of the world not being very correct, and anchored in a beautiful harbor, where we were visited by a family, in a canoe, consisting of two men, a woman with a baby, and a grown up boy. They were all stark naked, except the old man who had a small piece of seal skin on his back, and the woman who had a skin to wrap herself and child up in; they carried a fire in the bottom of the canoe, the woman paddling and doing all the labor. The men came on board and were clothed; and a nice blanket was given to the woman, who instantly wrapped the baby up in it. It was raining, and rather cold; the child was really pretty, and after it had been wrapped up and got warm, popped its head out and looked up at towards us smiling; the men would not allow the woman to get out of the canoe, and wanted every thing for themselves. The captain took down some preserves for the child, but the woman began to cry, and tried to push the canoe from alongside; after some persuasion, she tasted the preserves herself, and immediately devoured the whole, paper and all, of which it was wrapped. The people were terribly frightened at a looking-glass, pushing it away from their faces covering their faces with their hands. Indeed it was pitious to see the horror or alarm they showed, as if it was something supernatural.

"The next morning we went on shore and found the hut of our Indian friends; the women and children had run away, and no doubt were hid in the woods, as dogs were barking at a short distance. The hut was in the form of a cone, made of sticks and covered with green weeds; in it we found fish, hanging up in the smoke, plenty of shell-fish laid upon large green leaves; the blanket, &c. we had given them spread upon grass. The men offered us fish, and when I began to collect plants, they laughed and picked up grass, and every thing that was at hand, and poured them upon me with a great deal of humor, supposing probably that I was going to eat the herbs. We saw some whales in this harbor and found bones in some of the old abandoned huts. Their canoes were made of bark, sewed together with a species of seal-skin, and always have a fire in the bottom which is covered with clay.

"In the afternoon we got under way, and arrived at Orange Bay early in the evening, having been obliged to seek it out by taking observations every day, and this day found we were ten or twelve miles south of it. Orange Bay is a very good

harbor, large and commodious; plenty of wood and water, with abundance of ducks, geese, fish, &c. After the ship was securely moored a light house was established on Burnett island, to guide the rest of the squadron. It set in to rain, and continued with violent winds for eight days, so as not to allow any one to go on shore, except once, to carry provisions for the party in charge of the light-house.

"The two schooners arrived on the 16th February, and the Vincennes, Peacock and Porpoise, on the 18th and 19th, from Rio Negro. Captain Wilkes ordered our ship to prepare for sea immediately, take all the scientific corps on board, and make a survey of Useless harbor; examine Port Famine, &c. entering the straits of Magellan through Cockburn channel, and return again to Orange harbor. The two schooners, the Peacock and Porpoise, with captain W. going south, in search of the magnetic pole; the Vincennes to remain at Orange Bay. They all sailed on the 25th Feb. and we on the 26th, and had a succession of storms, with violent wind and rain, making very little progress towards our destination. We saw great numbers of albatross, not go round Cape Horn yet, and although we did weather for which that part of the ocean is celebrated. Our ship rolled and pitched as it was almost impossible to sit at the table; some days every plate on it would be broken, soup and meat thrown into our laps. At night we had to tie ourselves down in bed.

"On the 4th of March we were farther from Cockburn channel than when we left Orange harbor on the 26th of February. On the 13th March we were on a lee shore, in great danger, and a fire broke out in the apothecary's department! No damage was done. The sun very seldom shone, and it rained nearly all the time.

"On the 18th we had a very disagreeable day—real Cape Horn weather—rain and sleet. We came in sight of land, wind blowing very hard, and breakers all around us. The Tower-rocks on one side of us looked really terrific, the sea breaking entirely over the smallest, completely covering it with a white envelope, the spray flying off and looking like a thick snow storm. At night we were in a very dangerous position, but, however, reached Cape Noir island, lat. 54 deg. 15 min. lon. 74 deg. 20 min. and with three anchors down hoped to hold on.

"On the morning of the 19th the wind blew harder yet, with occasional showers of snow and hail. Noir island looked as if some vegetation might be growing on it, but there was no prospect of landing; the shore was lined with breakers, and the spray in flying off made a beautiful appearance, looking like smoke. In the evening, the wind increasing, another anchor was let go, making four anchors out, and 400 fathoms of chain cable, the four anchors weighing 11,700 lbs. The 20th was a dreary day, sleet and rain. In the night we parted two of our cables, and lost a bower and sheet anchor. The same dragged a considerable distance, and we felt somewhat alarmed; but day dawned and found us safe. Towards night a particular occurred during the next day. Towards night the wind blew up afresh, and it was feared another cable was gone. Preparations were immediately made to get under way, and at 9 o'clock we lay rolling and tossing, ignorant of what would take place.

"Towards 12 o'clock the ship began to drag, almost right on to the breakers; indeed nothing but borrible rocks, the water dashing and hissing over them, were to be seen in every direction; the water began to break over us also, and the wardroom, steerage and berth deck were ankle deep. At last an order was given to slip the cables. A dead silence ensued for a few moments; then the sound of the axe cutting the stoppers, and a horrible clatter, a grumbling and grating sound as the chains flew through the bawse holes, and all was hushed. The poor ship seemed to be aware that she was to be released without an anchor, as she quivered and groaned, as the cables flew out, "like a thing of life." In a short time there were clear of the breakers, and all was quiet; the ship went easy, and the men recovered their cheerfulness. We lost all our anchors, and had to give up Useless bay! Port Famine!! Breakneck passage!! The Milky way! &c. and proceeded to Valparaiso to procure ground tackle. It is admitted by all hands, that we might go to sea twenty years and not be in such a dangerous situation again. Since then we had pleasant weather, growing warmer every day.

"April 14.—We have now been three days off Valparaiso, and have succeeded in getting anchors, and will probably get in to-night or to-morrow morning.—We sent a boat in, but found no American men of war here. Two boats immediately came off from the British sloop of war Fly, with an anchor and offer of services, which was very kind and polite. Our captain declined the offer until he heard

from the shore. Our boat returned to-day, having procured every thing necessary, principally from the English stores."

THE OPIUM TRADE.

The Chinese government seems determined to persevere in its resolution to put a stop to the opium trade. An imperial commissioner, Lin, has lately been sent to Canton with full powers to act in this matter. He evinces a good deal of energy, and has already ordered several of the chief foreign opium dealers to leave the country. The following is his proclamation issued to foreigners on his arrival at Canton. It is a curious document, and quite as much to the point as the greater part of our American gubernatorial messages.

PROCLAMATION TO FOREIGNERS.

From the imperial commissioner, H. E. Lin. Lin, a high officer of the Chinese empire, now specially appointed an imperial envoy, a president of the board of war, and viceroys of Hoo Kwang, hereby proclaims to the foreigners of every nation, that they may thoroughly know and understand.

Whereas ye, the said foreigners, coming to Canton to trade, have usually reaped immense profits: therefore it is that your ships which in former years amounted annually to no more than several arrive here every year. Your import goods, no matter what they be, with us find a consumption; and respecting the cargo which you may wish to purchase in return, there is nothing in which you may not adventure. I would like to ask you if in the wide earth under heaven you can find such another profit-yielding market as this? Our great Chinese emperor views all mankind with equal benevolence, and therefore it is that he has thus graciously permitted you to trade, and become, as it were, steeped to the lips in gain. If this port of Canton, however, were to be shut against you, how could you scheme to reap profit more? Moreover, our tea and rhubarb are articles which ye foreigners from afar cannot preserve your lives without; yet year by year we allow you to export both beyond seas, without the slightest feeling of grudge on our part: never was imperial goodness greater than this?

Now if ye foreigners had a proper sense of gratitude for this extraordinary goodness, ye would hold the laws in dread; and while ye sought to profit yourselves, ye would abstain from injuring other men. But how happens it to the contrary, that ye take your unneatible opium and bring it to our central land, choosing people out of their substance and involving their very lives in destruction? I find that by means of this noxious article, ye have been fraudulently imposing upon the Chinese people now upwards of several ten years, during which time the unjust wealth ye have reaped exceeds all calculation: this is a circumstance sufficient to arouse the general indignation of mankind, and which the laws of heaven can with difficulty scarce pardon.

Formerly the prohibitions of our empire might still be considered indulgent, and therefore it was that from all our ports the sycee leaked out as the opium rushed in: now, however, the great emperor, on hearing of it, actually quivers with indignation, and therefore he will stay his hand the evil must be completely done, and swiftly done away with.

Respecting our own subjects, he who opens an opium shop, or who sells opium, he who opens a shop to death; and it is also in agitation whether or not to the mere smoker may not be accorded the extreme penalty of the law; and ye foreigners who come to our central land to reside, ought in reason to submit to our statutes, as do the natives of China themselves.

Now I, the said imperial envoy, reside in Fokien, on the borders of the sea, and thoroughly understand all the arts and ingenious devices of ye foreigners in all their bearings; so it is that I have to thank the great emperor for thus specially appointing me as an officer who has frequently distinguished himself by meritorious actions, to be a special commissioner for reducing to order these distasteful districts, and for taking measures with irresponsible authority to prevent the further influx of opium. Were I to go back and sit in judgment on your reiterated crimes, as relates to the selling of opium,—then indeed to spare you would be impossible; but, remembering that ye are foreigners from afar, and that hitherto ye may not have known that our laws are so severe, I now clearly expound the statute to you, not bearing to slay you without previous instructive warning.

I find that ye have now anchored at Lintin and other places, many store-ships, in which are several tens of thousand chests of opium. Your intention is to dispose of them clandestinely, but ye remember not how strict we are in making centuries

at this point, how, then, will ye find people who will convey it for you any more? And seizures being made with equal severity throughout every province in the empire, what other place have ye where ye dare to sell it off? *This time opium is indeed prohibited and cannot circulate; every man knows that is a deadly poison; why then should ye heap it up in your foreign store-ships, and keep them there long anchored on the great sea; not only thereby wasting much money by their heavy expenses, but exposing them to the chance of storms, of fire, and other accidents which no man can foresee?*

I, therefore, unting all these circumstances, now issue this my edict, and when it reaches the said foreigners, let them immediately and with due respect in conformity thereto, take all the opium in these said store-ships, and deliver it up to the officers of government; and allow the hong merchants to examine clearly, which man by name gives up so many chests, the total weight, so many catties, and taels; and let (the hong merchants) make out a distinct list to that effect, and hand it up to the officers to be checked; that these officers may openly take possession of the whole, and have it burned and destroyed, so as to cut off its power of doing mischief; a single atom must not be hidden or concealed; and at one and the same time let a duly prepared bond be drawn up, written in the Chinese and foreign character, stating clearly that the ships afterwards to arrive here shall never to all eternity dare to bring any opium; should any ship after this bring it, then her whole cargo on board is to be confiscated and her people put to death; and that they will willingly undergo it as the penalty of their crime; all this to be stated clearly in the said bond.

I have heard it said, that in the ordinary transactions of life, ye the said foreigner, attach a great deal of importance to the words "my faith"; if, then, you will readily do as I am commanding you, i. e. take that opium which has already come, and deliver every atom of it up to the officers of government, and in relation to that opium not yet arrived, prevent it from ever coming here, and this will show that you really can feel contrition for your crime, and fear the laws of the land; this, then, may spare your previous iniquities being raked up and brought against you. I, the imperial commissioner, will then forthwith consult with the governor and fooyuen that we may conjointly memorialise the great emperor, that he may grant you extraordinary indulgence, and that he not only forgive you your previous sins, but that he may also testify upon you some proof of his favor so as to bestow his approbation of your contrition and repentance; and after this your trade may go on the same as ever. Thus not losing by being good foreigners, and by means of an honorable and more respectable than any other can any thing be more respectable than this? But if, on the other hand, you obstinately adhere to your folly, and will not awake, if you think to borrow excuses to carry on your smuggling, or if you use the name of some sailor or other to bring it, and say that it does not concern you, or if you craftily say that you are going to take it to another country, or throw it into the sea, or if you wish to seize an opportunity for going to another province to sell it; or if you hope to stifle enquiry by giving up to the mandarins one or two chests out of ten, then all such procedures show that you have in your hearts a desire to oppose the laws, and to remain firmly wedded to your wickedness, without prospect of change; then I say, that although it is the maxim of our Chinese empire to treat with great kindness and tenderness the men from afar, yet can we not suffer them to treat us with scorn and contempt; but shall immediately in conformity with the new statute, punish them with the utmost severity, as we do our own subjects.

Upon this occasion I, the imperial commissioner, being at Peking, in my own person received the emperor's commands—the law when once uttered must be put in force! moreover, having brought with me these orders and this great irresponsible authority for prevention, they must be executed to the benefit of public business, and may not be compared with that careless examination and mode of acting that belong to ordinary matters. If the stream of opium cannot be cut off, I cannot return from this. I am sworn to have the same beginning and end (anglic to stand or fall) by the opium question. There is no such things as suspending my labors in the middle. Moreover, I find that the indignation of the people of the inner land is almost to a man roused against you; and if ye foreigners will not reform and repent, if profit continues to be your sole object, then it is not only with the majesty of our troops and the abundance of our forces by land and water that we may sweep you off, but we have merely to call upon the common

people of the land to rise, and these would be more than sufficient utterly to annihilate you. Further, we should, as a temporary expedient, close the ships holds and as a final one shut up the port; and what difficulty would there be in cutting off your commerce forever? Our Chinese empire covers many tens of thousands of miles in extent, every sort of produce is there heaped up and running over, we have no occasion to borrow any thing from you foreigners; but I fear that were we to stop the intercourse, the plans for doing business (and obtaining profit) of every one of our countries would at that moment come to an end! Ye foreign traders, who have come from distant countries, how is it that you have not yet found out the difference between the pains of toil and the sweets of ease? the great distance betwixt the power of the few and the power of the many?

In reference to those vagabond foreigners who reside in the foreign hongs and are in the habit of selling opium, I already know their names full well, and therefore need not do any thing to name them. I am no less acquainted with them also. Those who can point out the vagabond foreigners and compel them to deliver up their opium, those who first step forward and give the bond before spoken of, these are the good foreigners, and I, the imperial envoy, will speedily bestow upon them some distinguishing mark of my approbation. Woe and happiness, disgrace or honor, are in your hands!—It is ye yourselves who select for yourselves.

I have now ordered the hong merchants to go to your factories, and explain the matter to you; and I have limited 3 days within which they must let me have a reply, and at the same time produce the duly-prepared bond afore-mentioned.

Wait till I have consulted the viceroy and fooyuen, when we shall clearly proclaim the time within which the opium must be delivered up.

Do not only delay the idle delay and expectation, who will only lead to the vain repentance! A special edict.—Tientsin, 19th year, 2nd moon, 4th day.—18th March, 1839.

The following letter from Macao, announces that the trade has been stopped:—

Macao, March 25, 1839.

Matters appear to be fast hastening to a crisis in this port with regard to the opium trade, and I hope the result will be the opening of the empire. The commissioner now in Canton has taken hold of the business as none of his predecessors have ever done, and the Chinese government has shown a good deal of strength. On the 22d the trade was stopped, and no foreigners allowed to leave Canton, and the next day the officer and a posse of soldiers entered the factory of Dent & Co. demanding Mr. Dent for his contumacy in not leaving the country at the orders of the emperor.

Mr. Dent not being present, Mr. Inglis went into the city with the officer, accompanied by Thom and Morrison as interpreters. Elliott sent an agent on a mission on the 23d to Macao, stating that he had ordered the English part of the opium fleet back to Hongkong, in company with the Sarné sloop of war, and there to put themselves in a state of defence. He left Macao for Canton the same evening, in order to demand passports for all British subjects to leave Canton, but we have not yet heard the result. Most of the Lintin fleet have been in Macao roads for the last few days, and to-day the opium in Macao is all being re-embarked on board ship as the commissioner has threatened to search all the houses in Macao for it.

The Port government has received orders to fit up a house for the commissioner, and they are making ready the tavern on the Praya Grande, near the landing place, for his reception. There are 29 war junks anchored in the roads. The people in Macao are in great trouble, for if the opium trade is cut off from the place, they have a sad prospect before them. But in the eradication of an evil of this magnitude of this trade, we must expect much distress; if the effect is healing of the empire in a measure of a deadly evil, the distress bears a small proportion to the good. It is estimated that there are a thousand chests in the place, and property amounting to 20 millions on board ship, all of which it is expected will go to Singapore.

THE CULTIVATION OF OPIUM.

In India the extent of territory occupied with the poppy, and the amount of population and capital engaged in its cultivation and in the preparation of opium, are far greater than in any other part of the world. Malwa, Benares and Behar (Patna) are the chief localities; and nearly every chest of the drug exported from India bears one of their names, according to the part of the country in which it was produced. About one-half of the whole product

of India is obtained from Malwa. Though the chiefs of Malwa are under British protection, the management of the soil is entirely beyond the company's authority, and both the cultivation of the poppy and the production of opium are free. The traffic in the drug is also free, excepting "transit duties" which are levied upon it when passing through the British territories, as most of it does on its way to Bombay, from whence it is exported to China. But in Benares, Behar and throughout all the territories within the company's jurisdiction, the cultivation of the poppy, the preparation of the drug and the traffic in it, until it is brought to Calcutta, and sold by auction for exportation, are under a strict monopoly. Should an individual undertake the cultivation, without having "entered into engagements with the government to deliver the produce at the fixed rate," his property would be immediately attached, and the ryot* compelled either to destroy his poppies, or give securities for the faithful delivery of the product. Nay, according to a late writer, "the growing of opium is common in every part of the first division of the empire made by government, through its native servants, and if a ryot refuses the advance," "the simple plan of throwing the rupees into his house is adopted; should he attempt to abscond, the peons seize him, tie the advance up in his clothes and push him into his house. The business being now settled, and there being no remedy, he applies himself, as he may, to the fulfilment of his contract."

Vast tracts of land, formerly occupied with other articles, are now covered with poppies, which require a very superior soil in order to produce opium in perfection. Hence, its cultivation has not extended over waste and barren lands, but into those districts and villages best fitted for agricultural purposes, where other plants, "grown from time immemorial," have been driven out before it. But though poppies are now spread over a wide extent of territory, the cultivation is still, as it has long been, rapidly on the increase. In 1821, in the single district of Sarun, belonging to the province of Behar, there were, according to the testimony of Mr. Kennedy, (many years collector of the land revenue and deputy opium agent in that district), between 15,000 and 20,000 bags of land (about one-third of an acre per bag), then under cultivation. In 1829, the amount was nearly or quite doubled, and the produce, in the meantime, had increased in a still greater degree.

The mode of cultivation pursued in the "Patna district" may afford a good idea of that which obtains in other places. The ryot having selected a piece of ground, always preferring (*caeteris paribus*) that which is nearest his house, encloses it with a fence. He then, by repeated ploughings, makes it completely fine, and removes all the weeds and grass. Next he divides the field into two or more divisions, by small dikes of mould running lengthways and crossways, according to the slope and nature of the ground. He afterwards divides the field into smaller squares by other dikes leading from the principal ones. A pit or sort of well, its dug about ten feet deep at one end of the field, from which, by a leather bucket, water is raised into one of the principal dikes, and in this way it is carried in every part of the field, as required. This irrigation is necessary, because the cultivation is carried on in the dry weather. The seed is sown in November, and the juice is collected in February and March, during a period usually of about six weeks. Throughout the whole process the ryot is assisted by his family and servants, both women and children. As soon as the plants spring up, the weeding and watering commence, and are continued till the poppies come to maturity. Perpendicular cuts or scratches are then made in the rind of the bulbous heads, with a muscel-shell, found in all the tanks of the country. From these cuts the juice exudes, and is daily collected and delivered to the local officers. This is a very tedious process, requiring constant attention. When the poppies are exhausted, their color changes from green to white. The seeds contain no opium, and the labors of the season are now closed. The cultivator receives about three and a half rupees (Sp. Dis. 1.65) for every chest of the poppy just reared, which is required to be of a specific consistency. This must be such that a gomastah can take it out of the vessel in which it is brought for delivery by the ryot, and turn it over without its dropping off his hand; if it is not sufficiently dry to admit of this, it is either returned to the ryot for further evaporation, or an additional quantity must be delivered to make up the deficiency.

The lands under cultivation are measured every year, and their boundaries fixed, in order to prevent

*The ryot is the immediate cultivator of the soil.
 *The seer = 1 lb. 13, 13.866 dr. avoirdupois.

collision among those to whom they are assigned. The government annually enters into an engagement with the cultivators, through an intermediate agency, constructed in the following manner: There is first a collector, who is a European; 2dly, there are gomastahs, a superior class of men, both in education and caste; 3dly, sudder mattus, a respectable class of landholders; 4thly, villagers mattus, the principal villagers, a little superior to the ryots; and 5thly, the ryots, the chief laborers, in the cultivation of poppies. The "engagement" entered into with the government is this: when the poppy is ripe, and immediately before the period of extracting the juice, the gomastah and his establishment make a circuit of the country, and form "by guess" a probable estimate of the produce of each field. He then makes the ryot enter into an engagement with him to deliver the quantity thus estimated, and as much more as the field will yield, at the price previously fixed; if he fails to deliver the estimated quantity, and the collector has reason to suppose he has embezzled the deficiency, he is empowered by law to prosecute the ryot in the civil court for damages.

The product in India, for the last year, it is said, amounts to about 35,000 chests. The Malwa averages about 134 lbs. per chest; the other 116 lbs. The weight of a chest, however, varies, and is sometimes 140 lbs. In Turkey, the product may be 2,000 or more chests, annually. The estimates regard to China, we have only the estimation of the council for Choo Tann, respecting his native province Yunnan. The poppy, he says, is cultivated all over the hills and open chaupaigna, and the quantity of opium annually produced there cannot be less than several thousand chests.

From the foregoing statements, derived chiefly from official documents, the reader will be able to form some opinion as to the extent of territory and the amount of population and capital now devoted to the production of opium. Taking into account the whole of Turkey, China and India, it will be seen that many thousand acres, with millions of the inhabitants, are employed in the cultivation of poppies. *Inquiries of the opium trade.*

THE SOLDIERS OF THE REVOLUTION.

Remarks of Mr. J. L. Tillinghast, at the table with the soldiers of '76, at Providence, R. I. on the 4th of July last.

Mr. Tillinghast, being called upon by the president, said that in the presence of these venerable relics of our heroic age, it was difficult to comprise within the limits of a toast any satisfactory portion of the thoughts that crowd the mind, or of the feelings that fill the heart. These hoary heads are indeed crowns of glory; and this day of triumph—which we are celebrating with so many marks of just and reverent gladness in our temples and at our festivals—is peculiarly and emphatically their day; for they, with their compatriots, made it what it is. Annually they come up to our altars, and partake in the solemnities with which a succeeding generation commemorates the transactions by which they marked their own as an era in time, and a perpetual theme for grateful and exalted contemplation.

We greet them with reverence and joy. We owe them such words of acknowledgment as may assist their aged spirits to realize the certainty of their fame. But we feel that there is one reflection which casts a melancholy shade over the otherwise unalloyed enjoyment of such a scene; it is, that they annually come up with diminished numbers, and exhibit those sad vacancies in their line which their can no substitutes to fill. When I heard the sentiment which was just now expressed at this board, that as their ranks were thinned by time we should be more ready and proud to do them honor, I was struck with its fitness. Few have they become, and still fewer will they soon be, upon whom we can look as the representatives of their brotherhood; their individual value rises in proportion to the diminution of their number; and, in this respect, let them be to us as the sacred books of the Sibyl of Cumæ. Of those, you know, Sir, the tradition is, that an ancient woman brought to Tarquin, king of Rome, a number of volumes inscribed with sacred characters, mysteriously charged with the fate and future fortunes of the Roman people, demanding for them a price which she seemed extravagant and would not pay. She retired, and, after consigning three of the volumes to the flames, returned, demanding the same price for those which remained; which was again refused. She repeated this work of partial destruction, and her still unsuccessful demand, until the number was reduced to three, when the king, alarmed by the idea that he was losing a treasure which he had not known how to appreciate, gladly purchased the remaining three at the original price of the whole. Sir, the army of the revolution was composed of characters charged with the fate and

fortunes of the American people—and of more than the American people. The few who are spared to this day are venerable and sacred remains. We behold now less than thirty, and there will soon be less than three. But we will value the survivors, and I trust we do value them, as the last, the unchangeable representatives of the value of the original whole.

I believe it would rejoice the hearts of all here to witness in our day the erection of some national monument which would carry to aftertimes an imperishable record of the men to whom we owe our independence, and of the estimation in which we hold them and their achievement. Our whole country is, perhaps, not sufficiently sensible of the real value of such permanent memorials, when reared by a common effort, and commemorative of characters and events that constitute a common glory. In a suitable structure of this sort, the citizens of an extended country would feel that they had one more pledge of union, and a perpetual incentive of public virtue. It argued knowledge of our nature in the ancients, to represent in sculpture, upon triumphal columns, the great transactions they wished to commemorate, and the forms and features of those who were engaged in them. I am not suggesting such a monument as a splendid fancy has conceived, and a most rich and powerful eloquence has described, upon the base of which, sinking to Tartarus, the oppressors might read their infamy; I would not desire that the base of such a monument should rest in a region of guilt and penance; nor, were it possible, would it be necessary that its capital should ascend to heaven to show the sainted patriots that they have triumphed; for there, we must believe, they know it. But, when the means of this nation are commensurate with the wish, I would gladly see a monument on which, at least, the name of every man who gave his person to his country, in her great day of trial, should be inscribed in marble. And I should be proud to point out, on a conspicuous part of such a monument, the very large proportionate space which was occupied by the names of the men of Rhode Island.

Amongst ourselves, upon this day of remembrance, man without man glory, but with pride sanctioned by the strictest justice, remind each other of the titles of Rhode Island to a bright and broad page in the annals of those times. And at this our annual meeting with these white-headed veterans of Rhode Island line, I should deem it a point of duty towards them for some one at this table to revive in their recollections the particulars of many scenes and events in which they and their departed comrades acquired honor for themselves and for their state, had not that duty been so faithfully and so beautifully performed in the public exercises to which they have this day already listened. For they must be left in doubt whether aftertimes will, on all fit occasions, remember that, from the lighting of that first beacon fire—that blazing harbinger of the revolution—which was kindled upon the waters of the Narragansett, to the crowning act which brought the great drama of Rhode Island to the capture of the last remaining hostile army, the spirit of Rhode Island was signaling itself by acts of hardihood and splendor, as well as by sufferings and toil, in every region, on every element, and at every period of the war. The first blood drawn from the veins of a British officer in that great quarrel was drawn by a shot from a Rhode Island musket, upon our own waves, within sight from the tower of that temple where we have this morning heard the scenes and principles of the revolution so eloquently reviewed by the orator of the day. The owner of that musket still lives in honor amongst us, still characterized by the native resolution which the lapse of sixty seven years from that time has not been able to extinguish or abate. The first sword that waved in triumph upon the surmounted rampart at Yorktown was a Rhode Island sword. The owner of that sword as he clambered up the work, received upon his hands and arms the stabs of the bayonet that were aimed at his life, and having gained the summit, and planted it himself firmly there, he lifted his sword high in his bleeding hand, and called aloud to friends and foes, "capt. Stephen Olney's company forms here."

To these specimens, marking the commencement and close of the great contest, Rhode Island can point amongst her sons. They are specimens of men of the revolution—a race of men who by their patient and more difficult courage which manfully encounters suffering and privation, and disappointment, and disaster, and endures to the end, as well as by valor in the field, and sagacity in council,

*The owner was not the person who fired it. It was taken up suddenly, and discharged by another of the party in the boat with him.

have fairly won for themselves the place they hold in the estimation of mankind.

But it was my intention, in the sentiment which I shall offer, to turn the thoughts of this company to another class of heroic minds—another race of devoted patriots—in whose contributions and generous sacrifices, in whose sufferings and tears, the foundations of our independence were also laid. If in that time of trial man did all his part, woman, also, did all hers. With a spirit as high, and with an inward fire as holy and as strong as ever lighted man or woman to the sternest or most exalted duty, the American matron and daughter, sister and wife, went to the unwonted tasks, and placed themselves in the path of the deeper afflictions that arose and multiplied with the events of the conflict. The mansion and the cottage, the garden and the field, were every where mute witnesses of their energy and their endurance. Let it not be thought that while man was called to more conspicuous action, and to more public sacrifices and griefs, the task of woman was comparatively easy or her burden light. Not so, not so; her cup of bitterness, as well as her measure of duty, was full and overflowing. Did not the virgin suffer when, generous and sacrificing, she devoted her chastity to a proud sense of public duty, she postponed the holy contract to which her faith and her affections were pledged until she could receive in a husband a faithful soldier who had performed his whole tour of service for her? Did not the wife suffer when with her own hands she armed the father of her children and sent him forth to his battles—calling up in her bosom the same spirit which prompted the spartan matron to say to her son, as she gave him his shield, "return bearing this, or borne upon it?" Did she not suffer when encountering in solitude the privations of her once cheerful home, she turned her hands not only to womanly, but to manly toil, to provide support for her offspring, or comforts for her absent and suffering lord? Did she not suffer when she went forth to the field and laid her ear to the ground to listen to the sounds of distant battle, feeling that every sound which came faintly upon the breeze, or found more dire conveyance through the vibrations of the solid soil, might be the voice of the fate of a son or a father, a brother or a husband? Did she not suffer when she saw the partner of her affections toil-worn and spent in war, with poverty for his present portion; and poverty for his probable future destiny? Did she not suffer when, in many an instance, she saw him descend to the grave, honored but still unrequited by the country he contributed to save? And has she not suffered in the long, sad widowhood which such events have provided for her, and which in many still remaining instances is the only provision she owes to her country? Sir, the females who were connected with the trials of the revolution were a noble army of martyrs. And when I hear the cold and miserly objections which are urged against a provision for all those who survive as bereaved relics of departed soldiers, I cannot but feel that such objections are unworthy of the land which has so largely profited by their sacrifices and sufferings.

I will propose a sentiment to which I know these aged men about me will readily respond: for it is our nature, as well as our language, which cries and expresses, by the same word, valor in the field with devotion to the fair—and that *galantry* for which they have ever been distinguished still belongs to them in both senses of the word.

The widow of the soldiers of the revolution—Let her find in the grateful pity of her country some recompense for her sacrifices, and a solace for her domestic desolation.

THE BALL AT CAMP WASHINGTON.

On Thursday night a military ball was given by the officers stationed at Camp Washington. As it was understood that very extensive preparations were in progress for the celebration, and as a subject of much conversation, and for the satisfaction of those who did not attend, we offer a few hasty words of description.

The ground, which was very suitable for the purpose, was rendered strikingly romantic, as it exhibited from the Trenton road, numberless lights among the tents and trees. As the company assembled, rockets were constantly sent up in beautiful variety. The arrangements for dancing, and the accommodation of the guests, were planned with tasteful ingenuity, and executed with admirable skill. Several large tents extending over a smooth temporary flooring, presented an ample space for exercise.

Around and along the middle of the room numerous handsome lamps were suspended decorated with leaves and flowers. At intervals devices of arms and musical instruments, draped with the colors of the regiments and national flags, were hung against

the trees and supports within the enclosure. The sides too were festooned with the stripes and stars, and wreaths of laurel and other grateful foliage completed the classic decorations of the ample canvass.

Owing to the unfavorable appearance of the sky through the day, the guests were less numerous than had been expected. About fifteen hundred invitations had been sent to various parts of the country, but those who had the pleasure of attending did not exceed a few hundred.

Amends however were made, in the great comfort which an excessive crowd would have diminished. By five o'clock the ladies had all arrived, and when the dancing commenced, to the playing of an excellent band, the scene was highly picturesque and most agreeably exciting. It seemed as if the gallant managers had selected the fairest of their country women to grace the tented field. As we surveyed the numerous and lovely groups, we had full faith in the saying, that "the American women are the most beautiful in the world." Their dresses too in the present tasteful fashion, and the rich uniforms of the officers, enhanced the attractive variety of the spectacle.

Before twelve o'clock supper was announced, and the company passed to another area, erected and ornamented similarly to that appropriated for dancing. There, two very long tables, united by a third at the top, were covered with a splendid and luxurious display of fruits and confectionary. Every thing was profuse and excellent, and was arranged by Mr. Parkinson in a style most creditable to his ideas of such artificial beauty. Flowing glasses and bright eyes sparkled around the sumptuous board, and young hearts beat lightly to gay melodies. As the night waned and quadrilles were resumed, a few retired, but morning almost stood tip-toe upon the misty mountain top, before the sentry was left alone upon his watch.

The large company which thus enjoyed the liberal and elegant hospitality of the officers of Camp Washington, will long bear it in pleasing and grateful recollection. [National Gazette.]

IMPORTANT LAW CASE.

THE WHALE SHIPS.

From the New York Journal of Commerce.

United States circuit court—Aug. 3d. Judge Betts presiding.

The United States vs. Charles Jenkins and others. The defendants were indicted for an endeavor to make a revolt on board the whaling ship Georgia, of New London, capt. J. P. Hall. She was regularly registered as an American vessel, but not licensed, and was on a fishing voyage in the south Atlantic ocean, when the offence occurred.

Evidence was adduced on the part of the prosecution which proved that the prisoners had refused to obey the captain's orders, and acted in such a way as to clearly come under the legal definition of attempting to make a revolt.

Counsel for the prisoners raised two objections, first, that the United States district attorney must prove the American character of the vessel, by the production of the custom house papers. Secondly, that a registered vessel was not authorized to engage in the fisheries, and therefore the defendants could not be charged with any offence committed on board her.

The district attorney contended that, according to the law of 1835, it was only necessary to show that the vessel was *de facto* an American vessel, owned by American citizens, claiming to be, and in fact being an American vessel. And that although deprived of the privileges of American vessels, according to our revenue laws, she must still be considered an American vessel according to the law of 1835, whether she was *de jure* or not an American vessel. Secondly, that a register was sufficient for this purpose, and that it was not necessary, by the act of 1793, to take out a licence unless for the purpose of obtaining certain privileges and immunities, but that her not having done so, did not render her the less an American vessel, *de facto* if not *de jure*.

The jury charged the jury. The defendants here put in only a general plea of not guilty, but they have also a right to avail themselves of any thing which suffices to show they are not guilty. It is therefore not sufficient to merely prove their innocence criminal, in the abstract, but it must also be made criminal by law.

The defendants now take the ground, that the duty, an alleged breach of which they are being tried for, was not obligatory on them, and that therefore this court has no jurisdiction over them, and cannot take cognizance of their conduct, while they were on board that vessel.

If this court were to act solely on its own impression it could entertain no doubt or hesitation in

relation to the question.—Because ever since 1789, and 1793, prosecutions of this sort have frequently before this court, and it has always exercised jurisdiction over them, and the prisoners, if convicted, have been invariably punished. The court would therefore feel itself fully warranted in adhering to that interpretation of the law, which it had heretofore given, if it had not been suspended by an expose of a high character.

It appears that within the last two months, a question has been raised in Rhode Island, whether men on board a whale ship, circumstances of the one now in question, are amenable to the laws of the United States for certain breaches of discipline. And that court decided that they are not. This court, however, entertains a different opinion; but, in deference to the respected authority which has judged otherwise, we shall not now pass upon the question without further consideration, but put it in a shape in which it can be finally determined. And if it appears that this court has been so long in error, we shall of course alter our view of the law, but if we consider ourselves right, we shall continue to entertain the same opinion, until it is corrected, not by a court of co-ordinate jurisdiction, but by the supreme court of the United States. This is the supreme court and this court, possess but the same authority, and neither of them have power to lay down rules for the guidance of the other, except an advisory. We, however, look to the court of Rhode Island with great respect, and if that court had been the first to lay down the rule in relation to this question, we would readily conclude to decide as that court has decided, until the court at Washington determined the matter. But this court has for nearly forty years decided differently, and it now becomes a question whether this court have laid down the rule correctly, or that the more recent decision shall be adopted as the right one.

The question then arises thus. The law says, that if American seamen commit certain acts, they are subject to be prosecuted, and other laws require certain preliminary conditions to be complied with, before vessels can possess certain privileges and advantages. And if the rule laid down by the court of Rhode Island is correct, it may go no further than this, that all vessels sailing with a register, must pay duties on their oils and skins, like foreign vessels, and be liable to the inconveniences and disadvantages of foreign vessels, and yet the seamen on board them be subject and amenable to the laws of the United States.

This court will now lay down its view of the law in such a broad and comprehensive way as will suffice to have the question finally determined.

I lay it down as a rule of law, that persons are subject to criminal prosecutions for offences committed on board American vessels, on the high seas, or in foreign ports, and that the ownership of the vessel determines her international character, within the interpretation of these laws. And that the ownership may be proved in the same manner as that of any other chattel, and that it is not necessary for the public prosecutor to produce any documentary evidences. Such has been the uniform course of decision in this circuit for years past, and the principle seems to be distinctly recognised (5 Wheat, 199). It is therefore sufficient to prove by parole evidence that the vessel was owned by American citizens.

Whatever effect the want of a license, and proceeding on a fishing voyage under a register, may have as to the privileges and advantages of the ship under our revenue laws, her being documented with the one or the other improperly, does not denationalize the vessel. She may be subject to duties and disabilities at the custom house, as if not documented at all, or as if she was a foreign vessel, but no act of congress takes away her intrinsic character, and say that she is under a register, and not having a license, she can be legally employed on a whaling voyage, and can come into American ports or into the waters of the United States, without subjecting themselves to the disadvantages or disabilities of foreign vessels. And that these vessels which go to the south Atlantic ocean, ought to be admitted on paying American tonnage duties, and no duty on the oil; and that the statute which requires a license refers to a different sort of trade.

The jury, bearing in mind these propositions, will now retire to consider the evidence, and determine on the guilt of the defendants. If the jury finds them guilty, the court will suspend their sentence until the case is fully argued before the judges. The jury retired for a few minutes, and brought in a verdict of guilty against all the prisoners.

For the United States, the district attorney, Mr. Butler. For the prisoners, Mr. Nash.

THE CASE OF MR. RIDGWAY.

The case of Mr. Ridgway, of Philadelphia, upon a writ of *habeas corpus*, sued out on the occasion of a bail being demanded of him for his appearance to answer a criminal charge, in connexion with the late bankruptcy of T. W. Dyott & Co. has, in consequence of the character and standing of the citizen thus charged, excited so much and so generally the public attention, that it is supposed our readers may be desirous to know the particulars of the imputation upon Mr. K. and of his acquittal of it. For this and other reasons, we copy the following from the Philadelphia papers.

[Reported for the Public Ledger.]

COMMONWEALTH vs. JACOB RIDGWAY.
Court of Common Pleas—before judges King, Randall and Jones. *Habeas corpus*.

The defendant had been bound over by the mayor to answer the charge of a "conspiracy with Dr. Dyott to defraud the community," and, refusing to give bail to the mayor, was committed to the custody of Willis H. Blaney, one of the high constables, and immediately sued out this writ of *habeas corpus*. The testimony on the part of the commonwealth was produced, and the case fully argued on both sides by counsel, and on Saturday, August 3d, 1839, the defendant was discharged, the judges giving their opinions *seriatim*, all concurring to the conclusion that the defendant could not be held over to answer.

Judge Randall, who presided on this trial, delivered his opinion as follows:

The writ of *habeas corpus* in this case was directed to Willis H. Blaney, one of the high constables of the city of Philadelphia, who returned that he held the relator in custody by virtue of a commitment signed by the mayor, charging him "with a conspiracy with Thomas W. Dyott to defraud the community." &c.

A preliminary exception was made by the counsel for the commonwealth to the regularity or propriety of the writ in the first instance, which, if well founded, will prevent the necessity of any further examination of the cause, and place the relator in the situation he was in at the time the writ issued.

It is said that because the defendant was not actually in prison, and he being able to give the security required, (his own recognizance only having been demanded by the mayor), his case is not within the letter of the writ of the *habeas corpus* act. It is admitted that in cases where the committing magistrate has no authority to take bail, a *habeas corpus* may issue to the constable or other officer having the defendant in charge; but a distinction is endeavored to be drawn between such a case, and one in which the magistrate may take bail and the party is able to procure it. I am unable to perceive any such distinction; on the contrary, I think the case both within the spirit and letter of the act.

The object of the *habeas corpus* act was to prevent any wrongful or illegal restraint of personal liberty; and whenever a person is deprived of the privilege of going when and where he pleases, he is restrained of his liberty, and has a right to inquire if that restraint be illegal and wrongful, whether it be a jailer, constable, or private individual. It is not necessary that the degradation of being incarcerated in a prison should be undergone to entitle any citizen who may consider himself unjustly charged with a breach of the laws to a hearing. The whole spirit of the law is in favor of liberty, and, if the words were doubtful, it should be construed liberally in favor of that blessing. But the case is also within the strict letter of the law. The act declares, "if any person shall be or stand committed or detained for any criminal or supposed criminal matter, unless for treason or felony," &c. he shall (in vacation) apply to a judge, who is required to award and grant a writ of *habeas corpus*, to be "directed to the person or persons in whose custody the prisoner is detained;" and "the officer, sheriff, jailer, keeper, or other person whatsoever to whom the same shall be directed," is required to bring the prisoner before the judge who awards the writ.—This, and some other portions of our *habeas corpus* act, have been copied from the British statute of '31, cap. 2, ch. 2, under which it has been expressly decided that a constable is within that provision of the act which imposes a penalty for refusing a copy of the cause cited in (1 *Strangely*, 126). And in one of the cases cited in another part of this examination by the counsel for the commonwealth, on a charge similar to the present, (the conspiracy), the *habeas corpus* was issued by the chief justice, and directed to a constable, who made the return.

This point being disposed of, it becomes necessary to consider what is the offence with which the relator is charged, and what is the evidence exhibited in its support.

At the commencement of the hearing, the counsel for the commonwealth stated five distinct and specific charges, or what, perhaps, may properly be termed counts; but, in conclusion, these were reduced to three, viz:

1. Conspiracy to establish an unlawful bank.
2. Conspiracy to support an unlawful bank, with a false capital.

3. Conspiracy to support an unlawful bank, with a false capital, knowing the representation of capital to be false.

And each of these with a view to cheat and defraud the citizens of this commonwealth.

It appears to be conceded that the English doctrine of conspiracy is to a great degree in force in Pennsylvania, and that a conspiracy to cheat may be punished here by indictment, although in at least one of our sister states it has been held that no conspiracy to commit a civil injury can be punished criminally, unless the act, if done by an individual, would be the subject of an indictment. [4 *Halstead*, 293.]

To make the conspiracy an indictable offence, even in England, there must be either a *direct intention* that injury shall result from it, or the object must be to benefit the conspirators to the prejudice of the public or the oppression of individuals. And as this is a class of cases in which direct and positive proof can seldom be obtained, resort must be had to affidavits and declarations of the parties, to prove as well the combination as the motives of the parties entering into it.

In the present case, it is not alleged there is any direct proof of criminal combination; but, for the purpose of establishing it, the commonwealth has given in evidence the testimony of the relator as given by him before the insolvent court on the application of Thomas W. Dyott for the benefit of the insolvent laws in February last, some other documentary evidence, and has examined a number of witnesses; from all of which it appears that some time prior to the 9th of May, 1836, Thomas W. Dyott established a banking institution in the city of Philadelphia by the name of the Manual Labor bank, on that day (9th May) executed a bond and warrant of attorney to Stephen Simpson, Samuel S. Sneyd, Peter A. Calder, and John A. Rowe, in the penalty of \$500,000, stating that "he had already issued, and was about to issue, his certain promissory notes for various sums of money," and had "already received, and is also about to receive and hold in deposit, such sums of money as shall be left and deposited with him at his said banking house." The condition of the bond was for the faithful payment and discharge of those notes and deposits, or, in default thereof, execution to issue against his real estate. Judgment was entered on his bond in the district court for the city and county of Philadelphia on the 11th of May, 1836, and the warrant of attorney filed.

In April, 1837, a run was commenced on the bank by the note holders and depositors, which Dr. Dyott was unable to meet without assistance. He then applied to the relator (who had before that time occasionally discounted his notes or loaned him money) for aid. The relator agreed to advance money from time to time on receiving satisfactory security for its repayment, and on the 6th of April, 1837, Doct. Dyott executed his bond and warrant of attorney in favor of the relator in the penalty of \$40,000, conditioned for the payment of such money as might be advanced to him; and as a further security, on the 7th of April, 1837, Dr. D. assigned to the relator an invoice of arch ware said to be in stores in Second, above Arch street, and valued by Dr. D. at \$93,899 26. The run on the bank continued until the general suspension of specie payments in May, 1837. During that time the relator advanced about \$30,000. His whole advance during the year 1837 being in the neighborhood of \$50,000.

On the 19th of May, 1837, Messrs. Simpson, Sneyd, and others, executed an assignment of the bond for \$500,000 to the relator, to hold the same "in trust for the uses and purposes" in the said bond mentioned; this assignment was entered on record on the 2d of May, 1837, and the judgment marked to the use of the relator. The existence of the bond as a security for the bank had been published in the newspapers, but without the names of the obligees or obligors. Soon after the assignment, the advertisement was altered by Dr. Dyott, inserting the name of Jacob Ridgway trustee and bond holder.

Dr. Dyott was the owner of considerable real estate which he valued at \$200,000, though the relator never considered it worth one-third of that sum, and on one occasion told the doctor that it would not doing \$50,000. What was in reality the value of the property does not appear. He also possessed considerable personal property, but on the 1st of July, 1837, he assigned all his stock (including the glass ware

which had been assigned as collateral security to the relator) to J. B. & C. W. Dyott, his son and nephew, for the nominal sum of \$150,000. When the transfer became known to the relator does not appear, further than that he stated in his testimony. On ascertaining the fact, he required, in lieu thereof, additional security for his debt, and on the 1st of February, 1838, he received the bond of T. W. Dyott and J. B. & C. W. Dyott for \$45,594 88, and on the 20th of May of the same year another bond of the same parties for \$13,579 67. He continued his advances until September, 1838, in various sums, amounting in all during that year (including the purchase of the mortgages of \$5,000 each) to the sum of \$49,460.

After the assignment of the bond to the relator, and the advertisement of his name as trustee and bond holder, many of the witnesses who have been examined called on him to ascertain the value of the notes and the security of the deposits. He always stated his belief in their security, but generally stated that belief to be founded on the representation of Dr. Dyott, but on some occasions he appeared to speak without reference to the statements of Dr. D. These statements were made in 1837; in November of that year he said to one witness who called on him that he believed the real or personal estate of the doctor was sufficient to pay his debts, and that in his opinion the notes of the Manual Labor bank were better than those of the loan or savings institutions. While conversing with this witness, some persons came in and offered to sell real estate in Southwark, and he declined the purchase. In the spring of 1838, when asked his opinion of the value of the notes, he referred to his own practice: he was then receiving the notes in payments due to himself.

In a conversation with Dr. D. in October, 1837, so the relator told him that his (Dr.'s) credit had been so shaken, that he (Dr.) doubted whether he could pay all his demands against him, and advised him to sell his property and pay what he could; this was denied by the doctor, who continued to assert his ability to pay all he owed.

In his testimony before the insolvent court, the relator declared that he had never been in the banking house but once, and in the store of Dr. D. but eight times during the operations of the bank; a witness has been examined who swears that, in the summer of 1838, he saw the relator, on four different Sundays, early in the morning, at Dr.'s house: twice saw him coming out, and twice saw him through the window, sitting with his back towards the blinds, which were down.

Another witness, who resides in the Northern Liberties, states he frequently saw the relator in his carriage or rig in front of Dr.'s door, between May and September, 1838; saw him at least two or three times a week, always, however, remaining in the stated that, talking to Dr. D. This witness further commenced his deposition as a depositor, and that when he saw the relator he was informed by Mr. Simpson and Dr. D. that Mr. Ridgway was security for the bank; in the latter part he is evidently mistaken, as his deposit commenced, as appears by his book, in November, 1836; the relator did not become trustee, nor was his name connected with the bank, until May, 1837. On the 11th of September, 1838, the bond for \$500,000 was reassigned by the relator to the original obligees, (Simpson, Sneyd, & c.) and the judgment marked to their use; no other notice was given of this reassignment at that time; but at a meeting of the creditors of the bank in November of that year, the fact of the reassignment was mentioned; that meeting was called for the purpose of devising means to enable the bank to continue in operation; a committee was appointed to wait on the relator and solicit from him a loan of \$30,000, but he declined making any further advance, and his other efforts appear to have been made by the committee.

I think this summary view of the evidence contains every fact in any way material either for the prosecution or defence, and that the counsel for the commonwealth insist that the relator be bound over to answer one or all of the specifications or counts before mentioned, and they urge that there is at least probable cause to put him on his trial; that a binding over can do no harm; if he is nugatory he will be acquitted by a jury, and his character triumpantly vindicated.

It is true that a binding over by a committing magistrate or by a judge, after a hearing on habeas corpus, ought not to prejudice a defendant on his trial before a jury, inasmuch as the testimony is almost always, and has been in this case, *entirely ex parte*, no evidence having been admitted on the part of the defendant; and if the evidence is such as to satisfy the magistrate or judge that there is probable cause to believe that the defendant has been guilty of a breach of the criminal laws of the country, it is his duty to

bind him over for trial by a jury, where his defence will be heard and his guilt or innocence determined. But if, after a full examination of the testimony for the commonwealth, he is satisfied *that the laws have not been infringed, or that the defendant was not a party to such infringement, it is equally his duty to discharge the accused from arrest.*

The first charge or specification has been but slightly insisted on, and properly so; there is no part of the evidence which connects the relator with the establishment of this bank; on the contrary, it is proved to have been in existence before he had any connexion with Dyott; and, again, the conspiracy (if any) was merged in the consummation of the act, the establishment of the bank.

But it is said, if the proof is that the bank was established, and the conspiracy merged, it is our duty to bind over the relator for the offence of establishing an unlawful bank; this, however, is the mode of punishing such an offence; the bank, if unlawful, is made so by the act of 22d March, 1817, and the penalty is a fine, recoverable as *debts of a like amount* are by law recoverable, that is, by action, and not by indictment. The 13th section of the act of the 21st March, 1806, provides that "in all cases where a remedy is provided, or any thing or things directly to be done, by any act of assembly, the directions of the act shall be strictly pursued, and no penalty shall be inflicted or any thing done agreeably to the common law, further than is necessary for carrying such act or acts into effect." This then is a case precisely within the words of the statute; a remedy is provided, the punishment is fixed, and the mode of enforcing it is pointed out; if the remedy by indictment should also be permitted, the party would be subject to two penalties for one offence, which can never for one moment be tolerated.

The remaining charges or specifications may properly be considered together; in support of them, the commonwealth urges—

1st. The acceptance of the assignment, and making reassignment of the bond for \$500,000.

2d. The frequent interviews between the relator and Dyott.

3d. The representations uniformly made of the solvency of the bank; and

4th. The relator's representations of solvency after he knew of the fraudulent transfer of the goods assigned to him as collateral security.

Without stopping now to inquire into the legal effect of the assignment, or how far a trustee can divest himself of trust except in the mode pointed out by law let us inquire what possible benefit could result to the relator, or injury to the creditors of Dr. Dyott, by the assignment or re-assignment of the bond: the judgment had been entered, and was a lien on the real estate of Dyott before it came into the hands of the relator; the objects of trusts of the bond were on record, and could not be changed; the assignment, whether legal or illegal, did not change nor lessen the rights or interests of the creditors, or in any way increase the security of the assignee; the assignment and delivery to him was in effect nothing more than if the bond had been deposited in the vault of a bank or other places of security until called for by the parties interested. But, it has been argued as though the reassignment of the bond was a surrender to Dr. Dyott of the rights of the creditors, and that at all events public notice should have been given to put creditors on their guard. If so, part of the real estate of Dr. D. had been released from the lien of the judgment, then indeed the creditors might have had ample cause to complain; but force, and it is in reality as great a security now as it was the first moment it came into the hands of the relator, the only difference being that the names of other persons must be used to enforce it, and, should they be unwilling to act, ample power is placed in the hands of the creditors to have active and willing trustees substituted.

As to the frequent interviews with doctor Dyott, the only circumstance that could make these at all material, is the statement of the relator that he had been but seldom at Dyott's house; but that statement was made long after the bank had exploded, when Dr. Dyott was under examination before the insolvent court, and when the declaration, if untrue, could have no possible effect either in benefiting him or injuring others. But, supposing it to be correct, pie, were in open day, he always remained in his considerable space of time; there was no concealment or secrecy in them such as to induce a supposition coated; and, as the visits of Dyott to the relator, of which so much has been said, they are explained at once by a reference to the account between the parties, from which it will be seen that during the

pressure of April and May, 1837, the advances of money by the relator were almost daily, and sometimes twice on the same day.

The representations of the solvency of Dyott to the various persons who have been examined, remain to be considered. That he uniformly stated his belief of the ability of Dr. Dyott to pay his debts and redeem all his engagements, until the reassignment of the bond, is undoubted, and whether these representations are to make him liable to a criminal prosecution, or not, must depend on the motives with which they were made; these are to be ascertained from a view of the whole evidence. It must be recollected that this is not an inquiry whether the relator has, or has not, by his acts, made himself liable to the creditors of the bank for the amount of their debts; that is a question with which we have nothing to do here; the only question for us to determine being, *is their cause to put him on trial as a criminal?* It will be recollected that, with few exceptions, his statements were made to persons who called on him at his own house for information, and in almost every instance he informed the parties inquiring, that his information was founded on the representations of Dr. Dyott, the adaptation of the notes to his recommendations of the notes to Mr. Dowell, in the market, and his advice to Mr. Bean; but these were made at a time when the notes were generally in circulation, when he was advancing his own money to Dyott in support of his representations, and which he continued to do for more than a year after making these representations.

If these representations are to make him liable to a criminal prosecution, then would some of the witnesses for the commonwealth be in great danger, if their other creditors should think proper to prosecute them for a conspiracy. It is hardly probable that the respectable witness whom Dr. D. visited at his house, and who, when he saw one of the notes doubted in the market, offered to give silver for it, supposed he was risking more than the loss of his money, the amount of the note offered.

But it is said that Dr. Dyott having embezzled the goods pledged to him as a collateral security, the relator must have been aware of his dishonesty, and that he still continued his recommendation. The evidence is, that after he discovered the removal of the goods, he demanded additional security on the bond of J. B. and C. W. Dyott, dated 1st February, 1838; and we find that after that period he advanced to Dr. D. upwards of \$9,000; the inference is therefore irresistible, that the cause of removal was satisfactorily explained.

Is there then in all this evidence any thing tending to prove that the relator, in making these representations, intended that injury should result from them to the persons to whom they were made? or that he was to be in any way benefitted by them? I think not; that he truly believed what he said, is, I think, undoubted, from the fact that he continued to advance his own money to the last, and that he is now a loser of upwards of \$50,000 by his credulity.

But were the representations of the solvency of the bank untrue? It is a fact on which we cannot shut our eyes, although not given in evidence on this hearing, that, on the application of Dr. Dyott for the benefit of the insolvent laws, he was opposed on the ground, that he had colluded with various of his relatives to conceal property of greater value than all the debts he owed; that such was the testimony against him, we felt ourselves compelled to bring him over for trial for this concealment, and it is of public notoriety that he has been convicted; if, then, this conviction is correct, and we presume it to be so, Dr. Dyott was perfectly solvent and able to pay all his debts when these representations were made.

I have examined with care all the cases cited by counsel for the commonwealth, and many others, and I have been unable to find a single authority that would justify us in holding the relator to answer this charge on the evidence that has been exhibited to us. The cases cited, have for the most part been civil actions to recover damages sustained by the plaintiff, by the false and fraudulent representations of credit by a defendant—many of them of a most flagrant kind; but no intimation is given in any of them of the propriety of an offence. Indeed, until the case of *Earley et al. vs. Freeman*, (3 Jones' rep. 51), it was doubted whether a civil action would lie, even when the false affirmation of credit was made with intent to cheat the plaintiff. I have before said that with the civil liability of the relator we have nothing to do, if he has by his representations made himself liable to the creditors of Dr. Dyott for the amount of their claims; that is a question referable to another tribunal, and to be determined in another form, and on which we are not required, nor do we desire to express an opinion.

At the outset of this cause I adjourned the hearing for the purpose of enabling me to invite the aid and assistance of my brethren of the bench on the examination. This was promptly and kindly rendered, although at great personal inconvenience to themselves.

We have since been separated, and have separately considered the evidence exhibited in support of the prosecution. Within a few hours I have received from each of them a written opinion, (which I will presently proceed to read), containing the conclusion at which they have arrived. They both concur with me in the opinion that no criminal conspiracy has been proved, and that the relator must be discharged.

It may be proper to state that the testimony before the court was different from that before the mayor. Several witnesses, and among them one said to be the most important for the commonwealth, who were examined there, were not examined in court. What effect their testimony would have had it is impossible to tell. Should the counsel for the commonwealth think they can present a different case at a future day, it is gratifying to know that this decision does not preclude them from sending a bill to the grand jury whenever they may think proper to do.

OPINION OF JUDGE KING.

The mayor of Philadelphia, after a full and elaborate examination and consideration of the testimony adduced by the prosecution, came to the conclusion that sufficient probable cause had been exhibited to him to require the defendant to enter into recognizance for his appearance at the court of criminal sessions, to answer the charge of conspiring with Thomas W. Dyott to defraud the community. In arriving at this result, I presume that he considered the prosecution to grow out of the testimony, and to rest upon the broad foundation of a criminal combination between the parties to cheat and defraud through the device of an unlawful bank, with a pretended and fictitious capital. Such, at least, are the views I take of the case, and unless the testimony is adequate for this purpose, it is without efficacy as to proof of any other criminal liability. Viewing the commitment of the mayor as substantially, though perhaps not formally, the only one which the evidence before him indicated, it remains for us to consider whether, according to the evidence exhibited to us, we are required to concur in or dissent from his views, as expressed in his commitment. If our conclusions should be, at issue with his, it is due to this respectable officer to observe that we are without the testimony of the chief witness, on which it is probable his adjudication mainly rested. I allude to the testimony of Stephen Simpson, who, when required to testify before us, declined doing so on grounds, the correctness of which we felt bound by the constitution and laws of the commonwealth to recognize. The subject before us is, therefore, rather the examination of a new case, than the revision of a former decision.

The first element in the correct determination of any proposition submitted to the understanding is exactness in the appreciation of the thing to be determined upon. It is to the want of clearness in this particular that much misunderstanding as to this case is to be attributed. I have said that the testimony either sufficiently establishes a conspiracy to defraud the public, through the instrumentality of an unlawful bank, with a fictitious or exaggerated capital, or that it altogether fails in fixing any criminal liability on the defendant. In this view of the matter, what then is the subject submitted to us? It is simply and plainly whether the prosecution has, independently of the testimony of Stephen Simpson, shown to us sufficient probable cause to satisfy us judicially that Jacob Ridgway has fraudulently and corruptly combined and confederated with Thomas W. Dyott to cheat and defraud the citizens, through the instrumentality of the Manual Labor bank. It is not a question whether Thomas W. Dyott has individually been guilty of fraudulent practices, or even whether such an imputation can be fairly charged on Jacob Ridgway; but whether, according to the evidence adduced before us, these parties have, by pre-concert and pre-arrangement, united in a formed design to cheat the public. The vital principle of this charge is the fraudulent and corrupt combination between the alleged confederates in crime; and this combination the commonwealth must prove, either by direct evidence, or through the exhibition of such circumstances as necessarily tend to its establishment. The crime of criminal conspiracy to cheat and defraud is a grave one, and may, if established, be punished to the extent of seven years in the State Solitude or a penal cell. Such a crime is, therefore, not to be charged on any man from vague circumstances, strained presumptions, or jealous surmises. Any citizen,

be he humble or lofty, who has lived a life of unsuspected integrity in the community; has the fair right to require of an examining tribunal that, before he is to be arraigned as a felon at the bar of criminal justice, reasonable preliminary proof of his guilt should be adduced. A mere binding over to answer for a crime is a thing very flippantly talked of even by professional men; but common sense and observation show that such a result never fails, where the charge is infamous, in inflicting an injury on the feelings and fame, which is rarely if ever healed. Every dictate of reason, and every impulse of humanity, render these principles indisputable. It is so just as true that, in every criminal investigation, the testimony should apply to the offence charged. Whatever other moral delinquencies or legal liabilities it may tend to prove different from the offence charged, they can only be considered so far as they may tend to establish such offence. This principle is of the last degree of importance to the safety of every citizen. Without it, liberty would be a baseless shadow, and public justice a wicked mockery. It may be true that Jacob Ridgway has been guilty of such a breach of trust in reference to the manner in which his duties under the trust bond have been executed, as to render him responsible to the extent of the sum which that instrument purports to secure. It may be that, independently of his fiduciary character, he has rendered himself personally liable to some or all of the creditors of the Manual Labor bank, in consequence of misrepresenting the pecuniary means of its founder and the solvency of his bank. It may be that he has subjected himself, to penalties under the laws of the commonwealth for the restraint and punishment of unlawful banking. For all these, and any other imputations urged against him, he may be called to answer in due course of law. But the matter in hand is none of these, and upon them I give no opinion. It is whether Jacob Ridgway shall or shall not be bound over by us to a criminal court, to answer for an infamous offence, for which, if convicted, he must undergo the punishment of the robber and the felon. From this result the creditors of the Manual Labor bank could legitimately derive no personal or pecuniary benefit. Nor would Jacob Ridgway satisfy one cent of any legal liability he may be under to any creditor of this bank, if he were detained in penal confinement under the action of this prosecution, until he gasped in a dungeon his latest breath. He who reflects on these things with the dispassionate calmness which ought always to pertain to him who assumes to pass judgment on the actions of his fellow men, will readily see the necessity of separating, in such an inquiry, things so separate which are in themselves distinct; and will as readily appreciate the monstrous injustice of holding a party guilty of an infamous crime, who may have incurred, even under censurable circumstances, a mere civil liability.

A breach of duty as a trustee, and deliberate crime—misrepresentations as to another man's pecuniary means, and conspiracy with him to defraud the community—are different things; and even if the testimony should, before the appropriate tribunals, be deemed sufficient to prove such a breach of trust, or such misrepresentations, it by no means follows that the same testimony establishes criminal conspiracy. The sole question, however, before us is, the sufficiency of testimony for the latter purpose, and to that our opinion is to be understood as applying.

Having a due regard to these principles, I have carefully weighed and considered all the testimony exhibited to us, and some detached parts of it, in the circumstances of an unequivocal character; but, in the aggregate, I see nothing to satisfy my judgment that Jacob Ridgway has ever entered into a conspiracy with Thomas W. Dyott, to defraud the community, or to effect, by criminal combination, any other object. Such being the conclusion to which my mind has arrived, after an anxious consideration of the whole case, I should be recreant to my duty if I hesitated to say so. I do not assume this judgment to be infallible, but, being my judgment, a sense of duty of higher obligation than any human consideration imperatively demands that I should unhesitatingly pronounce it.

I rejoice, however, that our judgment is not conclusive of the subject. The sole effect of this decision is, that in the present state of the evidence we see no sufficient cause to hold the defendant to bail. It is still competent for the proper public officer, particularly in a different state of the evidence, to bring the case to the grand jury. That respectable body are entirely independent of us; they can form their own views of the prosecutor's case, and may, if their judgment so indicate, place the defendant on his trial; we at present do not see adequate cause to induce us neither to restrain him of his liberty, or compel him to give bail to answer. He is discharged.

OPINION OF JUDGE JONES.

On an examination of the evidence and the law applicable to the case of Jacob Ridgway, I can arrive but on one conclusion.

The law of conspiracy I find involved in great confusion. Interpreted by some English writers, it is used to create a mysterious crime, which a tribunal, over whom a citizen is accused, when two or more persons are implicated may mould out of actions otherwise the most innocent. This interpretation I consider as totally inadmissible on any authority, and in part the most erroneous and positive. I do not see how a judge representing a free people could without his express authority recognize a vague offence which might be stretched by a bold interpreter into monstrous tyranny. The doctrine may suit the laide of England, but is not congenial here. Happily those writers are not fully supported by the authorities they cite, and are contradicted by equally good authorities. Amid such contradiction, it is difficult to define with accuracy the law; but taking those principles which are best supported, and that interpretation which is most accordant with our position as judges administering the laws of a people jealous of their liberties, I do not think that we can make a crime of conspiracy out of the evidence before us.

Bound as we ourselves are, bound as the subordinate magistrates of city and county are, by our oaths, to decide that the facts proved before us are a criminal conspiracy would be a most dangerous precedent. We act on general principles, and not to persecute, but to hold up the shield of the law for the protection of all alike: with us no man is rich who has done wrong, no man is poor who is innocent; and we ought to guard well lest a person which to-day concerns a wealthy citizen, to-morrow means to procure bail and defend himself before a jury, should to-morrow rise up with fearful effort against the poor and friendless and unprotected. Viewing the case thus, our duty is clear. It would undoubtedly be gratifying to some of the weakness of human nature to refer this case to a jury, and thus throw off ourselves the responsibility of a decision. But we cannot do so without violating our duties and our oaths, and it would be only postponing responsibility. When a case is on trial, it is our function to define the law, and if the facts proved do not amount to the crime, we must so instruct the jury, and direct an acquittal; if they disregard our direction, we must grant a new trial. Exactly as our responsibility would then be upon us, is it upon the jury. To send this case to a jury, even if we could legitimately do so, would be useless and void. If the defendant, as an American citizen, has his rights, has a positive right to a discharge, if we are of opinion, as I am, that the facts alleged against him, even supposing them proved do not amount to conspiracy.

Of the civil liability of the defendant I need not say a word. On the criminal charge I do not think he can be held to answer. I am therefore, of opinion that he must be discharged.

CASE OF T. W. DYOTT.

Before judges Todd and Conrad, Saturday, August 10, 1839.

COMMONWEALTH vs. T. W. DYOTT.

Fraudulent Insolvency.

Decision on the motion for a new trial. The opinion of the court, on the motion for a new trial, was delivered on Saturday, by judge Jones. We have obtained the following report of a decision:

Of the reasons for a new trial originally filed, were not urged, and others were comprehended in the motion in arrest of judgment. The only points on which it is necessary to express the views of the court, are as follows:

1. It is urged that the printed arrangement of business placed in the common please docket, is the only evidence which sustains the allegation in the indictment of the appointment of a day for the hearing of Dr. Dyott's petition; and that this arrangement, or order, having been made anterior to the filing of the petition, it is not in fact or law the action of the court on that petition. The docket entered in evidence, containing the printed order of business, was sworn to as the record of the court in common pleas, and received as such. Without determining whether the allegation referred to be material, the court considered the opinion that the evidence introduced was competent in itself and sufficient to establish the fact alleged.—The act of the 16th day of June, 1836, makes it the duty of the court of common please to fix a time for the hearing of the petition, either by a general rule, or by an order made in a particular case, if the circumstances of the case shall require it. The necessity of public business have induced in Philadelphia the appointment of a general day for the hearing of insolvent cases; and the order of the court takes effect

on each petition as subsequently filed. An opposite construction would be contrary to the clear intent and reason of the law and well settled and necessary practice.

2. It is alleged also, as a reason for a new trial, that the court erred in rejecting "evidence of what Stephen Simpson had sworn to in the insolvent court, which he had not sworn to in this case." The testimony was offered as additional not contradictory, and was offered without any cross examination of the witness. There can be no doubt that, before any such evidence can be admitted, a basis must be laid in the cross examination, and the witness be afforded an opportunity of explanation. To open the door to evidence intended to discredit a witness, by proof that he has previously made additional or different statements, without permitting him to supply what is forgotten, or explain what may be misunderstood, would be gross injustice to him, and would induce consequences fatal to the precision of judicial investigation.

3. The ground principally relied on is an after discovered writing, which, it is alleged, would discredit the testimony of Stephen Simpson, one of the witnesses for the prosecution. We have given to this point the most careful attention, but, after revising the testimony and weighing, as well as we can, the scope and effect of the after discovered evidence, was considered insufficient to warrant us in opening the verdict.

The conviction on the sixth and seventh counts of this indictment, to the former of which Mr. Simpson's testimony does not apply materially, and to the latter not at all. These counts are unreachd by this reason for a new trial, and on them the court would at all events be constrained to proceed to judgment.

The after discovered testimony is merely cumulative—the same facts were stated on the trial by John B. Dyott. Nor can it be urged that the writing produced discredits the witness by a higher order of evidence than that just mentioned; for on another point the defence contradicted the same witness by his own handwriting.

Had the witness alluded to been unimpeached on the trial, and were his testimony now wholly blotted out of the case by after discovered evidence of discredit, still we are of opinion that the case is so sustained by other testimony that even if a new trial were granted a different result would scarcely be possible. The testimony of S. Simpson is (perhaps with the exception of a single one of the eleven counts of this indictment) not essential to the prosecution; and were it torn from the tissue of the case, would leave no opening through which the defendant could escape the condemnation under which he now rests.

Motion overruled.

[Lodge.]

CONSUL TRIST.

From the N. Y. Express of Saturday last.

Pursuant to notice, one of the largest and most respectable meetings of shipmasters ever assembled in this city, met on Thursday evening at the Second Ward Hotel, for the purpose of consultation, and of taking further measures in reference to consul Trist, and the shipmasters and seamen abandoned and oppressed by the said consul, at Havana. Captain Edward Rosseter was called to the chair; Capt. J. Hillman, Henry Russell, Jas. W. Low, were appointed vice presidents; and caps. S. E. Glover and R. Ritchie were appointed secretaries.

The objects of the meeting being stated by the president, capt. Rosseter, the following preamble and resolutions were offered by capt. S. E. Glover.

Whereas, it is the bounden duty of every United States ministerial or consular agent abroad, and especially the peculiar province of consuls and consular agents, vigilantly to watch over and carefully to protect and guard the interests of American commerce and seamen from foreign aggression, as well as prevent harsh treatment of crews by shipmasters, and to put down and punish mutinous insurrections or other difficulties occurring on board of all vessels in foreign ports: And whereas, such authentic facts have been stated to this meeting as prove conclusively that Nicholas P. Trist, the consul at Havana, has been guilty of secretly inciting the Spanish authorities to the unlawful confinement and imprisonment of American captains and seamen for alleged and unfounded offences, preferred by him against them; and when remonstrances were presented to the said Trist, against his high-handed conduct, by one hundred and fifty-five respectable shipmasters and citizens of Havana, comprising nearly all that reside there, and that the said remonstrance, when laid before him by commander Babbit, of the United States sloop of war Boston, then in port, he, the said consul, treated the same with contemptuous scorn, and so misrepresented his proceedings, as fully to establish, by

his own admissions, the truth of the accusations against him. Therefore, be it

Resolved, as the sense of this meeting, that the conduct of the said Trist has been wanton, tyrannical, unlawful and unjust, and highly injurious and offensive to our profession.

Resolved, That the proceedings of the said consul, in encouraging the Spanish authorities to bring to unlawful trial, on exaggerated charges, the crew of the American ship "William Eng's," and causing them to be condemned without counsel or trial by jury, and sentenced, to the common felons, to chains and hard labor, in breaking stones under Spanish task masters, is enough to stamp the name of Trist with infamy, and to prove him totally unworthy to hold his high and, what ought to be, honorable station.

Resolved, That the tyrannical, illegal, and unjust imprisonment of captain Abraham Wendell, jr. of the brig Kremlin, of this port, during a protracted period of five months, and his continuance under bonds for an additional period of three months, on the false accusations brought by said Trist against capt. Wendell, in the Spanish courts, and which he failed in any instance to sustain, is another evidence of the tyrannical and malignant spirit of persecution which has constantly marked the conduct of said Trist towards his countrymen.

Resolved, That in our opinion, the letter which has been subsequently written by the said Trist, and recently published in the New Orleans Courier, and subsequently in the Globe and other papers, concerning the interference of commander Babbit, and in which letter, he, the said Trist, denounces his accusers, meaning thereby nearly all Americans in Havana, as a "set of the vilest and most notorious wretches," as "dirty, sneaking knaves," and "characters of the deepest infamy," is by the gross and billingsgate epithets it employs, corroborative and conclusive evidence that he is unfit for the dignified office he disgraces, as he is destitute of the feelings of an American, and unworthy the name of a gentleman.

Resolved, That the confession made by him in the said letter, that he had been convinced that the captain of the "William Eng's" should have been made to break stones in place of his crew, is an additional proof of his guilt in forcing that crew to prison through the agency of the Spanish tribunals, and in moving, when too late, a mean attempt at subterfuge, and to wit, ever, at the expense of a base and unfounded aspersion upon the captain, and the good opinion of the crew upon whom he had been instrumental in the commission of a most flagrant outrage.

Resolved, That the calumnious insinuations thrown out in the aforesaid letter of the said Trist upon the American ship masters and residents of Havana, that he could have bought their good opinion with dinners and other courtesies, is worthy of the author who uttered it, as no other individual but one possessing his hostile feelings toward his countrymen, could have measured the integrity and independence of American citizens by a standard so sordid and corruptible.

Resolved, That the great body of Americans, ship masters and citizens of Havana, whose names are attached to the memorial presented to capt. Babbit, as well as the names of those who attend this meeting, fling back these reproachful expressions of consul Trist, and warn him to clear up his character first, and especially to warn him to clear up the documents printed by the British minister, inculating the said Trist as the British minister in the slave trade, before he has the effrontery to accuse others of being bribed by the courtesies or any other favor he can bestow.

Resolved, That we respectfully urge upon the seamen and ship masters of every city in the union, to co-operate in the adoption of such measures as may bring to a speedy recall of the aforesaid Nicholas P. Trist, for his oppression, illegal and unjust outrages upon American citizens, that he may be summoned to trial to atone for conduct which is not only disgraceful to him as an individual, but is dishonorable to our country in a foreign land.

Resolved, That a memorial be presented to the proper authorities for the removal of the aforesaid consul Trist, and that a committee be appointed to prepare and superintend the same: whereupon the following captains were appointed upon said committee: captains Hillman, Russell, Low, J. E. Glover, Atkins; captains S. E. Glover and Ritchie as secretaries.

Resolved, That the unblushing attempt of the said consul, to vindicate himself, and to challenge his accuser to the proof, while he reiterates offensive epithets upon the heads of respectable American ship masters and citizens residing in, or trading to Havana, is another additional evidence of the

effect of the intoxication of office upon the mind of a person, whose recent conduct proves him to be by nature prone to acts of the most flagitious description.

Resolved, That in consideration of the extreme severity and harsh treatment received by captain Wendell, at the hands of the aforesaid Trist, and in consequence of the sufferings and privations experienced during his confinement, by a numerous family, consisting of a wife and five daughters, we do cheerfully agree to raise a fund to sustain capt. Wendell in a civil suit in the courts of the United States against the said consul Trist, and who do therefore recommend that subscription papers be opened for this purpose.

Resolved, That the proceedings of the meeting be signed by the president, vice presidents and secretaries of this meeting, and that all the papers in the city be and they are hereby requested to publish the same.

Capt. EDWARD ROSSETER, *president*.

J. HILLMAN, }
HENRY RUSSELL, } *vice presidents*.
JAMES W. LOW, }

S. E. Glover, }
R. Ritchie, } *secretaries*.

On motion of captain S. E. Glover, the resolutions were unanimously adopted.

During the meeting captain Wendell was called on to make a statement of his case, which he did in a concise, clear and feeling manner, eliciting from his professional brethren every mark of manly sympathy.—This was both natural and honorable—men who have braved every danger of sea and tempest in every clime have a common feeling, for what has been the fate of one to-day, may be the fate of another to-morrow; and the same assumption of power claimed and exercised by Trist, at Havana, may consign the seamen or masters of American vessels to the tender mercies of the dey of Algiers, the pacha of Egypt, the grand Turk, or to be strangled by the Chinese mandarins, when it shall suit the whims of a consul sustained by the authority of Trist, to deliver up American seamen to foreign authorities, for alleged offences committed under the American flag. Due notice will be given of another meeting.

GOVERNOR SEWARD'S LETTER.

From the Truth Teller.

We refer our readers to the correspondence between governor Seward and the rev. Mr. Gilbride, published in this day's paper. It is a document worthy of perusal, and we give it to the public with much pleasure. In these days of bigotry when the Catholic, even in this land of freedom, suffers from the sneers and scoffs of some, and the ruthless persecution of others,—when we see public men flying from the charge of Catholicity as it were a pestilence,—and historians like Mr. Bancroft, rewarded with high and responsible offices for base and unwarrantable attacks upon the Catholic faith, it is refreshing to peruse a document, such as the one we now lay before our readers. The governor's letter contains a clear exposition of the law, and a lucid explanation of the rights of the Catholic clergy, which cannot but claim the attention of the Catholic community. Governor Seward, in this instance, has displayed a liberal and highminded course, and his conduct shows the more conspicuously, from the fact that the party with which he is identified has always been characterised by an entirely opposite course. Differing as we do *in toto* in political principles with the party who placed governor Seward in power, we beg to assure him we shall not be backward in awarding our meed of praise to him when he pursues such a line of conduct as the one which he has in this case adopted towards adopted citizens.

Congress Hall, Albany, June 29th, 1839.

His excellency William H. Seward, governor of the state of New York, *present*.

Sir: Herewith I have the honor to transmit to your excellency the form of an affidavit to which I am ready to swear.

Said form contains the facts upon which I submit to your excellency an application for relief touching the case of Lawrence McCarthy, sentenced to be executed on the first day of August next, and now confined at Martinsburg, in the county jail of Lewis.

Those facts embrace a subject of such deep importance not only to said convict, to the entire body of Catholics towards whom a policy has been pursued in the extreme illiberal, and unknown to the laws of any civilized nation, but also to religious liberty, whose sacred charter has been assailed, that I am inadequate to express my solicitude for a favorable hearing, and my utter abhorrence at so flagrant a violation of the rights of conscience.

This emergency, in the opinion of the undersigned, loudly calls for the interposition of the executive of the state.

I therefore very respectfully and anxiously solicit your excellency to postpone the execution of said convict so that the legislature may be petitioned at its next session for an amendment of the law relating to this subject, if its intervention is deemed necessary, and to grant such other relief in the premises as your excellency may deem just and equitable.

Fully relying on your wisdom to decide, and on your firmness to execute what principle demands, I submit this truly distressing case to your excellency without further remark.

I have the honor to be, your excellency's obedient servant,

MICHAEL GILBRIDE,
R. C. P. of Carthage, &c. &c. &c.

Albany, June 29th, 1839.

Sir: The reverend Michael Gilbride, a Roman Catholic clergyman residing at Carthage, has made a representation to me that he is pastor of a mission in Jefferson county, embracing Lowville and Martinsburg, in the county of Lewis; that Lawrence McCarthy, a prisoner in the jail of Martinsburg, who was recently convicted of the murder of Asabel Alford, and was sentenced to suffer death on the first day of August next, is a member of the Roman Catholic church; that the said Gilbride received information that the prisoner desired his spiritual aid; that he thereupon proceeded to Martinsburg for the purpose of administering the rites of his religion to the said prisoner, and that he was informed by the jailer, Mr. Daniel S. Bailey, that he was instructed not to admit any person to the prisoner, unless the said jailer should be present and hear the conversation between him and the prisoner.—Mr. Gilbride further states, that he consulted the district attorney of Lewis county, to ascertain whether he could obtain admission to the prisoner by making personal application to you, and was informed by the district attorney, that you had conversed with him on the subject, and had said that you considered yourself bound by the statute not to admit any person to the prisoner alone, and that consequently his application must be denied. Upon this representation, Mr. Gilbride asks my interposition in the premises.

Where the constitution and laws give to the executive no control over other functionaries, it would be disrespectful to them, and disorganizing to the administration of justice were I to assume authority. But general duty, "to take care that the laws are faithfully executed," undoubtedly authorizes me to advise other executive officers upon any question which may arise touching the manner of discharging their duties. I deem it therefore improper to express respectfully to you my view on the subject thus brought before me.

In the first place, I am not satisfied that you have refused compliance with Mr. Gilbride's request.—The conduct of the jailer, and his refusal to admit Mr. Gilbride unless attended by himself were clearly right. It is a prudent precaution against the prisoner's escape, to provide generally that no person should visit him except in the presence of an officer, and the jailer might well adhere to this line of duty unless otherwise expressly directed by you.—Mr. Gilbride ought not to have been deterred by the information given him by the district attorney from making his application to you personally. He has therefore no right to presume that a personal application to you would have been denied.

But the subject is one of grave importance, and the time of a man lying under sentence of death is inestimably precious. I have therefore thought it proper, under the circumstances of the case, to express my opinion upon the reasonableness of the request itself.

It is the manifest duty of the sheriff to keep secure the persons of individuals lying under conviction and sentence of death. It is equally his duty that a proper precaution should be used, to forbid access to, or conversation with them, except in the presence of an officer of justice. The provision of law which bears on this subject, is contained in the 11th section of article 1st, title 1st, chapter, 3d, part 4th of the revised statutes, vol. 2d, page 633.

"§ 11. Prisoners detained for trial, may converse with their counsel, and such other persons as the keeper, in his discretion, may allow; prisoners under sentence shall not be permitted to hold any conversation with any person, except the keepers or inspectors of the prison, unless in the presence of a keeper or inspector."

It is true that so much of this section as relates to "prisoners under sentence" is broad enough to embrace all classes of offenders who have been convicted and sentenced to punishment, whether that

punishment be death, imprisonment in the state prison, or imprisonment in the county jail. The policy of the law doubtless, is chiefly to guard against the escape and rescue of prisoners. So far as concerns those who are confined under sentence of imprisonment in the county jail, it may have a further object of regulation and even severity of punishment.—But it can have no such object so as prisoners detained under sentence of death is concerned.

Indeed, an examination of the 1st section of article above quoted will show that the legislator had probably no reference in their article to the lower class of prisoners. The 1st section is as follows, page 632.

"Section 1. The common jail in the several counties of this state shall be kept by the sheriffs of the counties in which they are respectively situated, and shall be used as prisons.

"1st. For the detention of persons duly committed in order to secure their attendance as witnesses in any criminal case.

"2d. For the detention of persons charged with crime and committed for trial.

"3d. For the confinement of persons duly committed for any contempt, and

"4th. For the confinement of persons sentenced to imprisonment therein, upon conviction of a offence."

Persons imprisoned under sentence of death at awaiting execution, are included among those whose custody the article makes provision, but their imprisonment is incidental, and it may be supposed that it is not regarded as a part of the punishment. From this view of the statute, I think it manifest that the spirit of the law does not apply to the prisoner confined in the county jail under sentence of death, as of imprisonment in the state prison, and awaiting execution or removal.

The condition of a human being under sentence of death is undoubtedly most fearful and unhappy. Our laws, content with the atonement of the prisoner's death, do not require or contemplate the addition of any circumstances of terror or unnecessary privation. They require distress only because it is necessary, and they enforce it only in so far as it is necessary to prevent the prisoner's escape or rescue. Humanity dictates that the prisoner's condition should be made as comfortable and cheerful as it can be consistently with his purpose.

The chief consolation of the prisoner is derived from the visits of friends and humane individuals and experience has shown that of such visitation the most consoling and most effectual in producing penitence and hope is that of ministers of religion. Hence it is that the duty of visitation enjoined by the Christian religion itself. It is declared to be one of the grounds of acceptance in our final judgment, "I was in prison and ye came unto me."

So far as my knowledge goes, no Christian se has failed to enjoy the performance of this duty of visitation upon its ministers, while some of them, the Catholics and Episcopalians, have a ritual prepared for such occasions. What Christianity enjoins our laws and customs both tolerate and encourage. From time immemorial, the judges have concluded the solemn services of the court pronounced upon the prisoner with the prayer, "and may thy Lord have mercy upon your soul." A custom old, and as uniform, has sanctioned the visit of ministers of the gospel to prepare the prisoner for the "mercy" which the judge implores. Our statute authorise the attendance of ministers at the execution, but we all know that their offices, however important, are then less desired and less important to the unfortunate convict than during the season of imprisonment which intervenes before the execution. Humanity as well as Christianity would condemn the sheriff or jailer, who would refuse the ministers of the gospel admittance to the convict's cell. But it may be answered, that this privilege is not denied in the present case; that it not abused and perverted to defeat the cause of justice. And it will be asked "is not the precaution reasonable?" I answer that it is reasonable where the religious faith of the convict and of the ministry he religious does not object to such publicity. But it is certainly consistent with the spirit of toleration which pervades our free institutions, that the convict should enjoy the visits of ministers of his own faith, whatever that faith may be, whether Catholic or Protestant. It is well understood to be an article of the Catholic religion, that confession before death in order to be effectual to obtain the Divine pardon ought to be made to a priest, and that that confession must be made without witness; it seems to me that the same principle of toleration requires that the Catholics should be allowed their privilege. According to his faith, the solace of

visitation are vain and a mockery, if they are administered by the functionary and in the manner which that faith prescribes. To refuse compliance with the peculiar manner which his conscience dictates is to deny the solace altogether. By the fiction he is entitled to as free privileges in relation to creed as the Protestant who believes that salvation should be made in another form. As a testant, I should execrate the treaty which in that country would deny to one of my countrymen in a similar situation the consolation of reliever the form approved by his own conscience, as an American, I should blush for the bigotry which would upon any plea, deny to the Roman Catholic equal indulgence. It is not a sufficient answer to say that the priest may abuse his privileges. Members of the society of Friends are permitted to give evidence upon their simple affirmation upon an oath. It is no valid objection to that to say that Friends like other men may affirm.

As far as I have information the rite of private confession has never been denied to Catholics in this country and I should be unwilling to construe the law as having quoted as requiring such a denial to foreseen by the legislature. The reason the law does not apply, and I doubt not that the law of the statute would be shocked by the application of it. I do not hesitate therefore to say the presence of a keeper or inspector" here referred to may, and ought to be dispensed with, and the prisoner ought to be permitted to make his confession and receive the solaces of religion with- out being overheard by any other than his confessor or great judge of the living and the dead.

It is undoubtedly true that the sheriff may, and has no access to a priest, if he has good reason to suspect that it is his purpose to abuse it by enabling the prisoner to escape, and therefore if the law refuses a discretion in the sheriff; and where he has doubts, though upon insufficient grounds to justify a refusal of private conversation, he should adopt such other precautions as may be necessary to counteract the supposed design of the priest. In the present case, I am not informed that there is any such pretence. Mr. Gilmore recommended to me as a respectable, and pious man.

Chiefly for the purpose of affording opportunity of repentance and preparation for death that, unlike those of most other countries, provide execution of the prisoner within a shorter than four weeks after his conviction. That being period is expected to be devoted to reflection for death, and the instances are so rare as to excite astonishment where the prisoner does not seek the spiritual aid of the ministry of his

Mr. Gilbride has misunderstood, as is not only your views on the subject, this communication unnecessary, and I excuse myself for writing you with it only upon the ground of solicitude that the prisoner may not, through any fault of government be deprived of the religious privileges he desires and needs. If on the other hand, as he supposes, decided that Mr. Gilmore be permitted to administer the approaches of his church, I respectfully recommend I reconsider the subject, and grant his application. I am, very respectfully, your obedient servant,
W. M. H. SEWARD.

Sheriff of the county of Lewis.

Denmark, Lewis co. July 11, 1839.
Cecily Wm. H. Seward, governor of the State of New York, Albany.

On my return from Albany, I presented Cecily's letter to the sheriff of the county of the desired effect.

I wrote writing to your excellency until I have seen the unhappy convict, lest when I apply for admission to him, some fresh word induce the good authorities at Marsh to deny my access.

My pressing imperative necessity prevented me writing him sooner than to-day, but to-day I cannot proceed farther until I acquire my duty which pleasure and honor prompt me

to do. A distressing case in which I was obliged to your excellency two features were prominent in the case the recommendation in your letter, application should again be made to Cecily for some other and effectual relief, therefore, necessitated to rush upon you unreasonable hours and use an urgency unbecomable. Your unfeigned affability of expedition, and despatch, were pro-

minently striking, and cheered the gloom with which the sad peculiarities of the case had afflicted me.

An unfortunate being was under sentence of death, he was rapidly approaching the awful moment which should finish his earthly career, and place him in that terrifying condition spoken of by St. Paul, *xc. 31v. ad. Heb.* It is a fearful thing to fall into the hands of the living God, he cries out for the savor of that religion, whose holy admonitions and salutary influence he had so long cried in vain, his entreaties are unheard, he has the anguish to behold the minister of his religion whom he so much desired, refused to enter his lonely cell, and he is left to the enjoyment of feelings better felt than described.

For the relief of this wretched man's soul you interfered and you have the happiness of thinking that you were perhaps the means in the hands of God, of enabling him to pronounce on one of his prodigal children the happy benediction of the parent, rather than the harrowing sentence of the judge.

Religious liberty was grossly assailed, you told the terrified maiden not to dread, you extended the executive arm and snatched her from the grasp of her would be destroyer.

In my own name, therefore permit me to thank you for your excellency for the courteous manner of intercourse with me under such peculiar circumstances. I thank you in the name of the Holy Redeemer, whose blood, I hope, your intervention has been instrumental in applying to one of his weak and sinful creatures.

I thank you, in the name of religious liberty, whose sacred character you rescued from the polluted embrace of the sacrilegious rascal.

Wishing you the long enjoyment of the direct consciousness of the gentleman, and of the Christian. I am, with sentiments of sincere respect and high esteem, your excellency's obedient servant.

MICHAEL GILBRIDE.

INTERESTING CORRESPONDENCE.

Suffolk, Virginia, 10th April, 1839.

The hon. Henry Clay:

SIR: At a meeting of the whigs of Nansemond county, recently held in the town of Suffolk, a resolution was unanimously adopted, declaring "that the gallant stand of the southern whig members of the late congress of the United States, and particularly the efforts of Messrs. Clay, of the senate, Stanley of North Carolina, Prentiss of Mississippi, and Wise, of our own state, of the house of representatives, to expose and check the fell demon of abolition, entitle them to the cordial thanks and gratitude of the friends of peace and good order, throughout the whole southern country."

It was also resolved, That a committee of three be appointed, who shall proceed forthwith, to transmit to the honorable gentlemen specially designated in said resolution, a copy thereof, and express to them the high estimation entertained of their services in congress, generally, by the whigs of Nansemond."

SIR, the whigs of Nansemond have assigned as a duty entirely consonant to the sentiments of our own bosoms, and as their honored organ, we take a proud pleasure in communicating to you their enunciation of the exalted sense of gratitude and admiration which they entertain for your profound and eminent talents, high and lofty patriotism, and the long and brilliant list of your public services. In common with them, and with all of our political household, we feel for your sir, the profoundest esteem and admiration.

We will not, on the present occasion, enter into a political descent on the flagitious misdeeds of our weak and vicious rulers. To you, sir, they are known in all their horrid enormity. And your fearless denunciation of, and indefatigable opposition to the reckless authors of those misdeeds, eminently entitle you to the love and veneration of every patriot in America. We will only remark, that we ascribe the causes of the mournful degeneracy in political virtue and morality and the consequent unhappy condition of public affairs, mainly, to the election of Andrew Jackson to the presidency of the United States—a man whose imbecility of intellect and bellicose propensities and passions, rendered him totally unfit for any civil office—the tenor of whose life exhibited an almost unbroken series of tyranny and immorality. And yet the people selected him above all others, to preside over their destinies. The sanction thus given to his nefarious acts, seems, indeed, to have been viewed by him as a commission of indulgence, to go on, and sin with impunity.

The wily little Dutchman, the Machiavel of America, resolved to avail himself of the elastic faith

and patient spirit of the people, and therefore threw himself in the wake of his "illustrious predecessor" and "followed in his footsteps."

Amidst the gloomy prospects which surround us, it is animating to turn our eyes to the sages and patriots of the land. We behold in you, sir, the eminent statesman, the immaculate patriot—pre- eminent, in rendering "brilliant services" to his country, has never been actuated by the low and sordid motives of self-interest, but countering all such degrading impulses, has ever acted upon the principle of an expanded philanthropy and patriotism. One, who, in all his actions "had rather be right than be president;" and who throughout his life has endeavored to unite his own glory with the welfare and happiness of his country. With every sentiment of respect, your obt' serv'ts,

JOHN C. CRUMP,
JOHN H. COHOON,
THOMAS C. P. GODWIN.

Asbland, 25th May, 1839.

GENTLEMEN: I duly received the letter which you did me the honor to address me, transmitting a copy of a resolution adopted at a meeting of the whigs of Nansemond county, recently held.

Whilst I but too sensibly feel that they have placed an estimate entirely too high and flattering upon my capacity and upon the public services which I have been able to render, it affords me very great satisfaction to learn that I have been so fortunate as to obtain their approbation; and I request you to communicate to those whom you represent, my respectful and grateful acknowledgements for the sentiments of respect and esteem with an expression of which they have honored me.

At the session of congress prior to the last, I presented resolutions to the senate, touching the institution of domestic slavery, embracing all the principles applicable to the subject, the maintenance of which appeared to me necessary to the security of property, the stability of our system of general government, and harmony among the states of the union. At the last session of congress, the ultra abolitionists had presented themselves under a new and alarming aspect. Instead of restricting their exertions to moral persuasion, addressed to the consciences of slave holders, keeping aloof from parties and politics, as they originally professed to be their intention, they had openly proclaimed their purpose to enter the political arena, and denouncing all who did not adopt their dogmas and agree with them, to force their principles and their men by the aid of the ballot box. It required but little foresight to discern the frightful consequences which would result from this change of their position, if they should succeed. The union would be first convulsed throughout, and finally broken into fragments. I thought therefore at the last session, that the time was suitable to warn the country of their designs and efforts; and hence the speech which has commended itself to the approbation of the whigs of Nansemond. That speech is but an expansion of the argument embodied in the resolutions of the previous session. And I shall be most happy if it should contribute any thing towards arresting the mad career of these misguided men, and towards preserving that union which is the trust guaranty of all the high privileges which we enjoy.

In the constitution of that union there is not a solitary provision, fairly interpreted and fairly administered, which authorises any interference of congress with domestic slavery, as it exists in the United States. There is not one, relating to the subject, which does not recognise and treat slaves as lawful property, or look to the safety and security of that property. The clause which fixes the representation in the popular branch of congress, establishes a ratio founded upon the acknowledged existence of slavery; and in the appointment of direct taxes among the states, slaves are assumed to be lawful property. On the occasion of the imposition of a direct tax, to prosecute the last war with Great Britain, slaves were taxed by congress, as slaves, and their proprietors paid the tax accordingly. The provision which secures the surrender of fugitive slaves to their owners, of course, admits that they are legitimate property, and was intended to preserve peace and harmony among the states. I have seen, with inexpressible surprise and deep regret, that it has been contended not only that this conservative stipulation may be evaded, but that it is even meritorious to violate it. Meritorious to violate an express injunction of that constitution which many of us are solemnly sworn, and are all bound faithfully to support! If any citizens of the United States, who object to a particular part of the constitution, may elude and disregard it, other citizens, dissatisfied with other parts, have an equal right to violate them; and universal nullification of the sa-

ered instrument would be the necessary consequence.

I agree with you, gentlemen, in most of what you say in regard to the present condition of our public affairs. In contemplating it there is much to depress, but I rejoice much also to animate and encourage the genuine patriot, and to stimulate his most energetic exertions. New and alarming principles, dangerous practices, great abuses and extensive corruption have been introduced into the general administration, during the few last years. I have witnessed their progress, with profound regret and deep mortification. But sentiments of despair are never to be indulged as to the fortunes or fate of the republic. An enlightened and virtuous people require only to be convinced of the evil to apply an efficacious remedy; and this conviction is forcing itself upon them, in spite of all the efforts which have been made, and are making, to deceive and betray them.

I thank you, gentlemen, cordially, for the friendly and flattering manner in which you have executed the commission assigned to you by the whigs of Nansmond; and request you to be assured of the sentiments of esteem and regard, with which, I am, faithfully, your friend and ob^d serv^r,

H. CLAY,

Messrs. John C. Crump, Thomas H. B. Goodwin, and John C. Cuthoon, &c. &c.

DINNER TO MR. RIVES.

From the Richmond Whig.

It will be seen, from the following correspondence, that the hon. Wm. C. Rives accepts the invitation to partake of a dinner at Louisa Court House. We are requested to state that the dinner will take place on Saturday the 7th of September.

Louisa Court House, July 10th, 1839.

To the honorable Wm. C. Rives:
SIR: The undersigned, a committee appointed for and on behalf of many of the citizens of the county of Louisa, are requested to inform you of the high estimation in which they hold your recent independent course in the senate of the United States.

They have been much pleased to witness the firm and patriotic stand which you deemed it your duty to take, in opposition to the sub-treasury, which the undersigned regard as having no merit of its own, and nothing to recommend it to the adoption of the American people, save the executive will.—They do not regard it as less dangerous in 1839, than it was in 1834; but they regard it now as then, as a measure calculated to increase, to an alarming extent, the executive arm of our federal government, already too strong for a representative republic; to subject the public treasury to the pilferings of a hundred hands, where no one can now reach it; to create a better currency for the rulers, and a worse for the people; and they regard it as a measure, in perfect collision with the republican principles of '98 and '99, which ought to be cherished and sustained by every true disciple of the departed Madison and Jefferson.

The able opposition which you deemed it proper to make, against a measure so dangerous to the liberties and to the true interests of the country, entitles you to the most respectful gratitude and regard of all who are desirous to perpetuate our free institutions, and particularly to the gratitude and regard of the citizens of your native state, whom you have so long and so highly honored. We are aware that your hostility to the favorite measure of an administration with which you had so cordially co-operated, in carrying out constitutional and expeditious measures—of an administration too, which you honestly aided to elect, is by some ascribed to personal and interested motives; but when we consider that that hostility is against the favorite measure of an administration, by adhering to which you might reasonably expect personal preferment, we cannot otherwise be surprised that you should be actuated by motives of honesty, disinterestedness and patriotism, and which renders you worthy of a continuation of the confidence of your native state.

In consideration of your independent course, we are requested by many of your fellow-citizens of Louisa county, to tender you a public dinner, to be given at Louisa Court House, on Saturday, the 27th instant, or on such other day, as may better suit your convenience.

PLEASANT HACKETT,
JOS. K. PENDLETON,
JNO. R. QUARLES,
NATHL. MILLS,
WM. JOHNSON,
CHARLES B. HOPKINS,
JNO. ELLIS,
BUSHROD W. BRANHAM,
WM. M. AMBLER,
DANIEL E. HICKMAN.

Castle Hill, July 15th, '39.

GENTLEMEN: I have had the honor to receive your letter of the 9th instant, in which you inform me of your deputation as a committee, on behalf of many of my fellow citizens of the county of Louisa, to communicate to me "the high estimation in which they are pleased to hold my recent independent course in the senate of the U. States."

I need hardly say to you, gentlemen, that this spontaneous and generous expression of the approbation of my fellow citizens of the county of Louisa, is most grateful to my feelings. Happily, under our republican system, the sober and intelligent mass of the people unagitated by the violence of party passions, and unseduced by selfish or ambitious views, constitute the tribunal of last resort, to sit in judgment on the conduct of public men, and to decide every question of public concernment. However regardless I have been of the clamor of mere party denunciation, when it has been necessary to encounter it in the honest and conscientious discharge of my duty to my constituents and my country, I have never heard the real voice of the people, whether uttered in censure or in praise, but with sincere deference and respect. With this just sensibility to the opinion of the great body of my countrymen, the sentiments you have been commissioned to express to me in the name of many of my fellow citizens of Louisa—a country so long distinguished by the purity and soundness of its republican principles—could not but effect me with lively satisfaction, and call for my grateful acknowledgments.

In your condemnation of the sub-treasury scheme, and in your denunciation of the over-ruling grounds of objection to it, so forcibly stated by you, I entirely and heartily concur. A scheme more directly calculated to increase the executive power, by adding to its already enormous resources of patronage and influence, the uncontrolled possession of the public treasury—a project more fitly adapted to organize, in the hands of the government, a formidable moneyed power, which would speedily invest itself with the functions, and acquire the fearful predominance of a colossal treasury bank—a measure, in short, in all its aspects, more hostile to the public liberty, the public morals, and the public prosperity, or more vitally at war with the jealous republican principles of '98 and '99, (which ought to be peculiarly dear to Virginia), has never, in my humble judgment, been presented for the consideration of the American people. Such a measure, if adopted, were the views entertained of it by the whole republic only so far as was known), in 1834, when it was brought forward under other political auspices. Seeing no reason to think differently of the measure in 1837, when, to the great surprise of many of his friends, it was espoused and earnestly recommended by the present chief magistrate, I had no alternative, as an honest public servant, regarding the great interests of the country as paramount to every personal or party consideration, than to oppose it with unabated firmness.

This measure, so justly obnoxious to the objections you have stated in it, and so repeatedly and decisively repudiated by the solemn sense of the nation, is, (it seems), still to be pressed upon a reluctant people, until "they shall be fatigued into compliance"—a vexation, be it remembered, wrongs enumerated in the list of grievances and wrongs set forth in the Declaration of American Independence. The president himself has recently entered the field of political controversy in behalf of his favorite policy, and has announced that "the period is rapidly approaching" when all opposition to it, sustained now, as he says, only by "private interests and personal considerations," will unavoidably cease." By what "private interests and personal considerations" the chief magistrate supposes the great body of the American people to be actuated in their opposition to his cherished scheme, or by what appliances their opinions, founded on and matured by years of deliberate and careful reflection, are to be made, all at once, "unavoidably" to cease, I know not; but I am greatly mistaken in the spirit and character of my countrymen, if either executive dictation or executive denunciation, any more than executive blandishments, can prevail on them to surrender the honest convictions of their understandings to the requisition of private power. I think I may answer for you, gentlemen, that though most, if not all, of you were ardent supporters of the present election, no inducement of that sort can operate on you to abandon an opposition which, as freemen, it is your right, and as patriots, it is your duty, to make to every public measure which your judgments condemn; and for myself, honored by

*See the president's speech at Castle Garden, New York, and his letter to a committee at York, in Pennsylvania.

your generous confidence, I promise you that, whatever other "individual efforts may be discontinued, mine shall never cease to be exerted with all the humble ability I possess, in every lawful and proper mode, whether in private or public life, to frustrate a measure which, I believe with you, to be fraught with most imminent hazards to the liberty and happiness of our common country.

Your kind invitation to meet you and those of my fellow citizens whom you represent, at a public dinner to be given at Louisa Court House, I accept with pleasure; and understanding that some day the early part of September will be as convenient and agreeable to my friends as the day first suggested by you, while it will be more consistent with arrangements I had already made for an excursion of health and recreation, for some week with my family, I await your discretion in the designation of any day you may think proper to fix that month.

Accept, I pray you, gentlemen, for yourself and be pleased to convey to those of my fellow citizens of Louisa on whose behalf you act, with cordial acknowledgments for their kindness, these sentiments of sincere respect and esteem with which am their and your most obedient servant,

W. C. RIVES.

To Messrs. Pleasani Hackett, Joseph K. Pendlett, John R. Quarles, Nath. Mills, Wm. F. Johnson, Charles B. Hopkins, John Ellis, Bushrod W. Branham, Wm. M. Ambler, Daniel E. Hickman, committee, &c. &c.

REMARKS OF THE HON. C. J. INGERSOLL

From the Philadelphia Spirit of the Times.

The following remarks of the hon. Charles J. Ingersoll, delivered before the Harvest Home celebration yesterday, we like so well, placing the true light, as he has done, the relative situation of town and country, that we have given them, entire, our editorial columns, and ask for them from every reader, a calm and unprejudiced assent:

What is most worthy of notice at a harvest home just now, near the great town, as Penna call Philadelphia, is the striking contrast between town and country. As there, within sight of our fruitful metropolis, we are different people, in different moods, restrained by our ornament, and their severity, of the poet's saying that

"God made the country and man made the town. Only five miles from the exchange of Philadelphia, all about us is exultation and gratitude, bounties, while we can almost hear our neighbor in town, in the midst of peace, plenty and plenty, wailing gnashing and cursing at 10 times, tight days, bad markets and grievance which we are strangers to. Every thing that great producer, mother earth, affords, flourish this delightful season, in the utmost exuberance throughout our chosen land. Those who depend on harvest for happiness, and the banks of run streams for support, instead of banks of dice and their runners, are well to do, and grateful to a noble city, in all the just pride of its magnificence, with unequalled facilities, natural and artificial, for happiness and enjoyment crowded with intelligent and enterprising people, most of them respectable, moral and patriotic, yet so many in agonies of want and distress as to disturb the whole with uneasiness. Not a people; that is, not such as live on charity, but rich, depending on banks and living on pauperism, which is very hard diet. No pestilence, no war, or impoverishment; but with health, flourishing commerce, thriving manufactures, a good government, in short, all that is necessary for prosper, yet in real distress and bitter complaint. Hundreds, perhaps thousands, are now starving in Philadelphia; grimacing horrible ghastly faces daily dread of ruin. Why are the brethren of the town so well off, while their brethren of the town are miserable?—Sirs, because our fellow towns with all their superior learning, wisdom, and piety, suffer themselves to be governed, and play, suffer country to be disquieted by usurers, speculators, and extortioners who will not work, continually excite commotions, pressures and anxieties, by insane contrivances to make millions of rags, and fortunes in a day. Fatal experiments show that it cannot be done but that dreadful results inevitably follow their overstraining, and only to stimulate these jugglers to more desperate attempts to pass paper for silver, while the community submits to their abominations, does not applaud them. War, pestilence, or famine combined, would not inflict the wretched which towns, great and small, (for nearly every other wants or has it incorporated, that is, its largely stockaded and barricaded paper fort, its

with privileged, intangible garisons to fire money from), suffer, and make others suffer, from these banditti. Despising the mother that bore them, our common mother, the earth, these necromancers having bolted the great riches by gambling in bye competency, hasten to get rich by gambling in bye ways. Our towns are overrun by them as much as those of some parts of Europe are by other sturdy beggars. New York is even more infested by them than Philadelphia. New York and Philadelphia are suffering from them as much as they did from the cholera. Numbers, vulgarly called gentlemen, are reduced to great straits, some of them to disgrace, by a town malaria which originated in original sin, and poisons the blood not only of individuals, but the whole community, producing an itch worse than the leprosy of old. Money or currency is the blood of the body politic. Derange it, and the whole system is disordered. All contrivances to make it out of other substances than all mankind have always used, that is, without precious metal and without labor, are absurd, and contrary to the laws of nature. You might as well undertake to make corn ripen in one cold winter night. The receipts of the government, by success in the paiping of paper on people for gold and silver, is as mere a cheat as wooden nutmegs, but much more injurious than that small fraud. It is the grand imposture of modern times, and the antidote of free government. Witchcraft is less foolish (and respectable Quakers have been hanged for it) than the slight of hand by which thousands of our poor deluded fellow townsmen are sold to the evil spirit by paper money. Witches are poor devils. But money mongers are terrible loco focos that go off by spontaneous combustion, and like burning prairies, consume all before them. Borrowing by bank discounts is the subtlest of seductions, the very worst of all ways of being led into temptation. Accommodation paper is millions gambling in millions. If one steals a cent, it is larceny; but if one hundred incorporated, cheat widows and orphans of all they have by paper money, they are privileged by law to do it, and go to church like gentlemen. It is wonderful how free and considerate the people are when it comes to such wrongs. The money mongers are at once suicides and fratricides. They destroy money, morals, law, order, industry, liberty, equality and property. They ruin the very standards of value. Where is the use of congress being empowered by the constitution to fix the standard of weights and measures, if every wild cat bank can unsettle it; make a yard four feet long or one as it pleases; a bushel hold a peck or a gallon; a pound weigh an ounce or two pounds? Gambling, habitual intoxication, betting on elections and other misdemeanors, are nothing to the monstrous vice and immorality. Police reports and insolvent courts are full of its perpetrators and victims—jails not as full as they might be. It is not the crazy instruments of the contrivance who are so much to blame, as the system itself, which is fatally false, and ought to be exposed. The best men in the world could not make it other than a very bad one. It is incredible how the few lead the many in this matter—how they pinch the poor and cheat the rich—the poor rich, too blind to see the hand which feeds them. The system is rotten to the core, narrow, bones and all, dishonest, unlawful, impracticable and ruinous.

When Robert Morris and Alexander Hamilton are vouched by some, and censured by others, as the author of modern banking, both parties wrong those great financiers. The bank of North America had dollars in coin, for dollars in paper, when Morris founded it, (as all banks have begun), as a temporary expedient. The notes of the first bank of the United States were always instantly convertible, when Hamilton made the first fatal experiment of taking bank notes for public dues. Neither of them ever countenanced such a thing as mere paper, nor convertible. The vile adulteration since grown up, is an American bastard, of British parentage; a stupendous fraud on mankind; a total overthrow of its intellect, and how the few lead the many in this matter—how they pinch the poor and cheat the rich—the poor rich, too blind to see the hand which feeds them. The system is rotten to the core, narrow, bones and all, dishonest, unlawful, impracticable and ruinous. When Robert Morris and Alexander Hamilton are vouched by some, and censured by others, as the author of modern banking, both parties wrong those great financiers. The bank of North America had dollars in coin, for dollars in paper, when Morris founded it, (as all banks have begun), as a temporary expedient. The notes of the first bank of the United States were always instantly convertible, when Hamilton made the first fatal experiment of taking bank notes for public dues. Neither of them ever countenanced such a thing as mere paper, nor convertible. The vile adulteration since grown up, is an American bastard, of British parentage; a stupendous fraud on mankind; a total overthrow of its intellect, and how the few lead the many in this matter—how they pinch the poor and cheat the rich—the poor rich, too blind to see the hand which feeds them. The system is rotten to the core, narrow, bones and all, dishonest, unlawful, impracticable and ruinous.

our national character, doing us immense injury abroad; a cancer in the American breast. It has reconized us to England. It forces tribute from us harder than we ever took up arms against. The holy alliance of despots regard it with delight as fettering beyond the combined power republican era of American development. It seems to be our doom. All science, experience, instinct teach that there is but one kind of money. But we half-informed Yankees, just too much educated to work, are put upon every device to live without it and with all our sharp-sightedness cannot perceive what every man, woman and child knows, that paper is not metal—perhaps there is something in the very trick of it that takes with Yankee. It is marvellous what a small number by this delusion confound and control the whole country.

These gamblers call themselves merchants, and rail at all endeavors to check their designs as injurious and inimical to commerce. The merchants ought to disown them. A bona fide merchant is an honor and benefit to any commonwealth. There were two such brothers whose summer residences were in Germantown; gentlemen who mingled their business with their pleasures, and comforted their community who were universally respected. But did they shave notes, fly exchange kites, stand trembling at a bank counter for the grinding of a bit of accommodation paper, or tear men's coats off to get stock in some new fancy, chartered to cheat? No, never. Merchants are not bulls nor bears, your jolbing jentry, who neither toil nor spin, yet are arrayed like Solomon in all his glory, and keep almost as many mistresses. There are hundreds of bank waiting men lounging about town, who in the country might be much more independent and respectable—and cured of dyspepsia and debt at the same time. If the real merchants would discountenance these counterfeiters, the lawyers would follow, and then the press, and so we should get rid of the dynasty, whose influence now is prodigious. I trust our young gentlemen will see that neither riches or honor come of discounts, debts, speculations, and fictitious credit. I always thought it a mistake in general Jackson to say that bank discounts and paper money were the ruin of the country. There are ten thousand blanks to one prize in that lottery. Look round through all the splendid misery of the flashy borrowers, where do you see a man grown even rich among them? Hundreds flatter about on paper wings, looking down with upstart contempt on honest thrift trudging along. But the end crowns the work. There is a French proverb which says—"we'll see when he dies." Industry never fails. Speculation seldom wins. The end of the speculators is commonly as hard as the way of transgressors. The jail or the poor-house is mostly his last stage. The flour speculators, the cotton speculators, the land speculators, and the stock speculators, the nabobs, the gilded butterflies of yesterday, are withered to crawling worms again to-day.

The bitter lessons they both learn and teach ought to satisfy us that time, as well as labor, are indispensable elements in all solid acquirements; that discounts are no property, nor paper gold. The country with his dirty acres, is richer than the tradesman on paper pinions. None get rich by gambling, and a few in a hurry. If the old Roman had put a little Greek into his veto, he would have argued that, while paper money does indeed grind the poor, yet it seldom makes the rich richer. The rich lose more, though they may sniffer less by it than the poor. It is the great, if not the only cause of the striking difference existing between the towns and the farms of our common country; and if country people could but unite against the disorganizers, as they greatly outnumber them, they could put them down with ease at once.

There is one and only one simple cure for the evil, and that is no paper money under, at any rate, twenty dollars. There is gold and silver enough in the country if the banks would let it circulate. If the superior enterprise more constant, and more universal labor of the United States were not sold, the country with its certain standard of value, that by which all other nations measure for themselves and for us too, domestic exchanges would be equal, and foreign exchanges in our favor against all parts of the world. Europe would be constantly in debt to us; and we should export our manufactures to Europe, Asia and Africa. All other protection to American industry is futile but payments in gold and silver. They are the only American system; a tariff without them is nonsense. There is not time now to develop a political view of this subject, which may be rendered very striking, especially to young men: I mean the aristocratic effect of paper money.

It is common to talk of an aristocracy of wealth;

but as, in my humble opinion, gambling on credit seldom, if ever, leads to wealth, his wish wrong to call the waking up of aristocracy it raises from all sorts to wealth upright, an aristocracy of wealth, for they have no wealth. Instead of presenting a view of this part of the subject now, however, I must leave that tail of aristocracy for some future exposition, and close at present by one practical and personal illustration. There was a poor village boy, of humble parents, who managed, as he grew up, by good conduct to work his way along, till he saved some money, earned by practising as a lawyer. He resisted the temptation of speculation, though it was rife all about him, and stuck to his business. While his acquaintances were most of them all agog for making money by banks and other corporations, and burning their fingers with discounts to get rich in a day, he preferred investing his gains in land, and letting it lie like seed to ripen and bear fruit. By such investment, as often happens, he grew rich, so rich that he said he was ashamed for thinking so much of it. His neighbors finding him too worthy, called him into public service, in the state legislature, and gradually rose from one place to another, till he became such a public man, that crowds of people welcomed him, like Lafayette, wherever he went, and especially country people. Some say he drives a gilded coach, with servants in fine liveries, which, if so, is not like his taste generally; though probably it is a handsome equipage, as he has become president of the United States, supplied by law with liberal means to maintain the dignity of that elevated station.

From his career, avarice and ambition may learn a moral. His administration is striving against the paper power, which Washington and Madison, and the other fathers of our present government flattered themselves they had put down. In the course of human events, however, it afterwards stole a terrible march upon us; and, let us confess, not with too much democratic assistance. President Jackson, God bless him! came with his iron nerve and head of granite, heated in a volcano, to set his foot on the popularian, and to set his noble back against the loc of New Orleans—his paper money foe denounced by Madison, the Federalist as worse than enemies in arms—more formidable to American liberty and equality, morality and property, union and harmony. President Van Buren, in his calm, considerate way, has set himself against it too. The speculators say he wants to injure trade and break the banks. But just the contrary: he is sustaining them against counterfeiters. He says to the banks: "Gentlemen, I wish you no harm; but I think, after so many experiments, equally injurious to you and to government, you ought not to use public money, which the law punishes as delinquency when done by individuals. You may use what kind of money you like; but the law and the constitution requires gold and silver for public dues." This is the whole question which agitates the country. The speculators are like a disturbed hornet's nest—all lury and spite. But who ever attacked them? Who made the banks burst? Not government. Who made the shiving shops in towns go off like blasted rocks? Was it not themselves who drilled the holes and used the gunpowder? They must and will use usury—it must be in paper money—it must be borrowed money—it must be public money—and it must be kept in chartered corporations. The president mildly, if not meekly, says not. Having preserved his own chastity of pocket from miscellaneous intercourse, he desires to restore that of government, which, by one false step after another, since general Hamilton's first flirt with a bank, had got, at last, to downright polygamy, and was half ruined by keeping a whole harem of these mistresses. It is a hard task, to be sure, to reform a confirmed rake; but is not the president in duty bound to try and restore the constitution to its original vigour? I think he will succeed—he is so lucky, and the thing is so very reasonable. He got the better of the British when they teased the Maine lacs. Fine fellows those to mind. There is so much to be learned from their madnes! Congress, by proclamation, all parties, voted Martin Van Buren dictator of all North America, though a bold stroke, was a glorious spectacle of republican might. It told in London and Paris like the capture of Saratoga, Yorktown and New Orleans. These peaceable victories are excellent things for cheap government, such as the U. States have lately won over the two greatest powers of Europe. It is really doing wonders, by mere dread of democracy, without fleets and armies. If such exploits are followed up by an act of emancipation from the money power, the United States, with seventeen millions of people, will fulfil the destiny marked out by their great declarator of independence, and low and country will prosper altogether.

CHRONICLE.

Wilmington whalers. In our last we mentioned the arrival at Wilmington, of the whaling ship North America. The Delaware Journal states that she was out about fourteen months—and about nine of these were passed in going to and coming from her fishing grounds—leaving about five months for employment in actual fishing. She brought in about 2,300 barrels, about 60 or 70 of which are sperm. She disposed of fifteen hundred dollars worth at Hobart's-town, the cash for which she brought with her—and afterwards filled the vacancy occasioned in her hold by taking more whales. She has on board about 20,000 lbs. of bones. The voyage is extraordinary fine, and speaks for itself as to knowledge, experience and activity of the captain and crew, and while it is profitable to the company, will inspire new hope and animation in those engaged in this excellent enterprise.

Serious casualty. We learn that the train of burden cars, loaded with cotton for the Laurel factory, on the Patuxent, took fire yesterday from the sparks of the locomotive engine, on the Washington rail road, and that about forty bales of cotton were consumed. The loss sustained in consequence of this accident, is estimated at about three thousand dollars. Experience seems to have demonstrated that, while the moving power of the engines in use upon rail roads is generated by the combustion of wood as fuel, it is exceedingly difficult to avoid an occasional accident by fire upon the line of the road. This being assumed, as it can hardly be controverted, the greater safety—we might almost say the more prudent—mode for the purpose, ought to be a strong recommendation to the latter, and to secure it the preference in all cases, so far as practicable. [Balt. Patriot.

Steamboat accident. The Rochester Democrat states that on the evening of the 9th instant, as the steamboat United States was going out of port, she encountered the Great Britain, or the two boats struck each other, by which both were very much injured. A large break was made in the U. States, and the Great Britain lost most of her deck—much of her masts were entirely bare. The United States immediately returned to make repairs, and after a short time again put out, but after going about forty miles, she was obliged to return on account of a great leakage and a strong head wind.

Large claim. On Saturday last a deed was shown us, dated several years before the treaty of William Penn with the Indians. The deed secures many thousand acres of land in New Jersey to the holder of it and his heirs. A few days ago one of the heirs ascertained that this deed was in the possession of a particular who, at the conflagration of the recorder's office, about 50 years ago, probably saved and retained it. The heir immediately called upon him, demanded and obtained it. Suits, we understand, will shortly be instituted for this land by the claimant, who is a shoemaker by profession. Several counties in the state of New Jersey are included in this claim. [Phil Ledg.

An effective blow. A young man in Middletown valley a short time since killed a garter snake with the extraordinary number of one hundred and two young snakes in embryo. This is no snake story. [Frederick Examiner.

Large cocoonery. The editor of the Philadelphia United States Gazette gives an account of a visit to the Highfield cocoonery, near Philadelphia, owned by Philip Physic, esq. The building is one hundred and twenty feet long and thirty feet wide, three stories high. The basement contains a steam engine for propelling machinery, a repository for mulberry leaves, where they are kept dry without withering, and an apartment for culinary purposes. In the upper stories, there are the hatching room in which thirty-five thousand silk worms were hatched in one morning, and the feeding room, in which the spinning was done, an immense room supplied with shelves, ladders, galleries, ranges of shelves on railways, and locomotive steps for reaching the different burlards. In this room there were about a million of four hundred thousand worms. Near the building was growing four hundred thousand mulcaulis trees. On the top of the house was a reservoir of water, from which pipes descended to every room. The water is pumped from a well in the yard and conveyed to the house top, a distance of sixty-three feet, by dog power.

Not so fast. Mr. Buckingham, the editor of the Boston Courier, and one of the officers of the Bunker Hill monument association, states that if twenty thousand dollars have been subscribed towards the completion of the Bunker's Hill monument, the directors know nothing about it.

The Turkish law against duelling is very severe. The survivor in a duel which took place in Constantinople, was found guilty of murder and decapitated. The parties were rival lovers.

The two hundred anniversary of the landing of the first Uraline nurse who settled in Canada, and also of the sisters of the Hotel Dieu, was celebrated at Quebec on the 18th ultimo. The founders of these institutions were the daughters of Anahide, Madame de La Force, to whom and their ancestors, the poor of Canada are much indebted.

State loan. We learn that the banks which some time since made a temporary loan to the state have converted it into a permanent one, thus relieving the

state from the embarrassment which its failure to obtain it from other sources might have occasioned. [Phil. North Am.

The governor of Florida has made arrangements with the Union bank for a loan on the bonds of the territory for a sum sufficient to purchase arms, provisions, &c. and the maintenance of a territorial force independent of the United States for the protection of the frontier. An application for arms and provisions made by the governor to col. Davenport, commanding United States forces, was refused.

Frontier Indians. In November, 1838, it was estimated that the number of emigrate Indians west of the Mississippi amounted to 11,652. Of the indigenous tribes, the commissioner of Indian affairs reported 231,866 as within striking distance of the western frontier. The whole number of removed and native tribes to the west of Missouri and Arkansas is 312,585. Of these it is officially estimated that every fifth individual is a warrior; constituting a force of 62,577 warriors.

Of the Indians remaining to the east of the Mississippi in November, and under treaty stipulations to remove, there were 26,452. [N. Y. Courier.

Copper mine in Essex county, N. J. There has been opened, within a few weeks, a copper mine in the neighboring town of Topshfield, in this county. It is in the southwest side of the town, near the Danvers and Middleton lines. It promises this far, we understand to yield a good quantity and quality of this metal. [Salem Advocate.

New type metal. The Foreign Monthly Review says that a Mr. Colson, type founder, of Clermont, England, has obtained a patent for making types from a new composition, much harder than that in common use. Types made from it will last ten years, even under stress printing.

Liberation of prisoners. A letter received at Rochester from Kingston, (U. C.) states that the lieutenant governor has pardoned the following persons, taken prisoners at Windmill last fall, and sent them to the U. States at the expense of the British government. Nine are Americans and two Frenchmen. Oliver Lawton, Auburn—Samuel Livingston, Lisbon—Edgar Rogers, Watertown—John M. Jones, Philadelphia, Jefferson county—Gaines Powers, Dexter—John Graves, Grand Island—James D. Delahed, Oswego—Levi Chapman, Morris-town—Thomas Chipman, Rouses Point—Raza, Montreal—Alonzo Mayott, Rousseau, St. Lawrence county. It is believed that all the prisoners in the fort, amounting to 70, will be liberated soon, provided no disturbance occur on the frontier.

John David Fink has been recognized by the president of the United States, as consul of Wurttemberg for the port of New Orleans, and for the state of Mississippi, Alabama and the territory of Florida; and Frederick Frey as consul of Baden, for the port of New Orleans.

New cotton. New Orleans August 6. The steamboat Arabion, from Louisville which she left on the 27th ult. brought down six bales of the new crop from Rodney. We have understood that five bales were sold on landing at 15 cents per pound. The quality is good fair.

Accident. As the steamboat Maceppa was proceeding towards Madisonville, on Sunday last, with several passengers on board, one of the young men engaged to row one of the boats during the race went into the water, cabin to change his dress. While there, he carelessly and unguardedly threw a light segar into a small keg or barrel standing near, but, on turning round and perceiving that the keg contained gun-powder, he stooped for the purpose of removing the segar, when an explosion took place, by which the young man was very severely scorched and wounded, the cabin blown to atoms, and a greater confusion and alarm caused among all on board. We understand that the individual, though seriously injured, is likely to recover.

Steamboat sunk. The steamboat Empress, Russell, from St. Louis, reports the loss of the steamboat Cassell, sunk at Montt Vernon. Also, the steamboat Sultan, snagged and sunk in 10 feet water at head of No. 8, on the 29th of July. The boat and cargo a total loss. [Bee.

Canal tolls. Amount of tolls collected on the New York state canals:

	1838.	1839.
April.	127,675 36	103,019 40
May.	123,355 81	301,638 80
June.	173,096 00	193,972 09
July.	160,655 04	152,792 42
	674,807 21	761,422 71
		674,807 21

Excess in 1839, 86,615 60

Churches in Virginia. We gather from an editorial article in the Religious Herald, the following statistics in respect to the number of communicants in the churches of the principal Christian denominations in Virginia.

In the Baptist churches,	60,000 communicants.
Methodist Episcopal church,	50,000 do.
Methodist Episcopal church,	3,750 do.
Presbyterian church,	12,000 do.

The United States court at Boston have decided that a claim by seamen for wages after a vessel is progressing unseaworthy, is not tenable.

Audubon's ornithology. The Boston Atlas, in stating that the last chapter in this stupendous work has been completed, remarks—This conclusion has been attained of an undertaking, which, unrivalled for the boldness almost amounting to temerity with which it was commenced, the perseverance and untiring zeal with which it was carried on, and the fidelity, industry, and activity which have been completed, will remain an enduring monument of American enterprise and science.

A company has just been organized at Richmond, for the construction of a rail road, three miles in length, which will commence the transportation of all the coal raised at the Etna mines, the Dupuy and Poval mines, and others about to be worked, about one-third of the road is already graded, and will be ironed in a few weeks, so that profits may be expected the present year.

Steam ships to Boston. The Boston Transcript states that the Atlantic steam navigation company have accepted the proposals of the East Boston company to build a wharf near the ferry, for the express accommodation of Mr. Cunard, with ample docks for the reception of his five steam ships, and an extensive depot for coal, and to tender him a lease of it for twenty years, without any charge except the customary wharfage and goods shipped and landed. Also, to carry all merchandise to consignees, and from the shippers without any charge for ferrage, and at the city rates for truckage; so that it may be transported as cheap as if landed or shipped on the Boston side.

Yellow fever in New Orleans. The Bee of the 3d, says—"We have made careful enquiry at the sources where accurate information is most likely to be obtained, and we are justified in concluding that yellow fever does exist in our city. In the charity hospital several fatal cases have occurred, and there are now several patients lying in the disease. Some cases have broken out in the city. We know of two young men, merchant's clerks, who are now down with the fever. As yet, however, the epidemic prevails to no very alarming extent; but the intense heats which have succeeded the long continued and copious rains, it is altogether probable, that in a few days, we shall be obliged to record new cases, and to exercise the greatest caution, so that they remain among us to be exceedingly cautious in their habits, and to avoid exposure to the dews of the morning and evening, and if possible, to the unmitigated fierceness of the sun's rays at mid-day.

Extra sessions of congress. Since the adoption of the constitution, congress has been convened four times on extraordinary occasions, to wit: in 1797, by John Adams, on matters relating to the war with France; in 1809 and 1812, by James Madison, on matters relating to the war with Great Britain; and in 1837, by Martin Van Buren, on account of the war against the banks and commercial credit of the country. [N. Y. Whig.

An historical anecdote. It is said that some months before the eccentric and brutal Paul, czar of Russia, was murdered by his subjects in his palace, he gave his eldest son, Alexander, leave to ask any favor he thought proper, promising to accord it to him. The young archduke, begging that his father would not be offended, thus nobly expressed himself:—"I request, sire, that any verbal order or writ any subject may have occasioned, and that executed at any time, twenty hours shall have elapsed." This was a severe rebuke to the tyrant, whose caprice, ill-temper and unjust acts are matters of history. Nevertheless, he granted the bold request of his son, and confirmed it by proclamation.

The Huntsville Democrat estimates the loss on cotton, this year, to the people above the Muscle shoals, in the Tennessee valley, caused by the delay in getting the article into market before the decline in prices, at from \$200,000 to \$500,000.

Longevity. There are now living in Nantucket 57 persons whose individual ages number almost as many years as have elapsed since the world began! The ages of these 57 individuals amount to an aggregate of 4,204 years. The eldest is a female of 97—the youngest, of whom there are five, are over fourscore each; average of the whole upwards of 84 years; males 24, females 36.

Commerce of Baltimore. We learn that twenty-nine ships and brigs are now on their way from Europe to Baltimore, some of which are hourly expected. Of this number two are from London; six from Liverpool; and twenty-one from Bremen. [Balt. Amer.

The Mermons. Some disciples of John Smith have established themselves in the neighborhood of New Egypt, and in other places, in Monmouth, N. J. They first appeared there some six months ago. They have made converts of several persons of some standing and influence; and strange as the story seems, their numbers are increasing. [New Jersey State Gazette.

Destructive fire. A disastrous fire broke out in Cincinnati on the morning of the 3d instant, in an oil mill, and the flames were not arrested until six o'clock. Two flouring mills, one corn, do. one linseed, do. one casting oil, do. one large frame warehouse, and two dwelling houses. The whole amount of property destroyed is estimated at about forty thousand dollars, of which amount only about twenty thousand dollars were insured. A son of Mr. Bryan, owner of the mill, a young man of 17 years of age, was burnt in the building.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 26.—VOL. VI.]

BALTIMORE, AUGUST 24, 1839.

[VOL. LVI.—WHOLE No. 1,456

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED, EVERY SATURDAY, BY WILLIAM OGDEN NILES, EDITOR AND PROPRIETOR, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

APPOINTMENTS BY THE PRESIDENT. Henry Lydard, to be secretary of the legation of the United States at Paris.
John A. Parker, of Virginia, to be clerk to the commissioner for marking the boundary between the United States and the republic of Texas.

The president has officially recognized Thomas Colley Grattan, as British consul for the state of Massachusetts, to reside at Boston.

NEAPOLITAN INDEMNITY. The secretary of the treasury has given notice that the sixth instalment of the Neapolitan indemnity, amounting, as is now computed, to \$220,416 47, will be paid to the claimants on application to the Bank of America at New York, on or after the 5th day of September next, and at such other places as that bank may designate.

THE FOREIGN NEWS received by the packet ship Liverpool, and published in the present sheet, has caused much speculation in the commercial community; but it is considered too vague to form the basis of any calculations for the future, as every thing depends upon the state of the crops. The New York Express of Monday says, those interested in keeping down stocks, are clamorous that the accounts are bad, and it appears to have that effect on stocks, which have declined from $\frac{1}{2}$ to 1 per cent. The cotton holders are quite encouraged, and ask higher rates. Both opinions are in part correct.

Private advices give a more favorable account of trade—particularly in American goods, and there is certainly a good advance on cotton—full a halfpenny, with a speculating spirit. This is calculated to help the staple. The prospects are thought to be unfavorable to grain and also for money—for, as the Bank of England has obtained no relief, it was unable to afford relief to others. Indeed, its ability was not as great as that of the private bankers, who discounted paper at less rates than the bank. As there is no relief in American stocks, with the exception of one or two, the effect upon stocks has been unfavorable in Wall street.

Our people are always ready whenever there is the least chance for speculation. The news is considered so unfavorable for the crops in England, that quite an active movement has been made here in the flour market. At an early hour the spirit made its appearance, and considerable sales have been made at 25 cents advance.

The Philadelphia North American says the news is certainly as good as we could have anticipated. Every thing there now depends on the coming harvest, and the closing advices on that point were to be considered as favorable. The export of bullion continued when the Liverpool sailed, but the arrival of the steamers from this country, carrying out over a million of dollars, will serve to allay their fears in relation to any alarm from this country, and the anticipated arrivals of large amounts from Mexico will tend to give steadiness to the market. We could not have expected a very great change in so short a time as to find the English market relieved.

The difficulty of exchanges still continues with us, and is aggravated, we are informed, by western men confounding the published rates at which exchange will be collected here, with those at which it will be cashed. As, for instance, exchange on New Orleans will be collected at 3 a 3 $\frac{1}{2}$ per cent. but will not be cashed under 6, and sometimes it is difficult to have it done at any price.

MEXICO. The schooner G. Wether, at New Orleans, sailed from Tampico on the 31st July. She brings \$125,000 in specie.

Letters from Tampico of July 30 state that the country is perfectly tranquil. Bustamante has resumed the presidential chair, and Santa Ana has retired to his farm of Manga al Clavo.

The custom house officers exhibit the utmost rigor towards trade.

The hon. F. H. Elmore, a member of congress from South Carolina, has resigned his seat in that body.

Mr. Zebadee Kendall, father of the postmaster general, died at his residence in Dunstable, Mass. on Wednesday, aged 94 years.

VOL. VI.—Sic. 26.

EXCITEMENT IN BALTIMORE. Great excitement was occasioned in Baltimore on Sunday last, in consequence of the escape of a nun from the Carmelite nunnery, in Aisquith st., who took refuge in a neighboring house, and was from thence conveyed to the hospital department of the Washington medical college, by the mayor of the city, who had been called upon during the excitement occasioned by the event. In consequence of the exaggerated rumors which had arisen, it was feared by some that an attempt would be made during the night to destroy the nunnery,—for a large crowd had collected in the afternoon, and there were some indications of a riotous spirit. But the mayor, with that promptitude and energy for which he is so justly distinguished, called upon the regiment of city guards, which promptly repaired to the vicinity of the spot, and held themselves in readiness to act on the first emergency. Their presence, and a proper disposition of the police, completely over-awed all who were disposed for mischief, and the night passed away quietly. Since that period the excitement has entirely ceased, but the guards were on duty several successive nights, and are now prepared to act at a moment's warning.

It is due to the character of Baltimore to say, that one hundred and ninety-nine out of every thousand of her citizens, discountenanced the mad and senseless clamor by which a few fanatics endeavored to excite the bigoted or ignorant in the crowd, and that the slightest movement of a hostile character, even without the presence of the guards, would have been instantly suppressed.

The following certificates establish the insanity of the nun whose escape occasioned the excitement, beyond the shadow of doubt.

Having read in yesterday evening's Post "that it was the opinion of the faculty of the Washington college that Miss *Isabella Neale*," the apparent cause of the present excitement, "was sane," I deem it my duty to the faculty to state that they have expressed no opinion on the case. As regards my own individual opinion, I am free to say that I consider her a *perverse maniac*.

J. H. MILLER, M. D. president of the faculty of Washington university of Baltimore.
Baltimore, August 20, 1839.

The Carmelite sister who left the convent yesterday, (Sunday), whose name is *Isabella Neale*, has been to my knowledge afflicted with this *monomania* for upwards of five months. She thinks she can live without eating and drinking. As I have not seen her since April last, she may now be better on that point; but, for all, my opinion is, she never will be in her right senses.

P. CHATARD, M. D.
Baltimore, August 19, 1839.

We the undersigned, members of the faculty of medicine of the Washington university of Baltimore, having been applied to by col. Wm. Brent for our opinion in relation to the case of sister *Isabella*, who was placed in this institution by the mayor of the city on Sunday last, state as follows:

That we have visited her several times, and from the general tenor of her conversation, we are clearly of opinion that she is not of sane mind, there is general feebleness of intellect, and we are unanimous in the belief that she is a *monomaniac*. We also feel it an act of justice to state that she made no complaint of her treatment while in the convent, other than having been compelled to take food and medicine.

SAM. K. JENNINGS, M. D.
WM. W. HANDY, M. D.
JOHN C. S. MONKUR, M. D.
EDWARD FOREMAN, M. D.
JOHN R. W. DUNBAR, M. D.

August 21st, 1739.

PENNSYLVANIA STATE LOAN. The Philadelphia North American says that the banks of that city, which some time since made a temporary loan to the state, have converted it into a permanent one; thus relieving the state from the embarrassment which its failure to obtain it from other sources might have occasioned.

ABOLITION CONVENTION. The following resolutions were adopted by the recent abolition convention at Albany:

1. Resolved, That we will neither vote for nor support the election of any man for president or vice president of the United States, or for governor or lieutenant governor, or for any legislative office, who is not in favor of the *immediate abolition of slavery*.

2. Resolved, That every abolitionist who has a right to vote be earnestly entreated to lose no opportunity to carry his abolition principles to the polls, and thereby cause our petitions to be heard through the medium of the ballot-box.

HEALTH OF CHARLESTON. The Charleston Patriot of Wednesday gives a statement of the deaths in that city for the week ending the 11th inst. There were 12 deaths by stranger's fever, during the week, and 22 by all other diseases—making 36 in all; of which 25 were white and 11 black and colored persons. The 12 fatal cases of stranger's fever, during the week, were all of white persons.

The yellow fever still prevails in New Orleans. The Courier says—It does not, in most cases, yield to the remedies that were used with success in 1837. Candidly speaking, we believe the yellow fever is destined to afford now and hereafter, as it has done formerly, cause of wonder as to the inefficiency of medical skill, whenever it seriously attacks people whose blood and habits are foreign to warm climates.

Since the report from the hospital of the 3d, there have been, according to a statement in the Bulletin, 25 deaths—8 of which occurred in one day.

BANKS AND BANKING. The following is an abstract of the condition of the Branch Bank of Alabama, at Mobile, on the 1st of July:

Assets.	
Bills discounted on personal security	\$3,902,636
— under protest	2,224,443
— protested on cotton	102,081
Domestic exchange—	
On New York	68,003
“ Boston	35,600
“ other places	27,992
Exchange on London	55,659
— “ protested	32,371
Premium on bills on London	96,149
Interest on state bonds	8,655
Average commissions, &c.	461,123
Discounts on bonds	80,629
Real estate	573,180
Exchange account	7,970
Profit and loss	159,935
Bills on bonds protested	221,365
Due from banks	1,319,634
Bank notes on hand	65,950
Bank balances	678,928
Specie	\$10,711,400

Liabilities.	
State bonds paid in	\$3,917,000
Sinking fund	1,053,539
Discounts on bonds	7,318
Profit and loss	165,255
State treasurer	133,517
Post office department	14,082
Public officers	14,462
Premium on bonds	30,375
Bills payable	59,466
A. M. Nathan	21,954
Due to banks	240,145
Deposites	259,713
A. Pope, Liverpool	158,475
A. Pope, Liverpool, bonds	116,666
Commissions	3,011
Discounts maturing	467,191
Bank notes issued	4,019,120
	\$10,711,400

An injunction has been laid by the Massachusetts bank commissioners, upon the Middle Interest Bank at Boston. This bank, according to the Mercantile Journal, "has a very large circulation, and it is amongst those least able to lose; but it is believed that the bills will be redeemed." The following card has been put forth by the president.

Middle Interest Bank, Boston, Aug. 3, 1839.—To the public.—The Suffolk bank, by its president, Mr. Stone, has seen fit in the plenitude of his pow-

er, to reject at his counter, the bills of this bank, and the bank commissioners, by his dictation, have believed it their duty to put an injunction upon any further operations of this institution. This bank has an account with the Suffolk bank, having a large deposit, and at no time, as I believe, has this bank been indebted to the Suffolk bank, since the opening of its account with it, to the amount of a dollar. The purpose of this note is to say to the public, that every bill bearing my name and that of the cashier, shall be paid, dollar for dollar. I say to Mr. Stone, and to the associated banks, under his control, for he seems to be the great bank dictator, that he and they shall hear from me as I may find leisure, in the columns of the Morning Post, if my friend, the editor, who never yet refused me a favor, can find a column or two. In the meantime I owe it to the bank to say that the names of their debtors—and that their concerns are very freely communicated by some of the bank commissioners in a manner altogether inconsistent with the spirit and intent of the bank law which gives them power—and the debts of the merchants of Boston, are very well known to the public, by virtue of the inquisitorial powers of the bank commissioners.

JOHN M. FISKE, *president*.

The capital of the Middling Interest Bank is, or was, \$150,000.

FLORIDA. The following letter, received at Key West, and thence forwarded to Philadelphia, contains additional particulars respecting the late horrible attack of the Indians on col. Harney's post. We copy it from the North American:

Sinibal, (Florida), July 22, 1839.

The sloop Jane, from Tampico, arrived at the mouth of Sinibal river late in the evening, while the tide was running out. We were unable to proceed to the encampment, which was situated about 8 miles up the river. We proceeded, however, early next morning, and got about 5 miles up, when we met a sloop with 7 or 8 men in her, and perceived that something was wrong, as the men in said boat were some bald naked and others with their heads bound up. Their cry was, "for God's sake turn back, for col. Harney and all the men are wounded."

The savages had surprised the poor fellows at a time when least expected—just before the dawn of day. Some were still while lying in their beds; the men had not even time to seize their rifles. Those who escaped, ran for the river and swam off to a sloop—(the one that we met). The first sergeant was wounded before reaching the river. An Indian from the bank entreated him to turn back and bring his men with him, and they would not hurt him; he foolishly turned back, and two or three others followed his advice—they were led away by the Indians and were afterwards shot.

After turning back with said sloop, we stopped at the mouth of the river, and perceived a canoe running down, which we at first took for Indians; but, judge our surprise to find col. Harney and a soldier, who, during the murder, had taken to the wood on the bank of the river, and there found the canoe, and succeeded in making their escape. The first word from the colonel was how many men had escaped, and how many rifles had we left, which upon examination we found to be three.

The gallant colonel immediately determined on going back, as, in all probability, some of the men had escaped, and were yet on the banks of the river. It was a very hazardous expedition to proceed 8 miles up a river lined with Indians, and only two or three rifles to protect ourselves. The men muffled their oars, so as to make as little noise as possible, and started at about 11 o'clock at night. They got to the camp just before daylight; and, after crawling up the bank, the first thing that met their view was the body of one of their comrades, mangled in a most shocking manner—scalped, and his entrails taken out.

They proceeded a little further, and found some six or seven in the same situation. Judging it not prudent to remain long, they seized on what few things the Indians had left, which were three kegs of pickles, a bag of corn, and some coffee, and returned to the sloop. The colonel dispatched one sloop to Tampa, with two men that were wounded, and with our boat we proceeded for Cape Florida. The first day we were fired upon by Cape Florida, about fifty miles from the Sinibal, but we were too far from the land for the shot to take any effect.

On the 27th we arrived at Cape Sable, and fell in with the schooner Charles Howe, which we hired to go to Cape Florida, to put what few troops are there on their guard. I put into Key Vacas, which gives me this opportunity of relating the news. The number of soldiers stationed at Sinibal was 25, a sutler and his clerk, and two men employed as laborers; the number missing is 13 soldiers, the sut-

ler and his clerk, and the two men employed as laborers, and one man employed as pilot.

The sutler's name is Dallow, the clerks name Morgan, the carpenter's name is Howard, the pilot's name H. McCarty; soldiers names not known—13 in all.

The Indians have got considerable boats. The sutler had an assortment of goods worth about 2 or \$3,000, and about \$1,000 in specie. The soldiers had 14 patent rifles, 6 carbines, 1 keg powder, a number of percussion caps, and a great quantity of private property belonging to col. Harney and soldiers. They had placed every confidence in the Indians. They would come into camp every day and talk with the men, and when asked if they were satisfied with the treaty, answered they were.

A letter from a gentleman at Tampa Bay furnishes the following statement of the killed, wounded and missing, at the attack made on col. Harney's post in Florida, by the Indians on the 23d ult.

Escaped.

Lieutenant col. W. S. Harney, 2d dragoons,	
Privates Dunsmore, A company,	"
Dutcher, D "	"
Britton, A "	"
Horton, A "	"
Powell, A "	"
Starke, A "	"
Warner, A "	"
Britton, F "	"
Hutchins, E "	"
Eastman, F "	"
Tucker, F "	"
Willis, F "	"
Barst, A "	"—14

Missing and supposed killed.

Sergeant Simmons, C company, 2d dragoons,	
Privates Thompson, A "	"
Jeis, F "	"
Bedford, D "	"
Mr. Dallow, sutler,	
Morgan, sutler's clerk,	
Howard, citizens in employment of Mr.	
Hughes, } [Dallow.	
Sandy, } negro guides.	10
Sampson, }	

Killed on the ground.

Sergeant Bigelow, E company, 2d dragoons,	
Corporal Haywood, D "	"
Privates Nicholas, C "	"
Luther, C "	"
Brown, A "	"
White, F "	"
Farrier Mee, F "	"
Mr. Smith, citizen in the employment of Mr. Dallow.—8.	

A correspondent of the National Gazette, who dates from Carey's Ferry, (E Florida), August 7th, gives the following additional particulars of the late treacherous and cruel massacre by the Indians of a party of soldiers with whom they had been in daily habits of professed friendship:

"Shortly after dark, on the 23th July, four dragoons, two wounded, arrived here in a fishing smack from the Caloosahatchee, and reported the massacre of the largest portion of col. Harney's command of 27th dragoons, that went, about four weeks since, to establish a trading house, in conformity with Macomb's treaty. The circumstances of this cold-blooded and unprovoked act of hostility are thus related by the men: The Indians had for some time manifested the most friendly disposition; they daily visited col. Harney's camp, and traded with Mr. Dallow, the sutler. So completely had the Indians lulled them into security, that col. Harney did not expect the least defence, nor take the means to guard against surprise or treachery. The dragoons were encamped in the open pine woods, on the margin of the river. At the dawn of day of the 23d July, the enemy made a simultaneous attack on the encampment and the trading house, 300 yards distant, which was guarded by five more persons belonging to the establishment. Those who escaped the first discharge fled to the river, naked, and by wading and swimming succeeded in reaching some fishing smacks that were anchored near its mouth. Col. Harney, being aroused by the firing and yelling opened his tent, and found himself surrounded by the Indians, and some of his men in the river. He immediately sought a small canoe, which lay a short distance up the river, in which he and one man escaped. The sergeant and four others, while swimming down the river, were called to the shore by an Indian known as Billy Bowlegs, (a son of old Bowlegs, who was the military chief of the Seminoles in 1818, and grandson of Cowkeeper, a distinguished chief in the nation prior to 1815), who speaks English perfectly, and invited to the shore, under

the assurance they should not be harmed; they complied, and were instantly butchered. In the afternoon, col. Harney was joined by another man, and they cautiously approached the scene of slaughter, in hopes of finding that some of the party had escaped by concealment. Eleven bodies were found, horribly mutilated, and the Indians were distinctly heard dancing and whooping on the opposite side of the river, where they had been encamped, numbering about 250. The fate of Messrs. Dallow and Morgan, the sutlers, is not positively known, but no doubt exists that they were both murdered, as they were sleeping under a vine porch in the rear of their storehouse. Eighteen were killed, thirteen of whom were of the second dragoons, and the choicest men of that corps. They were especially selected by col. Harney for this service, on account of their expertness with Colt's patent many-chambered rifle, with which they were armed."

MEXICO. In addition to the news from Mexico published in our last, we find in New Orleans papers since received, the following message from gen. Santa Ana to the Mexican legislature.

Message from his excellency the president *ad interim*, general Don Antonio Lopez de Santa Ana, read at the solemn opening of the 2d session of the national congress on the 1st of July, 1839.

This day commences an interesting period in our sittings—the moment when the constitution submits you to a general examination of accounts of the year, in order that you may, if possible, establish a level between the receipts and expenditures, a balance between the wants of the nation and the taxes to be paid by the people. As your labors will begin under the favorable auspices of peace, now happily re-established, although at most cost, you will be able to advance without inquietude or disturbance along the path traced out to the legislator; giving preference to a definitive settlement of the finances, on which are based the life and real existence of nations.

Unable to lose sight of that which the present situation of the republic so imperiously call for, you will inquire if the moment has not now inevitably arrived for reforming the institutions of 1836. For the government the question is already answered; not only because public opinion has been pronounced in an unequivocal manner, but because it has been found by experience, while entrusted with the highest powers of the state, how insufficient are the means which the constitution provides for assuring the repose, the permanent happiness, the order, and the aggrandizement of the nation. I have in consequence commanded that a suitable plan of reform be laid before you—you will thus be called on to consider the reasons that have determined the executive, and which he now manifests with that frankness and loyalty that constitute his device in every act of his administration.

I have condemned and fought against the anarchical disorganizing principles of those who usurping the august name of the nation, pretended to give it laws, while they submitted to their own caprice and annulled by open force the existing constitution. The nation adopted the representative system, to stifle at their birth, revolutions, risings and tumults, and in order that its lawful agents might freely decide all vital questions, in the best and most convenient way, without the risk of leaving them with turbulent and unprincipled demagogues. But, when remedies are pointed out in fundamental laws, for a wretchedly in which the nation may find itself, the true principles of government, and once derives safety therefrom without other aid, and the people are saved from the necessity of contending former compacts, or of destroying a work susceptible of being amended and rectified.

There is always a time for examining a work, and for seeking and adopting the most perfect. In this age of progress, when some social wants are giving place to others, the statesman cannot steer the ship of state without having the sound at hand, to enable him to avoid the danger of hidden shoals. In this same age, when our social customs are changing with inconceivable rapidity, and the impetus to revolution is no less violent in our political institutions, there is no other known means for avoiding the consequences of imprudence, but the permanent existence of congressional legislators, who can, by keeping up with the times, do away with the lamentable necessity of leaving the people to progress as they think proper.

Now then the force of the laws has been substituted for that of factions, I can, citizen legislators, confide to you a task of difficulty and responsibility, that of amending some of those faults, which abound in the conceptions of man. Painful and great is the undertaking; but Providence has thought

oper to confide to your care the dearest interests of the nation. The latter will respect your declining; and in the mean time my government shall assure to you, entire liberty, and free and sincere evidence.

Representatives of the nation! I have told you in which honor and conscience dictated. May it respond with the favor of the people, and serve its wishes.

ANTONIA LOPEZ DE SANTA ANA. Mexico, July 1, 1839.

CARAVANS FROM MEXICO. The caravans for present will be the explorers of the beautiful territory between the Gulf of Mexico and that of California. Texian arms and Texian cities will, at a very distant day, glitter on the shores of the Pacific, spreading far and wide the blessings of Anglo Saxon religion and civilization, more precious than mines of gold.

The New Orleans Louisiana gives a highly interesting account of the tour of the late caravan came from the interior of Mexico, by the Red river, to New Orleans. The party was composed of distinguished Mexicans, and some Americans from Chihuahua. The former brought with them a large amount of gold bullion, and their caravan consisted of five hundred mules, ten wagons, a guard of one hundred men. The chiefs of the party led the main body at Pecan Point, the place on Red River. They met with no motion or interference whatever, in their route of a hundred miles, over a beautiful rolling prairie, interspersed with clusters of large trees, an abundance of fine springs and pellucid water courses, being passed above the heads of rivers flowing into the Gulf of Mexico. When they set out they expected attacks from the Indians on their journey but they met with no human being, until they passed over the head waters of Red river, where they mistook for those of the Brazos. Nor their mistake discovered until they struck the Rio Ouachita, when they met with a few Delaware Indians, who corrected their error, and conduced them to Fort Towson, at which they encamped and reached this city on Sunday last. They arrived on Red river in forty-five days, not incurring the slightest indisposition among the men, and without losing a single mule. Had not been compelled to wait for a steamboat, would have been here in sixty days, from the time of their leaving Chihuahua, and notwithstanding their apprehensions at setting out, their journey was the most agreeable and pleasant that can be imagined.

gentlemen have come to New Orleans for purpose of buying an assortment of goods. One of those gentlemen have assured us, that if trade was restored by our government, and back allowed on foreign merchandise imported into this country, which is the whole trade of Chihuahua, and as far west as the Pacific ocean, would flow in this direction, all the bullion, although its exportation is prohibited by the Mexican laws, would find its way to our country. Bullion brought from Mexico to the New Orleans mint, would clear ten and a half per cent.—ten per cent. export duty, the difference between British and American gold coin. This profit is of itself a strong inducement to the bullion from the Mexican mines to our country, and the experiment being now made, and the way opened, we have little doubt that a plentiful supply of that article will be brought to New Orleans.

of the individuals attached to this caravan. My term is, and natives of the U. States, old friends between St. Louis and Chihuahua via Santa Fe. They state that the distance from St. Louis to Santa Fe is 1,350 miles due west, thence to Chihuahua more than 650 miles due south, the route forming a right angle; whereas the distance from Chihuahua to Peran Point is only eight hundred miles, the road lying west by south; the difficulty of land carriage, consequently is 1,200 miles less this saving in the cost of transportation, is not interrupted in the whole route by the presence of a single Mexican custom house, except a trifling duty at Chihuahua. The distance from Matamoros to that place is near 1,200 miles.

SUMATRA. The Boston Daily Advertiser has an extract of a letter from a gentleman who visited the coast of Sumatra subsequently to the destruction of the town of Muckie by the U. S. S. Columbia and John Adams. The writer says the natives were penitent enough, and very desirous to trade with him. He adds: "In the declaration of Muckie the natives have been taught that they will not soon forget; and the punishment soon following the aggression has enhanced

its good effect. The natives are now at war among themselves about this affair. The inhabitants of Muckie belong to a tribe called Archeon, against whom a powerful clan, called Pedier, have made war, on the ground that the Americans will not be afraid to trade on the coast in consequence of the outrage on the "Eclipse," perpetrated by the former. The rajah of Quallah Battoo, who belongs to the same tribe as the rajah of Muckie, has already lost two of his three forts, and the war is still raging in his country, but assistance has been sent to him from Muckie, and I think the war will soon be terminated."

IMPORTS AND EXPORTS OF 1838. The report of the secretary of the treasury on the commerce of the United States, for 1838, from September 1837, to October 1838, exhibits the following aggregates: Whole amount of merchandise imported into the United States. \$113,717,404. Of this the value of that paying specific duties is 25,766,919. Paying ad valorem duties, 27,090,480. Imported free of duty, 60,860,005.

The amount of imports free of duty is much larger than the value of dutiable articles. The latter is \$52,857,399. The importation of wines and spirituous liquors pays one-fourteenth part of the whole revenue of the United States. Value of teas imported 3 1/2 millions. Of coffee, 7 millions.

Of the merchandise imported, \$102,057,448 came in American vessels, and \$10,629,956 in foreign vessels.

The value of exports of the growth, produce, and manufacture of the United States, in 1838, is as follows: From the sea, fisheries and oil, \$3,175,576. From the forest, timber, tar, &c. 5,200,499. From the field, 9,103,414. Bolls, tobacco, 7,392,029. Cotton, 61,556,811. All other products, 140,093. Manufactures of all kinds, 9,463,289.

Total, all exports, \$96,093,291. Tonnage. The number and tonnage of American vessels, entered in the United States, from foreign countries, 1838 was 6,079 vessels, of 1,302,974 tons. Number of men and boys in crews, 65,945. Foreign vessels entered, 3,696. Tonnage 592,110. Crews, 35,000. Number of American vessels cleared for foreign ports, 6,441. Number of foreign vessels, 3,703. American tonnage, 1,408,761. Foreign, 604,166. Number of American crews, 67,895. Foreign, 34,612. [Boston Morning Post.]

THE TRADE OF ENGLAND. The official returns which we just have made public relative to the trade of the United Kingdom prove that, though the year 1838 was not marked by any speculations, still the trade of the country is in a healthy and sound condition. It is shown by these returns that the value of imports into the United Kingdom (as per official valuation) was £1,268,320, being an increase of £6,500,000 over the imports of 1837.—The increase of exports of the produce and manufactures of the United Kingdom has been from £72,548,047 to £2,450,231, or very nearly £20,000,000. According to the returns, the real or declared value of the produce and manufactures of the United Kingdom shipped off in the year ending on 5th January last was £5,060,970, or about 8,000,000 more than the exports of 1837. The new vessels built last year in the United Kingdom amounted to 1,490, of the tonnage of 270,280 tons. In the registration of vessels in the ports of Great Britain there was not any material increase last year—the amount or 31st of December last was 26,609 ships of the aggregate tonnage of 2,890,604 tons, and having on board 178,583 men. In the number of British and foreign vessels employed in the foreign trade there has been a considerable increase within the last three years, namely, from 21,473 in 1837, to 24,798 in the commencement of the present year.—The aggregate amount of the tonnage of these vessels has been increased from 3,404,370 tons, and 191,510 men to 3,997,053 tons and 223,300 men.—The quantity of British shipments which cleared outward from the United Kingdom for foreign ports in the year ending on 5th Jan. last was 15,907 vessels of 2,876,236 tons, and 162,763 men, showing an increase over the returns of the previous year of 33,000 tons, and nearly 15,000 men. There was also an increase in the number of foreign ships, their tonnage and crews, which cleared out from the British ports last year. The totals of both, on 5th January last, were 24,447 vessels of 4,099,039 tons, and employing 231,149 men. It appears from these statements, made from official data, that not only is the trade and commerce of the country in a

favorable position, but that the British as well as the foreign ship owners are in a more flourishing condition than they have been for many years past. [London Sun.]

POWERFUL LOCOMOTIVE ENGINE. We find in the Boston Daily Advertiser the following particulars of an extraordinary performance of a locomotive engine at Lowell.

A trial was made on Thursday last on the Lowell rail road, of the power of a locomotive engine, built by the Locks and Canal Manufacturing company at Lowell, for the western rail road. This was the second trial of the engine, the first having been made a few days before. Being built for a rail road on which there are steeper gradients than on the Lowell road, or any of the rail roads leading directly from Boston, it is constructed of a greater weight and power than any engine in use on either of those roads. The weight, on the occasion of the first trial was ascertained to be, including the water in the boiler, 22,275 lbs. and the weight on the driving wheels 14,970 lbs. The diameter of the cylinders is 12 inches—stroke of the piston 18 inches; diameter of the driving wheels 43 feet.

The Boston and Lowell rail road, on which these trials were made, is 26 miles in length—has a double track—and is built in the best manner, with a substantial edge, or trail—having no greater rate of ascent or descent than 10 feet in a mile, except in the 26th mile, where it descends for a short distance, in approaching the Lowell depot, at the rate of 30 feet in a mile, and the curvature of less radius than 3,000 feet, except at the turn-outs, from one track to the other.

On the first trial above mentioned, the load attached to the engine consisted of 54 loaded cars and one empty car, the whole weighing, exclusive of the tender, 235 1/2 English tons, or 264 tons of 2,000 lbs. This load was conveyed from the depot in Boston to the 25th mile post in Lowell as follows:

	H	M.
Left Boston at 9	55 1/2	road level.
Ar. at 1st post 10	12	1/2 ascent 10 ft. per mile.
2d "	7 1/2	do.
3d "	13	do.
4th "	17	descending and level.
5th "	20	descending 10 ft. per mile.
6th "	23 1/2	ascending, 9.91 ft.
7th "	27 1/2	descending 9.91 ft.
8th "	30 1/2	level 3/4 m. and ascending.
9th "	35 1/2	ascending 10 feet.
10th "	41 1/2	do.

At the 10th post stopped to let the passengers train pass up.

Left 11 1/2 33 1/2 ascent 10 ft.—train passed, from one track to the other—a curve 3,000 feet radius and reversed.

Ar. 11th post "	44 1/2	ascent 10 ft.
12th "	50 1/2	do.
13th "	55 1/2	do.
14th "	12 1/2	1/2 ascent 8 feet.
15th "	7 1/2	do. 7 feet.
16th "	15	do. 4 feet.
17th "	16 1/2	level, and 2 feet ascent.
18th "	20 1/2	ascent 4 feet.
19th "	24 1/2	ascent 2 feet and level.
20th "	28 1/2	ascent 9 1/2 feet.
21st "	32 1/2	descent 4 feet and level.
22d "	38 1/2	descent 7 feet.
23d "	42	descent 6 feet.
24th "	45	descent 5 feet.
25th "	48	train stopped on descent of 30 feet per mile, an engine taken off.

The time of making the passage of 25 miles, deducting the stop at the tenth mile post, was two hours one minute—average rate being 12 2/5 miles per hour—the steam pressure was gauged at 60 lbs. and steam was blowing off freely the whole time.

It being evident from this trial that the engine would take a considerably heavier load, a second trial was made as above mentioned, on Thursday last. A load was prepared of 63 cars, filled with merchandise, which was ascertained to weigh in all 666,140 pounds, equal to 333 tons of 2,000 pounds, or 297 English tons. The day was unfavorable, there being a fresh north westerly wind, adverse to the direction of the train. The engine, however, being attached to the load, started it without difficulty from a state of rest, and proceeded with it over the level part of the road, and for two or three miles, where it was partially protected from the wind, over the ascent of 10 feet a mile, at a rate of eight or ten miles an hour; but on coming to a part where the wind blew with full force in an oblique direction upon the whole length of the train, it came to a stop, and it was found necessary to take off a part of the load. We have not before us the minutes of the exact performance on the different

parts of the line, but we learn that on the most difficult part of the road, notwithstanding the adverse wind, the load carried by the engine, without assistance, was equal to 2 1/2 tons. We hope before the end of the next month, to hear of the prowess of this and other engines on the western road, in travelling from Worcester to Springfield.

A SHIP SNAGGED ON THE OCEAN. The Courier & Enquirer of Wednesday contains the annexed interesting account of the snagging of a ship in the middle of the ocean by coming in contact with the mast of a sunken vessel. The ship Cornelia, capt. Cushman, sailed from Havana to Amsterdam, on the 20th of July. The following extract from her log describes an extraordinary unusual disaster.

31st. Commences, fine pleasant weather, and clear, with strong steady breezes from the S. W. Course E. by N. with lower topmast, and topgallant studding sail set. At 9h. 30m. P. M. we struck upon a ship's lower mast upon our starboard bow, which stove a hole about 12 inches square. Both pumps were instantly at work to free the ship; studding sails were all hauled in, and all sail shortened from the ship, and her headway stopped as soon as possible. We then cut away the water casks and rolled them aft to endeavor to get the leak above water. At 10 P. M. sounded pumps and found 3 feet water in the hold; commenced to break out the main hatchway, and throw the cargo overboard to lighten the ship; but she gained too much upon us, for upon sounding the pumps at 10h. 30m. we found 7 feet water in the hold and the ship sinking very fast. We now found it a matter of impossibility to keep her afloat much longer. Our attention was next turned to the boat, which we finally succeeded in getting overboard, and a small supply of provisions put into them, such as the exigency of the moment would allow. At 11h. 30m. we got into our boats, and laid, with a line attached to the ship's weather gun, in anxious suspense, expecting to see her at any moment in view would disappear from our sight forever. At 3h. 30m. A. M. after waiting in our boats in doleful silence, the ship had become very deep; she commenced rolling, and finally gave a gentle plunge by the head and settled down head first; but a few minutes sufficed, and the once gallant Cornelia was sunk out of sight forever. Upon looking round us, we saw at once our situation clearly depicted before us—there was no alternative but to make the best of our way for the land. Capt. Cushman gave the necessary orders and remarks relative to the proceedings we were to take for our safety, then mentioned to us that we were 260 miles N. W. of Nantucket. Our provisions were next looked into, and a stipulated allowance of bread and water given. The remainder of Thursday was employed in fitting sails for the boats, and arranging our several articles in the boats.

Friday, 2d August. Strong breezes from the S. W.—boats all in company, standing to the N. E. before the sea.

Saturday 3d. Heavy gales from the S. W. with an uncommon heavy sea running, it being almost past the art of man to keep the boats from being swamped, the sea broke so tremendous—the launch filled once, but we succeeded in weathering the gale without any apparent damage, except our provisions, which got wet.

Sunday, 4th. Fine pleasant weather. Wind from the N. and E. Course N. W. employed drying our bread, clothing, &c.

Monday, 5th. Pleasant clear weather, the boats all in company, standing N. W.—saw a sail in the morning standing to the S. and W. could not near her. All hands looking eagerly for a sail, an half a biscuit and a mouthful of water made but a scanty meal to subsist long upon. At 5 P. M. saw a brig coming directly for us which proved to be the Orb, of Portland, in which vessel we met with a comfortable reception until another could be provided to take us to New York. August 8, spoke the brig Olive Branch, bound to Boston, by which vessel we were brought to Boston.

The Cornelia was owned by Messrs. F. Gebhard & Co. of New York, and was insured in the Ocean Insurance office \$10,000, and her freight list for \$6,000 in London and Holland. The circumstances occasioning her loss, are, we understand, almost without precedent.

EDUCATION OF MUTES AND THE BLIND. The hon. Jas. C. Spencer, secretary of state and ex-officio superintendent of all public places of instruction, visited this city last week, and examined the two institutions appropriated by the state munificence to the education of the deaf and blind. The Albany Evening Journal, in account of the remark-

able progress made by the pupils, says, of that for the deaf and dumb:

"The pupils all read with facility and are ready writers in a beautiful hand. There was one poor boy bereft not only of speech and hearing, but with a withered right arm hanging dead at his side. And yet that "sionr lamb" was well advanced in his studies, and wrote handsomely with his left hand! There was a youth from somewhere in the wilds of Canada, who did not know his name—(if he knew a name)—but who had found his way—he knew not how—to the institution, and has been raised by the bounty of the state, from a mere animal existence, to the enjoyment and blessings of intellectual life. His faculties are developing and his character forming under the most gratifying auspices. He is among the best pupils and received a premium for his good behavior and rapid improvement."

Though most of them are under sixteen years, the editor doubts if any school in the state, can present pupils in the enjoyment of all their faculties, who are as thoroughly instructed in reading, writing, geography and history;

The senior class, though great proficients were rejoiced when it was announced to them, that the secretary of state would continue them in their studies for another year. The secretary then awarded the premiums, remarking, however, that the performances of all, without exception, deserved high encomiums.

The pupils of the blind institution, though subjected to a severe examination in grammar, geography and mathematics, by eminent professors, excited astonishment by the ability they displayed. Their fabrics also in the workshop, such as carpet, mat and rug weaving, were greatly admired, as also was the sewing and knitting of the female pupils. Another branch which is very properly cultivated, and which they have made great progress, is music. The performances on the piano and guitar, and the execution of difficult pieces by the blind deaf, produced the most lively sensations on all present—music is at once a delightful consolation to them, and may be a source of profitable livelihood. The sense of hearing is infinitely more perfect in blind persons, hence the perfection in music.

INTERESTING CEREMONY. Married on the morning of the 1st ultimo, at the institution of the deaf and dumb in this city, by the rev. Dr. Milnor, Mr. J. R. Burnett, of Livingston, N. J. to Miss Phoebe Osborne, of Castile, Genessee county, N. Y. (a pupil of the institution).

We have seldom attended a matrimonial occasion of more agreeable interest than the one above mentioned. We will not attempt a minute description of the scene, though a full chapter might be written on it, which would be well worth reading to those who are particularly interested in what relates to the deaf and dumb, and those who are curious to know how the marriage ceremony of two deaf mute persons would be conducted.

At nine and a half A. M. the bride and her maids were dressed and decked with flowers, and the bridegroom and several of his relatives and friends arrived in carriages from town. Four pretty deaf mute girls officiated as bride's maids, accompanied by two deaf mute young men, and two of the young gentlemen professors of the institution. Attended by these four couples; the pair betrothed, at ten o'clock, entered the large apartment in the west wing of the institution, where, in the presence of an assemblage of some 200 persons, consisting of the pupils of the institution, the professors, matrons, &c. the principal and his family—the officiating clergyman, and numerous invited guests, they were to be united in "the holy estate of matrimony" after the Episcopal rite, by the rev. Dr. Milnor, (president of the institution), in his happiest and most impressive manner. The interpretation of the spoken words, sentence by sentence, to the mute married pair, and the mute portion of the audience, was performed by Mr. Peet, in his peculiarly elegant and forcible mode of exhibiting the sign of language; nor could it for a moment be doubted that those most interested in the exercises of the occasion fully comprehended the sense of the interpretation, when in answer to the several questions put to them, their nods of affirmation were returned, with an expression of most devout meaning, and emphatic determination, directly to the officiating clergyman, each in turn seeming to say, "yea, surely, and I mean it too."

The solemnities of the occasion were terminated by prayers and the benediction, by Dr. Milnor, in the usual salutatory, affirmations, &c. and at 11 the bride, after taking an affectionate leave of her fellow pupils, her instructors and friends of the institution, departed with her husband and his friends, to her new home west of the Passaic.

VOTES FOR GOVERNOR OF PENNSYLVANIA.

The following is a correct list of the several candidates for the executive chair of this state, from the year 1790 to the last, in 1838, with the respective votes of each, and the majority of the successful candidate; all taken from the official returns, except the last, which is made from the report of the senate's committee, and includes all the votes polled legal as well as illegal. It was compiled by M. Hazard, editor of the Statistical Register.

Years Dem.	Dem.	Fed.	Fed.	M.
1790	Mifflin,	37,225	St. Clair,	2,802
1793	Mifflin,	39,590	Muhlenberg,	10,700
1796	Mifflin,	30,020	Muhlenberg,	1,011
1799	McKean,	37,244	Ross,	32,643
1802	McKean,	47,879	Ross,	17,037
1805	Snyder,	35,483	McKean,	43,641
			Ross,	39,575
1808	Snyder,	67,375	Snyder,	4,066
			Toughman,	3,609
1811	Snyder,	52,319	Wayne,	29,566
1814	Snyder,	51,099	Wayne,	29,566
1817	Findlay,	66,231	Heister,	59,372
1820	Findlay,	66,300	Heister,	67,905
1823	Shulze,	89,923	Gregg,	64,211
1826	Shulze,	72,710	Sergeant,	1,175
1829	Wolf,	75,219	Ritter,	51,776
1832	Wolf,	91,285	Ritter,	85,165
			Wolf,	65,804
1835	Muhlenberg	40,566	Ritter,	194,023
1839	Porter,	133,559	Ritter,	126,029

IMPORT OF FOREIGN SUGAR. Comparative statement of the amount of foreign sugar, imported direct into the district of Philadelphia, from the 1st Jan. to the 31st July, inclusive, in 1838 and 1839.

Months.	boxes.	hhd.	bbls.	bags.	cases
January	414	1,250	51	—	—
February	339	171	4	—	—
March	1,788	1,814	3,078	3,259	—
April	3,326	1,898	2,096	1,768	—
May	3,575	1,895	330	—	—
June	1,412	1,183	1,558	401	—
July	3,330	2,602	3,493	4,909	—
Total	14,214	9,068	12,110	10,332	—

1838.	269	7	404	—
	123	—	5	—
	2,078	856	8,012	10,375
	2,266	1,832	423	—
	2,605	1,112	1,455	107
	1,759	1,637	3,434	—
	1,668	1,329	400	339
Total	10,768	6,877	13,134	11,151

Cuo. GUYER, U. S. weights and measures agent, at the custom house. We annex the total amount received at this office during the same time in 1836 and 1837.

boxes.	hhd.	bbls.	bags.	cases
1836—11,762	4,464	16,459	6,893	11,4
1837—11,201	4,170	4,242	10,823	50

THE TOBACCO CROP OF THE UNITED STATES. amount this year, it is estimated, to 100,000 hhd. Last year it only reached 72,000 hhd., viz:

In Virginia,	26,000
Kentucky,	27,000
Maryland,	16,000
Ohio,	3,000
—	72,000

Crops of 1839.	
In Virginia,	45,000
Kentucky,	35,000
Maryland,	16,000
Ohio,	4,000

The exports to foreign countries is usually at four-fifths of the entire crop.

FIFTH ANNUAL FAIR OF THE MECHANICS' INSTITUTE OF THE CITY OF NEW YORK. Circular. The fair of the institute will be held at Castle Garden, commencing Monday September 2d, 1839.

The object of exhibition fairs is to present to members of the institute and their fellow citizens who are engaged in the mechanic and fine arts in manufactures, the means of making their talents and ingenuity known in a way which no other facilities afford; the many thousands who visit exhibitions have a much better opportunity of judging of the merits of the various products than they would have by a mere verbal or newspaper description, besides the advantages so brought together, in one vast collection, the ducts of the skill, ingenuity and industry of country.

To render this exhibition worthy of the arts, of the ingenuity of the American people, the managers appointed to conduct the approaching have determined to make such liberal arrangements as will insure to the contributors a fair opportunity of exhibiting their productions to the greatest

would as yet, have been wrapt in the sleep of nature, undisturbed, save by the tramp of the bellowing bison, or the war cry of the forest chief. But for him, these broad and beautiful prairies, "clothed in their flowery vesture," would yet expand beneath the sun to "waste their sweetness on the desert air."

THE OLDEN TIME. A correspondent of the New York American, writing from Utica, says:

Fifty years ago, the spot where Utica now stands, was the end of the world, in this direction. In those days, John Jacob Astor, and Peter Smith, (father of Gerrit), travelled the ground from Schenectady to Utica on foot, purchasing furs from the Indian settlements on the route. The Indians aided them in carrying the furs back to Schenectady. Returned from their perilous adventure to "the far west," they opened a little shop in New York city and sold the skins at retail. When their stock was exhausted, they again penetrated the lonely forests of "the frontier," and replenished their store. Astor continued the business many years, but Smith commenced the purchase of land. Summers went and came, and wave after wave of emigration rolled up the long defile of the Mohawk. Mark the change. Two years since, Smith died at Schenectady, leaving millions of acres to his heirs. Astor still lives, one of the wealthiest unfledged commoners in the world. Judge Smith lived to travel the route from Schenectady to Utica in four hours. And to-day, when the sun's evening rays shall hide from the undimmed eye of John Jacob Astor behind the blue hills of Jersey, its vertical beams will be falling on the fur traders of our new Ultima-Thule, at the mouth of the Oregon. Bishop Berkeley never dreamed of such changes when he penned the line,

"Westward the star of empire takes its way."

VALUE OF SOVEREIGNS. Table showing the value of any number of sovereigns from one to one hundred, at \$4 85 each, the rate at which they are received and paid out of the banks. Large amounts are regulated by weight, valuing the "pennyweight at 94.8 cents, as established by the act of congress.

No.	Value.	No.	Value.
1	\$4 85	51	\$247 35
2	9 70	52	252 20
3	14 55	53	257 05
4	19 40	54	261 90
5	24 25	55	266 75
6	29 10	56	271 60
7	33 95	57	276 45
8	38 80	58	281 30
9	43 65	59	286 15
10	48 50	60	291 00
11	53 35	61	295 85
12	58 20	62	300 70
13	63 05	63	305 55
14	67 90	64	310 40
15	72 75	65	315 25
16	77 60	66	320 10
17	82 45	67	324 95
18	87 30	68	329 80
19	92 15	69	334 65
20	97 00	70	339 50
21	101 85	71	344 35
22	106 70	72	349 20
23	111 55	73	354 05
24	116 40	74	358 90
25	121 25	75	363 75
26	126 10	76	368 60
27	130 95	77	373 45
28	135 80	78	378 30
29	140 65	79	383 15
30	145 50	80	388 00
31	150 35	81	392 85
32	155 20	82	397 70
33	160 05	83	402 55
34	164 90	84	407 40
35	169 75	85	412 25
36	174 60	86	417 10
37	179 45	87	421 95
38	184 30	88	426 80
39	189 15	89	431 65
40	194 00	90	436 50
41	198 85	91	441 35
42	203 70	92	446 20
43	208 55	93	451 05
44	213 40	94	455 90
45	218 25	95	460 75
46	223 10	96	465 60
47	227 95	97	470 45
48	232 80	98	475 30
49	237 65	99	480 15
50	242 50	100	485 00

FIVE FRANCS. Table, showing the value of any number of five franc pieces, from one to one hundred, at 95 cents each, as established by act of congress.

No.	Value.	No.	Value.
1	93 cents.	51	\$47 43
2	\$1 86	52	48 36
3	2 79	53	49 29
4	3 72	54	50 22
5	4 65	55	51 15
6	5 58	56	52 08
7	6 51	57	53 01
8	7 44	58	53 94
9	8 37	59	54 87
10	9 30	60	55 80
11	10 23	61	56 73
12	11 16	62	57 66
13	12 09	63	58 59
14	13 02	64	59 52
15	13 95	65	60 45
16	14 88	66	61 38
17	15 81	67	62 31
18	16 74	68	63 24
19	17 67	69	64 17
20	18 60	70	65 10
21	19 53	71	66 03
22	20 46	72	66 96
23	21 39	73	67 89
24	22 32	74	68 82
25	23 25	75	69 75
26	24 18	76	70 68
27	25 11	77	71 61
28	26 04	78	72 54
29	26 97	79	73 47
30	27 90	80	74 40
31	28 83	81	75 33
32	29 76	82	76 26
33	30 69	83	77 19
34	31 62	84	78 12
35	32 55	85	79 05
36	33 48	86	79 98
37	34 41	87	80 91
38	35 34	88	81 84
39	36 27	89	82 77
40	37 20	90	83 70
41	38 13	91	84 63
42	39 06	92	85 56
43	39 99	93	86 49
44	40 92	94	87 42
45	41 85	95	88 35
46	42 78	96	89 28
47	43 71	97	90 21
48	44 64	98	91 14
49	45 57	99	92 07
50	46 50	100	93 00

TIPPOO SULTAN'S THRONE. The sultan's throne, we are told too unwieldily to be conveyed away was broken up. It consisted of a howdah, or armed chair, upon a tiger covered with sheet gold; the ascent was by silver steps, gilt; the canopy was equally superb, and decorated with a costly fringe of white pearls all around it. The eyes and teeth were of glass;—it was valued at 60,000 pagodas, or upwards of £25,000 sterling. The sheet gold alone was estimated at 40,000 pagodas. Every inch of the howdah contained Arabic inscriptions, chiefly from the Koran, and superbly stamped, being raised and polished in a beautiful manner. A gold figure of a lion covered over with the most precious stones, was fastened at the top of the canopy; its beak was a large emerald, its eyes were carbuncles; the breast was covered with diamonds; on its back were many large jewels, fancifully arranged; while the tail, made to resemble a peacock, was actually studied in the same manner. The whole was so formed as to have the appearance of plumage, and so closely set, that the gold was hardly to be seen.

[Alexander's life of the duke of Wellington.

THE SOVEREIGNS OF EUROPE. We have lately met with an amusing letter written by Jefferson in 1810, we think to a friend of his, formerly governor of New Hampshire. It relates to the European monarchs of his day and acquaintance, and speaks pretty freely of them, as the following passage may show:

"Louis XVI was a fool, of my own knowledge and in, despite of the answers made for him at his trial. The king of Spain was a fool; of Naples the same. They passed their lives in hunting, and despatched two couriers a week, one thousand miles, to let each other know what game they had killed the preceding days. The king of Sardinia was a fool. All these were Bourbons. The queen of Portugal, a Braganza, was an idiot by nature. And so was the king of Denmark, their sons, as regents exercised the powers of government. The king of Prussia, successor to the great Frederick, was a mere hog in body as well as mind. Gustavus of Sweden, and Joseph of Austria, were really crazy, and George of England, you know, was in a straight jacket. There remained then, none but old Catharine, who had been too lately picked up to have lost

her common sense. In this state Bonaparte fou Europe, and it was this state of its rulers which led it with scarce a struggle. These animals had become without mind and powerless; and so will ever hereditary monarchy after a few generations. Alexander the grand son of Catharine, is yet an exception. He is able to hold his own. But he is on of the third generation. His race is not yet worn out. And so endeth the book of kings, from all which the Lord deliver us."

VERIFICATION OF ANCIENT PROVERB. The following prophecy is said to have been delivered by a British bard, in the time of William the Norman, and preserved by some of the monkish annalists, viz: That no more than three monarchs, in direct succession, should ever again reign over these kingdoms, without some violent interruption:

- 1 William the Norman,
 - 2 William Rufus,
 - 3 Henry the first,
- Interrupted by the usurpation of Stephen.
- 1 Henry the second,
 - 2 Edward the first,
 - 3 Edward the second,
- Interrupted by the abdication and murder of Edward the second.
- 1 Edward the third,
 - 2 Richard the second,
- Interrupted by the deposition of that monarch.
- 1 Henry the fourth,
 - 2 Henry the fifth,
 - 3 Henry the sixth.

Interrupted by the restoration of the house of York.

- 1 Edward the fourth,
- 2 Edward the fifth,
- 3 Richard the third,

Interrupted by the usurpation of Henry Richmond.

- 1 Henry the seventh,
 - 2 Henry the eighth,
 - 3 Edward the sixth,
- Interrupted by the election of lady Jane Grey.
- 1 Mary,
 - 2 Elizabeth,

A foreign king, (James of Scotland), called in to assume the crown.

- 1 James the first,
- 2 Charles the first,

Interrupted by the deposition of that monarch and the establishment of another form of government in the person of Oliver Cromwell.

- 1 Charles the second,
- 2 James the second,

Interrupted by the abdication of that king and the election of a foreigner.

- 1 William the third,
- 2 Anne,

Interrupted by the parliamentary appointment of a foreigner.

- 1 George the first,
- 2 George the second,
- 3 George the third,

Interrupted by the unfortunate incapacity of that sovereign, and a parliamentary appointment for exercising the sovereignty in the person of the prince regent.

- 1 George the fourth,
- 2 William the fourth,
- 3 Victoria the first,

Whom may God bless, but what is to be the next interruption? [Liverpool Courier.

LATE FROM ENGLAND.
ARRIVAL OF THE LIVERPOOL.

This long expected steamer arrived at New York on Saturday night last, after a voyage of eighteen days. She brings news of importance, commercial and political. The death of sultan Mahmud, the defeat of his army by Ibrahim in Syria, the defection of the Turkish fleet, and the continued agitation of the Chartists in England, are the principal items of political intelligence. The firmness of the cotton market will be the most welcome news to a majority of our readers. The editors of the New York American have received full files of English papers, from which they have gleaned the following intelligence:

London, July 18. Money market. The English stock market has been extremely quiet since the bustle of yesterday. Foreign securities remain without alteration.

July 19. Much difficulty is experienced in the city at present in obtaining a supply of silver, the furnishing of which by the bank is optional. The transactions of the day in the English stock market were of slight importance, but prices are rather depressed. No alteration in foreign stocks. There was a tendency to improvement in the rates of exchange to-day on Paris and Amsterdam.

July 20. Scarcely any variation in the funds, and business exceedingly flat all day. No change in foreign.

July 22. The funds remain in the same languid state, with very little business doing. The dealers are waiting for the next movement of the bank in the affairs of the dead-weight, respecting which the same uncertainty prevails. In the foreign house there was some improvement in Spanish American securities. Mexican advanced to 17 1-2, in consequence of a statement in the New Orleans papers of the ratification of the agreement for a conversion and a new arrangement of the original debt and dividends effected by the agents here some time since.

July 23. The funds were inactive, and consols declined to 91 7-8 on the publication of the defeat of the Turkish army by the Egyptians—they recovered slightly at the close when they were 92 for money, and 92 1-8 to 1-4 for ac. A further improvement took place in Mexican to 23 1-2; Columbian, 32 3-4 to 3. Exchanges nearly the same as last post day.

July 24. A very extraordinary and unusual operation on the part of the Bank of England has been reported to-day in the city, and there is every reason to believe that the circumstances connected with it are, in substance at least, correct. An arrangement is said to have been entered into with the Bank of France to allow bills to be drawn upon it, not directly, for that the charter will not permit, but indirectly through certain houses in Paris, the means of payment to be provided by the French bank. These bills have necessarily the same effect in this market as an exportation of gold in drawing in bank notes, the value being paid to the Bank of England; and also the effect of ordinary commercial bills in raising the exchanges. The other consequences of the operation, of a far more serious nature, are that the Bank of England is placed in the situation of a borrower from the Bank of France, and, like all other borrowers from banks, must put in a security for re-payment, which is understood in this case to be such a portion of the "dead weight" annuity as may be sufficient for the purpose; altogether amounting to this—that the Bank of England holding a larger amount of securities than can be with convenience managed, "re-discount" them. But for the drafts on Paris, to which this operation has given rise, the exchanges could not, it is supposed, have been sustained at the rates negotiated yesterday.

Large sales of exchequer bills, which were believed to be for the account of the bank, were made in the course of the day, but this is denied by parties having access to the best information, who imagine that the sales are for the account of the government. These sales reduced the premium on exchequer bills to 10s. to 12s. and, together with other sales of 3 per cent. reduced and bank stock on private account, caused some heaviness in the funds generally.

In the foreign market a slight improvement may be noted.

July 26. Great mystery still attaches to the alleged transactions between the Banks of England and France, and the question at any rate is very far from being disposed of in the way some of the bank oracles would desire to have it supposed. It has transpired that count d'Argout, the governor of the Bank of France, who was in London early in the week, with the intention of proceeding on a tour through the manufacturing districts in Scotland, has returned suddenly to Paris; that Mr. T. A. Curtis, the late governor of our bank, has also gone thither, and that he either has been, or is to be, joined by one of the partners in the eminent bank which has been engaged to draw bills on Paris. That bills are drawing on Paris, and to an enormous amount, for the account of the bank, no one now ventures to deny.

It has been currently reported to-day in the city, that at the meeting of the bank directors held yesterday, it was debated whether the rate of interest should not be raised to 6 per cent. and that, on the motion being put, the decision was against it by the casting vote of the governor only.

The transactions in the funds to-day have been exceedingly unimportant.

In the foreign house, the only alteration in prices worth notice was in Mexican, which advanced to 39 to 1-9.

Some improvement was to be noted in the rates of exchange negotiated on Amsterdam. On Paris and Hamburg they were as before.

From Friday's Gazette. Quarterly average of the weekly liabilities and assets of the Bank of England, from the 30th of April, to the 23d July, 1839, both inclusive, published pursuant to the act 3 and 4 William IV. cap. 95.

Liabilities.		Assets.	
Circulation, £	13,049,000	Securities	£24,905,000
Deposites,	7,953,000	Bullion,	7,785,000
	£26,004,000		£28,690,000

Downing street, July 25.

July 27. There has been little activity in the funds to-day, but some attention was excited by the sales of exchequer bills to the extent of about 300,000, by the broker usually acting for the bank. It was ascertained that the sales were for reinvestment in stocks for other parties. The transactions in the foreign house were of little importance.

The usual average return of the liabilities and assets of the Bank of England, embracing the period from the 30th of April to the 23d inst. gives the following results—viz: that the average of the month ending the 23d inst. as compared with the average of the month ending the 30th of April, shows a decrease in the circulation of 156,000, an increase in the deposits of 1,164,000, and a decrease in the stock of bullion of 1,677,000. Wherefore it appears, that the increase in the liabilities is 1,603,000, and this represents the increase in the total quantity of money in the month ending the 23d inst. as compared with the month ending the 30th of April, in so far as regards the administration of the currency by the Bank of England.

The yearly comparison is as follows:—The average of the month ending the 23d inst. as compared with the month of the 21st of August, 1838, shows a decrease in the circulation of 1,443,000, a decrease in the deposits of 2,751,000, and a decrease in the stock of bullion of 6,372,000. Wherefore it appears that the decrease in the liabilities is 4,274,000, and this represents the decrease in the total quantity of money in the month ending the 23d inst. as compared with the month ending the 21st of August, 1838, in so far as regards the administration of the currency by the Bank of England.

July 29. The transaction in the funds were rather more extensive to-day than for some time past. The sales of exchequer bills were continued to the amount of about 10,000, and a good deal of money stock changed hands, but the market displayed much firmness, and purchases of consols for time were made to some extent.

The intelligence from the United States by the Shakspeare and the Samson packet ships, with dates to the 11th instant, is far from being of a satisfactory character.

July 30. From the Paris papers and letters it would appear, not only that the accounts were substantially true, of an attempted arrangement between the Bank of England and the Bank of France, but that the additional mortification is imposed, of two failures in the applications made—one to the Bank of France, and the other to the capitalists of Paris. English exchequer bills, it seems, are not good security at Paris, because they would not, at short notice, be convertible so as to answer banking purposes. The transaction is the universal topic of discussion in the city, and every where severely reprobated.

The English stock market was heavy, and business very limited.

The rates of exchange on Amsterdam continue to improve. On Hamburg the rate remains 13. 10 at three months.

July 31—city, 12 o'clock. The foreign exchanges yesterday did not show much alteration in the rates from those of last Friday, but the amount of business transacted was much smaller than on that day. All parties seemed rather inclined to wait and see the upshot of the bank negotiation in Paris before they committed themselves by large operations. It is probable the quotations would have advanced if the state of the weather had not created a little alarm for the fate of the approaching harvest. At all events it is a satisfaction to observe that the demand for bills to remit to the continent appears to slacken, from which we may hope that a reaction will soon occur, if nothing happen to render a further importation of corn necessary.

There has been in very great demand in the open market during the last three or four days, and the rate of discount is gradually tending upwards. This is probably caused by large sums being withdrawn by the bank through the medium of discounted bills falling due and encashed by them daily. In the stock market also there is more demand for money than there was a few days ago; and the settlement of the monthly account in foreign funds, which takes place to-day, does not seem to throw loose capital, as it has done on one or two late occasions. The stock market is heavy, both for English and foreign securities.

Consols are 91 7-8 to 92 for money, and 92 1-8 to 92 1-4 for account; new 2 1-2 per cents 99 1-8 to 99 1-4; exchequer bills, 10 to 12 prem.

Two o'clock. We learn at the north and south American Coffee House that the East India company have received despatches from India overland, from China to the 7th April, Calcutta the 20th of May, and Bombay the 8th June. The China trade was again stopped, and captain Elliott, the British resident, together with thirteen of the principal English merchants, had been sent prisoners into the interior. This intelligence has had an unfavorable effect on consols, which have declined to 91 5-8 to 3-4 for money, and 92 for account; bank stock is 1-2 per cent. lower, having been sold at 185; exchequer bills are 1s. higher. The settlement of account in foreign stocks is going off quietly, but prices are lower.

Four o'clock. Consols 51 3-4; consols for account 92; Belgian 103 1-2; Brazilian 78 3-4 Columbian 1824, 32 1-2; do. August 15, 32 1-4; Mexican 1825, 29 1-4; do. Aug. 15, 29 3-8.

London, July 27. Foreign funds. Last official quotation for the week, ending Friday evening: Alabamas (payable 1863) 5's, 80; Louisiana, 5's, 94; Mexican 6's, 27 1-4.

There has been no novelty since our last in the market for money and public securities. The dead weight is now dead and buried; and on Thursday, which is now the most sensitive day in all the week for the citizens, it being the day on which the bank directors meet—there was no advance of the rate of interest by the bank. The rates of discount on the first bills continue at 5 to 5 1-2 per cent. and at 5 1-2 to 6 on those of the next descriptions; little tradesmen have to pay high charges for accommodation. The demand for money has not been by any means oppressive; no doubt the payment of the dividends has eased the market a little.

[London Mercantile Journal, July 30.]

Liverpool, August 1. The state of the weather is beginning to excite the apprehensions of every reflecting man. Mr. Rice, our immitable chancellor of the exchequer, told parliament that the quantity of foreign corn imported since last harvest, amounted to the value of £2,000,000. In confirmation of this, and in proof that the imported corn was paid for in solid metal, the Bank of England, which had upwards of £10,000,000 of gold in its coffers only a short time ago, has, at the present moment, not much more than £3,000,000.

Birmingham, July 15th. This town has again been the scene of riot and confusion. The police were ordered to disperse a meeting of the people, when a general fight ensued. Having beaten off the police, the mob attacked several shops and private dwellings. The street lamps were put out, and under cover of the darkness, doors and windows were forced, and the contents of the houses thrown into the street and burnt. Several houses were also consumed. Near midnight a squadron of cavalry succeeded in clearing the streets, and escorted the engines to the spot. It is a singular fact, that during these disturbances no person was killed.

Fenny postage. It is intended that the act to carry out Mr. Rowland Hill's plan of reform penny postage shall come into operation in January next.

Admiral Sir Isaac Coffin died at Cheltenham on the 23d of July.

A very destructive fire had occurred in Manchester, by which the warehouses of the Messrs. Nathan, Lloyd street, was destroyed, and damages sustained to the amount of £13,000.

There appears to be a slight revival of trade in Lancashire, but the factories generally are "working short time."

A Catholic church has been opened at Everingham, in a style of splendor unequalled in England. The building cost £30,000; and the procession of bishops and clergy, with the pope's banners and the host elevated, was more splendid than ever witnessed in modern days in this country.

[Sheffield Iris.]

The proceedings in the French court of peers were formally closed on the 12th of July, when judgment was pronounced on the prisoners, four guilty of participation in the last Paris insurrection. Armand Barbes was the only prisoner condemned to death—he was found guilty of being "one of the murderers" of a lieutenant named Drouineau, in addition to his treason. Martin Barnard was sentenced to transportation; Mialon to hard labor for life; and seven others to terms of imprisonment varying from two to fifteen years. The sentence on Barbes has been commuted by Louis Philippe to hard labor for life. It is said that the council of ministers strongly dissuaded the king from this act of mercy.

Madrid papers of the 13th of July, state that general Aznar of the queen's army, was besieged in Lucena by Cabrera. General O'Donnel was about to march to his relief. It was reported in Bayonne, on the 15th, that Cabrera had taken possession of Lucena. There is no other Spanish news of im-

portance. The elections were to commence on the 24th.

The beautiful cathedral at Bruges has been destroyed by a fire, occasioned by the carelessness of some plumbers at work in the building.

It will be seen that a whole galaxy of theatrical stars have come out by the Liverpool, principally for the national theatre. The Liverpool was crowded with passengers, and seventy guineas were offered and refused for a berth in her just before she sailed.

From the Chronicle. The Turkish and Egyptian war. The Monitor of Friday contained the following telegraphic despatch from Marseilles of the events of the 25th:

"The death of the sultan was known at Alexandria on the 8th; and on the following day a Turkish schooner reached Alexandria with Negib bey, kiaya of the captain pasha, on board, charged to announce to the viceroy of Egypt the presence of the captain pasha at Slankio, on his way to Rhodes, and to propose to place the Turkish fleet under the viceroy's protection, in order to guard against the troubles likely to follow the sultan's death in Turkey. A reply was despatched by Mehemet Ali, in the steamboat called the Black Sea, to the captain pasha; but its tenor is unknown. On the 10th, Askif Efendi, sent by the sultan to announce the death of his father, reached Alexandria.

The death of the Turkish sultan, Mahmooud, which occurred on the 30th ultimo, is an event of some political importance. Abdul Medjid, his eldest son, not yet seventeen years old, though of full age by the Turkish law, was immediately declared sultan. The principal officers of the government assembled round the bed of the dying Mahmooud, and sworn fealty to his successor. The new sultan is described as a young man of quiet disposition, fond of literary pursuits, and well acquainted with the Persian, Greek and French languages.

The late sultan was born in 1755, and succeeded to the throne in July, 1808. His great achievement, the destruction of the Janissaries, is a remarkable event in Turkish history; but his reign will be chiefly remembered for the rapid curtailment of the empire, the progress of Russia, and the establishment of a virtually independent sovereignty under Mehemet Ali in Egypt and Syria.

"The Turks have been utterly defeated by the Egyptians in a great battle, fought on the 25th of June, at Nezib, near Aleppo. It is said that upwards of 4,000 Turks were killed in the engagement, and that the prisoners taken were 5,000. All their material, cannon, and ammunition, fell into the hands of the victors, and Ibrahim has written a brief account of his success to Mehemet Ali in the Turkish general's camp. Admiral Roussin, French ambassador at Constantinople, assured his government that the information received by the port was that the Turkish army had been 'destroyed'; but this is perhaps too strong an expression, as it appears that after the battle Ibrahim made a retrograde movement to Aintab; whence it may be inferred that the Turks were, notwithstanding their defeat, in a position to give him trouble and render caution necessary.

There is much speculation in the French and German newspapers on the probable consequences of Mehemet Ali's success. Will the conqueror push his advantage and march upon Constantinople? Will he be restrained by the European powers, who have declared their resolution to preserve the Turkish empire entire? The cunning policy of the Egyptian pasha renders it tolerably certain that he will not risk an open contest with France, England and Austria; but will use his victory so as to obtain favorable terms in a treaty. It will be difficult to eject him from Syria, and perhaps that country may be added to his nominal vice-royalty, but real sovereignty, of Egypt.

It is alleged that lord Ponsonby stimulated the late sultan to hostilities with Egypt, and that Mehemet Ali is enraged at this double-dealing on the part of England.

The Turkish fleet sailed from the Dardanelles on the 28th of June, notwithstanding the positive prohibitions of the port; and hence a suspicion of treachery on the part of its commanders has arisen. *Alexandria, July 6.* The Turkish army of Syria is defunct. The following are the facts:—

On the 20th of June, his highness Ibrahim pasha, commanding the Egyptian army, moved from its encampment, and crossed the Ladjour, and then marched to the village of Mezza, where the sultan's cavalry, commanded by 4,000 men, were encamped. His highness Ibrahim pasha ordered all his artillery to take up a position within half a mile of the Turkish army, and to cannonade it. At 5 P. M. they opened their fire; in half an hour the Turkish cavalry fled, pell-mell, in the direction of Nezib, (where the sultan's main army was encamped under Hafiz

pasha), leaving behind them all their provisions and military chests. His highness Ibrahim pasha then halted the Egyptian force for repose till midnight.

June 21. At midnight he marched towards Nezib; fell in, after daylight, with the cavalry he had cannonaded the day before, and all the remaining cavalry of the Turkish force, which had been advanced in two divisions.

Ibrahim pasha ordered the artillery to commence their fire, and his cavalry to charge. In four hours the whole of the sultan's cavalry gave way and fled, leaving 14 pieces of small cannon (all they had) behind.

June 22. The Egyptian army reposed. *June 23.* His highness, with two regiments of cavalry, accompanied by his body guard and his light artillery, left the camp and trotted up to the walls of Nezib, leaving orders with Suleman pasha, his lieutenant general, to move on after him, as slowly as possible, in order that the troops might not be fatigued.

On the 24th, at midnight, the whole of the Egyptian force was in presence of the Turks, and shortly afterwards commenced the general action, of which I give you an account in the following extract of a letter from the Austrian consul at Aleppo, dated June 26th, in the evening:

"The army of Hafiz pasha ceased to exist yesterday, after a cannonade of three hours. The Turks threw down their arms, and abandoned their artillery and ammunition, flying in every direction.—Not one of them could have reached the Euphrates had Ibrahim pasha wished seriously to prevent it. The city of Aleppo has petitioned Ibrahim pasha to make arrangements for obliging the disarmed soldiery of Hafiz pasha to recross the Euphrates, in order not to disturb the security we enjoy here.

The few Egyptian troops left here have set out in the direction of the camp. To-morrow or next day the Egyptian advanced guard, commanded by Osman pasha, will commence passing the Euphrates—every thing indicates that such is the intention of the Egyptian seraskier."

This day (July 6) the pasha's despatches the Genoroso and the Egyptian arrived, but we regret to say that they do not bring Ibrahim pasha's despatches. We suppose he thinks his laconic telegraphic despatches to his father, via Damietta, to be sufficient. It ran thus:—"The Turks are dispersed; they have left behind them every thing, besides 6,000 prisoners." By these vessels we learn that 4,000 of the said prisoners have applied to enter the pasha's service. They have been accepted, and transports have been ordered to Scanderoon to bring them. Then they will probably be sent to the Hedjaz and Yemen, to assist in bringing the whole of Arabia under the Egyptian government.

London, July 31. Intelligence has been this day received from India, stating that the British army had entered Candahar on the 21st of April. The difficulties which the army had experienced with respect to provisions had vanished, and they had been received with open arms. Private intelligence from Candahar to April 29, reports that Sha Shoja had been crowned with acclamation, all the chiefs with the exception of the Baulckzye brothers having signified their adherence to him. Dost Mahomed, it is said had sent his family to Bokhara. The British army was to proceed forthwith to Cabool, which it is expected to reach in twenty-two days.

This gratifying intelligence had been received at Peshawur with great rejoicings. The city was illuminated for three days, and preparations were made for the immediate advance of the contingent army of Ruojeet Sing, accompanied by the Shahzade, the major and colonel Wads upon the coast.

The letters received this morning from St. Petersburg, bring two imperial ukases, by which several important changes are made in the Russian currency.

The silver ruble, and its fractional parts, as now in circulation, is henceforth to be recognised as the only legal measure of value.

Liverpool, Monday, July 29. Cotton market.—There has been a good demand throughout the week both from the trade and exporters, and although it has been more freely met by holders within the last few days, yet an advance has been maintained of 1-2d. to 5-3d. on American and 1-4d. per lb. on Brazil and Surat on our last quotations. The sales amount to 41,440 bales, (of which 3,500 American, 130 Pernam, 170 Marannah and 200 Surat are for export, and 3,500 American on speculation), and comprise 290 Sea Island at 20d. to 36d. with 150 stained at 9d. to 12d.; 8,270 Bowed 5 7-8d. to 8 1-2d.; 7,800 Mobile, Alabama, and Tennessee 4d. to 9d.; 14,510 Orleans 6 1-4d. to 10 1-2d.; 2,450 Pernambuco, Paraíba, &c. 8 3-4d. to 9 1-3d.; 1,100 Bahia and Maccio 5d. to 9 1-2d.; 1,450 Maranh 7 7-8d. to 9 1-2d.; 520 Pernambuco 8 to 8 1-4; 100 Lagrira S 3-4; 840 Carthege-

na 5 1-2 to 6 1-4; 90 common West India 6 3 4 to 9; 420 Egyptian 11 to 13; 3,210 Surat 4 1-4 to 6 1-2; and 150 Madras at 4 7-8 to 5 3-4 per lb. The sales to-day amount to about 3,500 bags, all to the trade. One Manchester house has bought to the extent of 800 bags. The business consists of 400 Pernam at 9 to 9 1-4; 500 Marannah 8 3-4 to 9 1-4; 300 Bahia 8 1-2 to 9 1-4; 200 Egyptian 11 to 12 1-2; 100 Surat 4 1-2 to 5 1-4; the remainder American at 6 1-2 to 8 3-4. Prices compared with the quotations of Friday last, are rather in favor of the buyer. On Saturday 4,000 bags were sold.

Liverpool July 31. Cotton market. The sales of Thursday last were 5,000 bags, Friday 5,000, Saturday 4,000. Monday 3,500, Tuesday 1,500, one-to-day 2,000. There has been a good demand since last week, which holders have met willingly, and cotton is offering plentifully. Prices may be considered as having declined 1-8d. to 1-4d. per lb. in American descriptions since Friday. Brazil and other kinds remain steady. The import of the week amounts to 16,000 bags.

From the Liverpool Mail, Aug. 1st. Exports of cotton yarn and manufactured goods. The quantity of cotton yarn exported in the first six months of 1838 was 53,275,467 lbs.; and the quantity in the first six months of 1839 was 37,239,615 lbs.; decrease 16,033,852 lbs. or about thirty per cent. Decrease in the export to Holland, of 5,435,093 lbs.; to Naples and Sicily of 2,056,813 lbs.; to Russia of 2,432,438 lbs.; to India and China of 2,154,100 lbs.; to Trieste, Venice and Austrian ports, 924,120 lbs.; to Turkey and the Levant 579,730 lbs. There would seem to have been a small increase (115,556 lbs.) to British North America, and a decrease to the United States of 252,759 lbs. being about five-sixths of the whole quantity exported thither. The stock of cotton in Great Britain, on the 25th June last, was estimated at 637,889 bags, equal to the consumption of 32 3-4 weeks, if only 20,000 bags are consumed weekly during the year. Although the price of American cotton was nearly 2d. per lb. higher on the 1st of July last, than at the corresponding date of last year, the average prices of yarn are now rather below those of that period.

Manchester, Friday July 26. Cotton market.—There has been a fair amount of business doing throughout the week both in goods and yarns, and since Tuesday a rather improved demand must be noticed for both articles. The stocks of power-loom cloth are getting low, but of twist they are still thought to be considerable; in proof of which, the tending is, if any thing, to lower rates. The very full prices of this day seemight are readily made for most kinds of power-loom cloth; and in a case of two stocks of some particular goods, viz. 11-2d. advance must be noted. The calico printers are pretty well employed. Low sheetings are saleable at 6d. advance.

CASE OF BOTTEMRY.

From the Boston Daily Advertiser.

A decision has lately been made in the high court of admiralty in England—the report of which was brought out by the British Queen—the highest importance as respects the relations of British shipping to the rest of the world, and particularly to commercial men in the United States. It was a question as to the validity of a bottomry bond, executed at Philadelphia, by the master of the British ship Vihelia. The vessel sailed from England in April, 1836, for Honduras, where she took in mahogany and other produce, and sailed from Belize, in August, 1837. Having run foul of another vessel, she returned to Belize for repairs, and recommenced her voyage in October, meeting with tempestuous weather, from which the ship suffered much damage, the master was compelled to make for Philadelphia, with six feet water in the hold. Here, being without funds, he placed himself under the direction of the acting British consul, (Mr. Vaughan) and the agent for Lloyd's, (Mr. Jordan) who introduced him to an American merchant, (Mr. Stephen Baldwin). The vessel was surveyed and the cargo landed; the estimate of the cost of repairs was about 7,000 dollars; but, on a subsequent examination, more extensive repairs were found necessary. Unsuccessful attempts having been made to raise money even on bottomry, successive sales of the cargo were resorted to, amounting in the whole to about 15,000 dollars, the total expense of the repairs being 17,045 dollars. The proceeds of the sales were disbursed by Baldwin, with the sanction of the master. The whole proceeds of the cargo became responsible to meet the repairs, Mr. Baldwin became responsible for the balance, and the British consul, with temporary authority for the amount advanced by him, being 10,060 dollars, bearing a maritime interest of 15 per cent. From the opinion of the court, it is to be gathered that when Mr. Baldwin began to make advances, there was no distinct evidence of an

original understanding or contract between him and the master that his final bond was to be secured by a botomy bond, but that he probably made his advances, trusting to the general *lien* which the law of this country gives in such cases, and not at all to the personal credit of the master or owner, and subsequently took the botomy bond. The master, in his affidavit in the cause, deposed that he executed the bond under compulsion. This suggestion was distinctly repudiated in the judgment of Dr. Lushington, who pronounced in favor of the bond.

This decision is important as recognizing and proceeding upon the following principle. It is well known to legal and commercial persons, that by the law of England the party who repairs, or makes advances to repair a foreign ship, has no *lien* on the ship itself, without an express agreement to that effect; whereas, by the law of most maritime nations, and especially by that of the U. States, such a party has a *lien* on such a ship, without any agreement. In this case it was considered, *in the first place*, that, where the question of fact was whether the money was advanced on personal credit or not, the fact of a *lien* existing by the law of the foreign country, is an ingredient and an important circumstance in ascertaining the true nature of the transaction; that it is important to bear that law in mind, because it shows a state of things which renders botomy more probable, furnishing a strong presumption in favor of botomy and against personal credit. For why should a merchant, without some such consideration, abandon the *lien* his own law affords him, and trust to the credit of an owner in a foreign country, of whom he knows nothing? *In the second place*, it was held, that it is competent to the foreign merchant, without any express agreement at all for a botomy bond, to make advances on the security of the ship, that is, on the faith of a *lien* given by the law of his own country, and that it is not necessary to have a botomy bond, or any agreement for such a bond, till the ship is about to sail. The question is, not whether all the advances were originally advanced from the beginning of the voyage, with a view to a future botomy, but whether any part of the advances or the responsibility was on personal credit. If the money was advanced on personal credit, or if the foreign merchant made himself responsible, looking to personal credit only, in that case the law of *lien* will never entitle him to convert that which was originally a transaction of personal credit into one of botomy. It is a totally different thing, to convert a transaction from its primary character of personal credit into botomy, and to take a botomy bond where the money was at first advanced on the security of a *lien*, or right of *lien*, on the ship.

Although this decision at once commends itself in point of principle, and although there had been cases both in England and in this country, nearly approaching to it, none is recollecting, in which so full and decisive effect has been given to the law of the country of the foreign lender, and the recognition of the entire situation of such a case by the recognition of a British court, when it is directly the reverse of that of a British creditor, is a fresh instance of the cosmopolitan character of maritime jurisprudence?

VISIT TO THE SAULT ST. MARIE.

This outlet to a portion only of the vast body of water of Lake Superior, is a favorite place of resort to those who would pursue the exploration of wild lake scenery, from the lovely town of Mackinaw, through Huron's crystal waters and green isles. The Cleveland (Ohio) Herald gives some beautiful descriptions of a late excursion:

The transparency of the water among the thousand islands, scattered between the Huron and the Sault, excites the admiration of every one. You look into the glassy deep, and the flicker's eye are seen far down mirrored in all their beauty, while the boat seems to float away between them, so perfect is the reflection. The place called Sailor's Encampment, from the circumstance that a party of boatmen from Lake Superior, were here obliged to spend the winter, by sudden frost, is one of surpassing loveliness. Rocky isles, all mossy and green, with low shrubbery, rises from the waters around, and no less than seven channels, like broad bands of silver, shoot out in various directions from this point. The Indians have a few lodges on one of the most central islands, and their light canoes were seen darting like arrows on the rolling wavelets the Lexington left for many yards in her wake. The notes of our band echoed from island to island, and gently died away among the hills rising in majesty on the horizon. The sky was clouded, and a dreamy haziness seemed to settle on the hill tops, diffusing a softened coloring of azure, luxuriant as Indian summer, over wilds and waters. A fairy land, truly, but as we floated through Lake George, and entered the mountain defile, where the St. Mary has torn a passage, to swell the volume of the

lower lakes, from the vast fountain of Superior, the solitary, the rugged, the magnificent prevailed. In comparative silence we passed through this high temple of creative power, until a symphony to the eternal anthem of Niagara fell on the ear, and the sparkling waters of the Sault was described in the perspective, tossing foam-wreaths to heaven.

The Sault is a cascade of only 27 feet, presenting a living sheet of foam of about a mile in length and breadth. Vast fragments of rocks, consisting of granite and hornblend, lie embedded in the stream, which, opposed to the currents of the rapids, scatter its foam around the maple, the pine, the hemlock, and the elm, mingled in green forests upon its banks. The canoes of the Indian engaged in fishing, which are seen playing around the foot of the falls, and the distant mountains of Lake Superior, all stand like mighty battlements on the horizon, impress the scenery with a character of solitary grandeur.

A band of the great Chippewa tribe, scattered from Montreal along the boundary waters for some three thousand miles toward the north west, reside at the Sault. During the warm months they follow fishing as chief business, and in winter take enough through the ice for subsistence. They push their bark canoes with great dexterity into the turbulent flood, and fearlessly scoop out the silver white fish from the midst of the cataract. The canoe is managed by an Indian standing erect in the bow and another in the stern, the one in the bow having a net fastened to the end of a light pole deposited on the edge of the canoe.

Not infrequently more than one fish is brought up at a dip, and from three to three hundred are taken by two fishermen in a day. These are sold fresh to the packers—eighty white fish of common size making a barrel. Some forty barrels are taken daily at the Sault at this season of the year. The fish caught now are only of medium size—the largest and best being in the spring and fall run.

Most of the Sault Indians are members of the Baptist, Methodist or Catholic societies, and the Sabbath was very generally observed by them as a day of rest. Not a fishing bark was seen in the rapids, and such is the influence of the reigning chief, that a violation of his command in this respect would be visited by a breaking up of the canoe of the offender by the whole band. The rev. Mr. Bingham officiates in English at the Baptist mission school room, a half breed interpreter following him in the Chippewa tongue. Half breeds, mainly French Canadians, form a large proportion of the population at the Sault, and the French and Indian language are principally spoken.

We were first met at the Sault a large party of the wildest of the wild men—Blackbird and his band from Lapoint 450 miles across Lake Superior. They are a large, stalwart and exceedingly muscular race—half naked, painted and ornamented with trinkets, claws of beasts, talons of birds, feathers, stuffed skins and every thing hideous and grotesque in nature. They had never before seen a steambot, and with true Indian stoicism, after the first look of wonder they appeared careless and indifferent. The government interpreter, an intelligent and communicative half breed, informed us that they were not really so, but that they looked upon the boat as the work of the Great Spirit—that every part exposed to view was closely noted—and that the wonderful fire ship would form the theme of many a talk at their future feasts and dances. Towards evening they were invited on board the boat to give a dance. Some thirty appeared, nearly naked, armed, painted and disfigured as horribly as imagination can conceive. They were preceded by Blackbird and two or three Indians, who were bearing instruments of parchment stretched upon a hoop, something like a drum head. The braves of Blackbird are famous warriors, being constantly engaged in contests with the Sioux of the prairies. Their dance was in truth the pow-wow of nature's wildest and least tutored children.

Going over the falls. A single canoe will carry down safely some fifteen or twenty persons. The Indians require passengers to sit quietly on the bottom of the canoe, while they stand erect in the bow and stern so as to steer through the intricate channel. The canoe shoots along swift as an arrow, rising and plunging in the mad waters as if about to rush to certain destruction on the rocks round which the spray is tossing, but the calm savages spring on their sitting poles as the rocks are neared, and the canoe darts by them in safety. On such occasions the canoe not unfrequently takes a splash of water, so furiously breaks the circumambient foam and brown up by the seething waters, the dusky waterman set up a yell, as the foot of the rapids are safely reached, a shout in which you can scarcely refrain from joining, so wild and terrible is the "chaff of waters," to look back upon.

The Indian canoe is very light and buoyant, constructed of birch bark, ingeniously and secretly ribbed, lined and strengthened with timber. Manned by ten Indians, the usual complement of rowers, they bound forward at the rate of about six miles an hour. So light and naturally do the paddles strike the water, that an Indian will pull for hours without apparent fatigue, the labor being lightened and the speed increased by the frequent *who-ah! who-ah! who-ah!* of the party corresponding to the *hurrah* of our language. A more spirited or romantic regretta cannot be got up, than a fleet of canoes thus manned, the broad blades of the paddles tossing the sparkling waters in the sunshine, and all working with the regularity and precision of machinery. Add to this the painted leures and grotesque ornaments of the half naked savages, and a *tout ensemble* of the wild and fanciful is perfected. Most of the chiefs and sub-chiefs possess a small flag of the United States which they proudly unfold from the stern of their canoes on their aquatic excursions.

SINGULAR MOVEMENT IN BENGAL.

The world seems really to be turned upside down now-a-days. Old things are becoming new with incredible celerity. Every foreign arrival brings us something to wonder at, till at length we have ceased to wonder at all. We have ceased also both to believe and to disbelieve. Nothing surprises us, but we take things as they come, and wait patiently for confirmation or contradiction, as the case may be; it seems quite a matter of indifference or chance to us how it turns out. So much for living in these days of the world's renovation, and especially in this focus of all human or inhuman excitement, the United States of America. The last great story which we honored with our usual editorial attention, and no more, came out in the religious papers a week or two since—being news brought by a late steamer [as usual]. It related to a strange revolution said to have occurred among the Hindoos, near Alshnaghur, one of the stations of the church missionary society, about 70 miles north of Calcutta. It was stated that in 55 villages, extending for sixty miles along the Jenagha, more than three thousand Hindoos had thrown away their idols within a few months, and expressed a desire to be admitted into the Christian church; a movement for which the day of Pentecost itself would apparently furnish the only precedent we have.

What is more strange, however, this rumor would seem to be true. The confirmations of it are too strong to be gaisayed or denied.—We have the regular reports of the rev. archdeacon Dealtry of the church, a personage of the highest repute, who visited the villages at the request of the lord bishop (Wilson) of Calcutta, for the purpose of learning the truth.—On ascertaining this, the bishop himself entered with his whole soul into the matter, and wrote to London, to the directors of the church missionary society, urging the sending of between 30 and 40 additional clergymen, school masters and catechists, into this field. He says,—"If we can but enter at the wide and effectual door—in time, not only these 3,000 or 4,000, but the whole population of the fifty or sixty villages may receive the Christian faith, and resemble our Christian villages in the times of our Anglo Saxon forefathers in the 6th and 7th centuries. Such a glorious scene has never yet been presented to our longing eyes in Bengal."

All this, with a long elaborate letter, full of details, is addressed to the earl of Chichester, president of the church missionary society, and appears to have created in England a strong sensation. The bishop appeals very forcibly to the universities for aid. He says he shall make a tour of confirmation in the autumn, to the extent of 3,000 miles, with the view of visiting the new Christians. Some attempts are made to explain the origin of this great movement, but it seems to us at this distance, that they must be accounted for by other than proximate causes. Powerful influences, tending to such results, have long been at work in the east, especially under British sway. Missionary influence is one of these, but only one. Those who would have a more extended view of them all must consult many authorities. They must study the whole history of British India. Mr. Malcolm, in his travels, throws much light on the subject. He anticipates that Buddhism will at no very remote period be generally abandoned, silently and slowly overgrown, as it were by European civilization and the Christian religion.

[Boston Transcript.]

MR. WEBSTER'S SPEECH.

The first triennial celebration of the National Agricultural Society was held at Oxford on the 18th of July. Earl Spencer presided. At the dinner nearly 3,000 persons sat down to table, under an

immense awning. Many good toasts and speeches were elicited, from among which we select the remarks of Mr. Webster.

The chairman, (earl Spencer), in giving the next toast, said they had already drunk the health of a foreign minister who was present, but they had the honor and advantage of having among them other foreigners not employed in any public capacity, who had come among them for the purpose of seeing a meeting of English farmers, such as he believed never had been witnessed before, but which he hoped might often be seen again. Among these foreigners was one gentleman of a most distinguished character from the United States of America, [cheers], that great country whose people we were obliged legally to call foreigners, but who were still our brethren in blood. [Loud cheers].

It was most gratifying to him that such a man had been present at that meeting, that he might know what the farmers of England really were, and be able to report to his fellow citizens the manner in which they were united, from every class, in promoting their peaceful and most important objects. He gave, "The health of Mr. Webster, and other distinguished strangers." The toast was received with much applause.

Mr. Webster said the notice which the noble earl at the head of the table had been kind enough to take of him, and the friendly sentiments which he had seen fit to express toward the country to which he belonged, demanded his most cordial acknowledgments. He should, therefore, begin by saying how gratified he had been in having it in his power to pass one day among the proprietors, the cultivators, the farmers of old England—[cheers]—that England of which he had been reading and conversing all his life, and now for once had the pleasure of visiting. [Loud cheers].

He would say, in the next place—if he could say—how much he had been pleased and gratified with the exhibition of one product, or branch of product, of that agriculture for which England was so justly distinguished. When persons connected with some pursuit, of whatever description, assembled in such numbers, he could not but look on them with respect and regard; but he confessed at once that he was more than ordinarily moved on all such occasions, when he saw before him a great assemblage of those whose interests, whose hopes, whose objects and pursuits were connected on either continent with the cultivation of the soil. [Loud cheers].

Whatever else might tend to enrich and beautify society, that which feeds and clothes comfortably the great mass of mankind should always be considered as being regarded as the great foundation of national interest. He need not say that the agriculture of England was instructive to all the world; as a science it was here better understood; as an art it was here better practised; as a great interest it was here as highly esteemed as in any other part of the globe. [Cheers].

The importance of agriculture to a nation was obvious to every man; but it perhaps did not strike every mind so suddenly, although certainly it was equally true, that the annual product of English agriculture was a great concern to the whole civilized world. [Cheers.] The civilized and commercial states were so connected, their interests were so blended, that it was a matter of notoriety, that the fear or the prospect of a short crop in England deranged and agitated the business transactions and commercial regulations and speculations of the whole world.

It was natural that this should be the case in those nations which looked to the occurrence of a short crop in England, as an occasion which may enable them to dispose profitably of their own surplus produce; but the fact went much farther, for when there was such an occurrence in the English capital, the centre of commercial speculations for the whole world, where the price of commodities was settled and arranged, where the exchanges between nations were conducted and concluded, its consequences were felt every where, as none knew better than the noble earl who occupied the chair.

Should there be a frost in England fifteen days later than usual, should there be an unseasonable drought, or ten cold and wet days instead of ten warm and dry ones, when the harvest should be reaped, every exchange in Europe and America felt the consequence of it. He would not pursue these remarks. [Loud cries of "go on, go on."] He must, however, say that he entertained not the slightest doubt of the great advantage to the interests of agriculture which must result from the formation and operation of this society.

Was it not obvious to the most common observer that those who cultivated the soil had not the same conveniences, opportunities and facilities of daily

intercourse and comparison of opinions as the commercial and manufacturing interests? (Cheers.) Those who are associated in the pursuits of commerce and manufactures naturally congregated together in cities; they had immediate means of frequent communication. Their sympathies, feelings and opinions were instantaneously circulated like electricity through the whole body.

But how was it with the cultivators of the soil. Separated, spread over a thousand fields, each attentive to his own acres, they had only occasional opportunities of communicating with each other. If, among commercial men, chambers of commerce and other institutions of that character, if, among the trades, guilds were found expedient, how much more necessary and advisable to have some such institutions, which at least annually should bring together the representatives of the great agricultural interests? (Cheers.)

In many parts of the country to which he belonged, there were societies upon a similar principle, and they were so far from being very advantageous. They had rewards for specimens of fine animals; they had rewards for implements of husbandry, supposed to excel those which had been known before. They turned their attention to every thing supposed to facilitate the operations of the farmer, and improve his stock and interest in the country. Among other means of improving agriculture, they had imported largely from the best breeds of animals known in England. (Cheers.)

He knew that a gentleman who had to-day deservedly obtained many prizes for stock would not be displeased to learn that he had seen along the rich pastures of the Ohio and its tributary streams animals raised from those which had been furnished by his farms in Yorkshire and Northumberland. (Cheers.) But, apart from this subject, he must be allowed to make a short response to the very kind sentiments, which went near to his heart, as uttered by the noble earl at the head of the table.

Their noble chairman was pleased to speak of the people of the United States as kindered in blood with the people of England. (Cheers.) "I," continued the honorable gentleman, "am an American." (Cheers.) I was born on that great continent, and I am wedded to the fortunes of my country, for weal or for woe. (Loud cheers.) There is no other region of the earth which I can call my country. (Cheers.) But I know and am proud to know, what blood flows in these veins. (Cheers.)

I am happy to stand here to-day and to remember, although my ancestors for several generations lie buried beneath the soil of the western continent, yet there has been a time when my ancestors and your ancestors toiled in the same cities and villages, (cheers), cultivated adjacent fields, (cheers), and worked together to build up that great structure of civil polity which has made England what England is. (Cheers.)

When I was about to embark, some friends asked me what I was going to England for. To be sure, gentlemen, I came for no object of business, public or private; but I told them it was coming to see the elder branch of the family. (Loud cheers.) I told them I was coming to see my distant relations—(cheers)—my kith and kin of the old Saxon race. (Loud cheers.)

With regard to whatsoever is important to the peace of the world, its prosperity, the progress of knowledge and of just opinions, the diffusion of the sun's light of christianity—(loud cheers)—I know nothing more important to the promotion of those best interests of humanity and the cause of the general peace, amity, and concord, than the good feeling subsisting between the Englishmen on this side of the Atlantic and the descendants of Englishmen on the other. (Cheers.)

Some little clouds have overhung our horizon—I trust they will soon pass away. I am sure that the age we live in does not expect that England and America are to have controversies carried to the extreme upon any occasion not of the last importance to national interests and honor. (Cheers.)

We live in an age when nations as well as individuals are subject to a moral responsibility (cheers). Neither government nor people—thank God for it—can now trifle with the general cause of the civilized world, (cheers), and I am sure that the civilized world would hold your country and my country to a very strict account, if, without very plain and apparent reason, deeply affecting the independence and best interests of the nation, any controversy between them should have other than an amicable issue. (Cheers.)

I will venture to say that each country has intelligence enough to understand all that belongs to its just rights, and is not deficient in means to maintain them, (cheers), and if any controversy between England and America were to be pushed

to the extreme of force, neither party would or could have any signal advantage over the other, except what it could find in the justness of its cause and the approbation of the world. (Loud cheers.)

With respect to the occasion which has called us together, I beg to repeat the gratification which I have felt in passing a day among such a company, and conclude with the most fervent expression of my wish for the prosperity and usefulness of the Agricultural Society of England. (Loud cheers),

ANTI-SLAVERY.

LETTER FROM ROGER SHERMAN.

Riverfield, June 26, 1838.

GENTLEMEN: I received your letter of the 20th instmt, inviting me to attend the national anti-slavery convention to be held at Albany, and requesting my views on the subject, if I should be unable to attend.

It is much to be regretted that an object so dear to humanity, and so important to our national honor, as the abolition of slavery in the U. States, is not pursued in a manner more conducive to its accomplishment than has hitherto been adopted by the anti-slavery society. There are reasons to doubt the benevolence or integrity of its members; but the maxims of wisdom may be violated by rashness of virtuous zeal, as really as by the waywardness of a corrupted mind—however differently they may be viewed by the casuist—and sufferings, unintentionally inflicted or prolonged by the errors of a friend, may be as intense as if caused by the malice of an enemy. That emancipation can never be effected in the slave states but by voluntary enactments of their own legislatures, or by successful resistance on the part of the slaves, is often admitted in your publications, and the latter course you must justly decry. Thus the declaration of the anti-slavery society, convened at Philadelphia in December, 1833, in contrasting the revolutionary struggle of our fathers, for national liberty, with that which your society are making in behalf of the slave, expressly says that "their principles led them to wage war against their oppressors, and to spill human blood like water, in order to be free. Ours forbid the doing of evil that good may come, and lead us to reject, and to entreat the oppressed to reject, the use of all carnal weapons for deliverance from bondage."

The same declaration, in regard to the power of the several states, has this language: "We fully and unanimously recognize the sovereignty of each state to legislate exclusively on the subject of the slavery which is tolerated within its limits." Both these just opinions are still more forcibly announced in your "Address to the Public," of the 3d of September, 1835. Now it is well known that slavery exists only by force of municipal law; and can never be abolished, by those which you allow to be the only admissible means of its abolition, until those who enact the laws shall voluntarily restore to the oppressed negro the liberty to which all men are entitled. How is this to be accomplished? By what means can slave owners be induced to consent to the manumission of their slaves? Until that consent is obtained, the slave, as you admit, will be held in bondage. Can you discern that any progress has been made toward this most desirable result by the means which you have hitherto adopted? Do the people of the southern states manifest a disposition to yield the point, or begin to listen to your persuasions, as if their minds were approaching toward conviction? On the contrary, since the institution of the anti-slavery society, have they not more closely riveted the chains of the unhappy African? Are not the privileges of the slaves for acquiring instruction, and attaining intellectual and moral elevation, much abridged within the last few years? Not long since, the question of gradual emancipation was gravely debated in the legislatures of some of the principal southern states.

The philanthropist began to rejoice in the anticipation of measures similar to those which have restored liberty to the colored population of the north. But recently, even among the people of the free states, a spirit has existed, from some cause, against the course adopted by the anti-slavery society, which has manifested keener bitterness, and exhibited more open violence, than was ever excited in this country, against any efforts for moral reformation. What is the feature in the proceedings of the friends of emancipation which has caused this unprecedented excitement in the free states, and laid in slumber, or excited into violent reaction, the incipient sentiments of liberty which were felt at the south? Our northern people have erred, with few, if any exceptions, in disapproving of slavery. They have no interest in its continuance. It is wholly abhorrent to the principles which they have been

taught to cherish. In the days of our fathers, when it was abolished at the north, every class of the community, except, perhaps, a few of the slaveholders, favored its abolition. At the south, many of the most distinguished men concurred in our sentiments, and addresses of unrivalled eloquence were made in favor of emancipation, in the midst of powerful slaveholders. Witness that of the celebrated Pinkney, in Maryland, more than half a century ago. Why is it that the late exertions in this holy cause have met, both at the north and south, the most determined, and often the most lawless resistance? And why has open violence been unjustifiably winked at and tolerated by a great mass of our respectable citizens, and even by the officers of the law? Either the people of the whole nation have undergone a change of sentiment and character, in regard to the great evil of slavery, or the manner of operations has been most unhappily erroneous. As the change of public feeling occurred soon after the commencement of the publications and other proceedings of those who originated the organized anti-slavery associations, I think that change has resulted from those proceedings. The peculiar feature, which, as I apprehend, has caused them to delect their own object, is the *extreme and intemperate zeal* by which they are distinguished. Not only the slaveholders, but the ministers of religion, and all others who do not partake of this characteristic peculiarity, are proscribed, and spoken of in language of reproach.

Could it be supposed that a people so high spirited as the slaveholders of the south could be cowed into compliance by bitter reproaches? Had the Rev. doctor Edwards, and others who publicly espoused the measures of emancipation adopted in Connecticut soon after the revolutionary war, called slaveholders MAN-STEALERS, in starting capitals, as is done at the declaration of a convention at Philadelphia, to which we have before alluded, would it not have excited, in the northern Yankee, more of resentment than conviction, and less of compliance than opposition? The southern people have felt, and, to a great degree, justly, that the abolitionists of the north were addressing their fears, and not merely their understanding or consciences. They have been addressed in terms of abominable crimination, rarely softened by the language of respect. This has made them inaccessible; has wrought up a temper which resists conviction or favorable influence, and has, I fear, put off emancipation for at least half a century beyond the period when it might have been effected; and excluded from the slaves those moral and religious influences which were conducive to their present and future good. This manner of addressing the public on these subjects can never result in the good which is honestly intended, but must continue to render less and less hopeful, the great objects of your sincere endeavors. Could missionary, thus addressing civilized heathens, hope for a favorable audience?

If the whole north are united in the course in which the abolitionists are now pursuing, it would have no tendency to overcome the opposition of the south. It might dissolve our national union—which you profess, and I trust, with sincerity, to appreciate according to its inestimable worth—but would only aggravate the aversion of the south to a measure which they will never adopt from coercion, unless by a servile insurrection, which your society so pointedly depreciate. I think, too, that the American anti-slavery society is not only aggravating the condition of the slave, and converting his hopes into dark despair; but the free negroes are suffering under the prejudice and party spirit which its intemperance has engendered. Party spirit entrenches the soul, and fortifies both head and heart, against reason and moral influence. That society is also endangering the peace and stability of the United States, by making a participation in their excesses, practically, if not in form, a term of communion. Indeed their seems to be no interest of primary importance in our country, political or religious, which is not put in jeopardy by the honest men who are embarked in this benevolent, but unwise and disastrous enterprise, as it is now conducted. I respect their motives while I deplore their errors. Humanity, patriotism and piety long to see their ultimate end accomplished, but weep over the desolation which marks their course.

Your society, gentlemen, embraces many whose names I venerate, and not a few of my personal and highly respected friends. As you requested my sentiments, I could do no less than give them with plainness and sincerity. I trust, although I cannot hope for your concurrence, that you will do the same justice to my motives which I have done to yours. If any of the subjects are correct, the convention which I have called, can do no good to the slaves or to the country, unless they advise to an abandonment

of the errors which have hitherto characterized the anti-slavery society. I am, gentlemen, with great respect, your obedient servant,

ROGER M. SHERMAN.
Rev. Joshua Leavitt and H. B. Stanton.

LETTER FROM LEIGH

ON THE SUB-TREASURY SCHEME.
From the Richmond Whig of Aug. 20.

VIEWS OF A SOUND AND ENLIGHTENED REPUBLICAN.

The subjoined letter of Mr. Leigh will attract public attention. It is one of the best productions we have seen from the pen of that great and zealous advocate of constitutional freedom. It gives utterance to sentiments in relation to the money power, which must command the hearty approval of every man who is a republican in principle—who is in favor of a divorce of the purse and the sword, and opposed to an absolute executive.

The views of Mr. L. on this great and vital subject, are those which were entertained by the champions of English freedom—by the Hampdens, Sydneys and Russells—which were adopted by the framers of our institutions—for which Washington and his immortal compatriots fought and triumphed; and they are the views which, when a majority of the people of this country shall cease to cower and enforce in the administration of the government, that government will cease to be a blessing. But Mr. L. expresses his sentiments with such cogency and eloquence, that their force will be but weakened by any comments from us.

Mr. Leigh's opinion of Mr. Van Buren's sub-treasury scheme.

The following is an extract of a letter written by Benjamin Watkins Leigh, esq. to a gentleman in Mecklenburg, dated the 29th October, 1838, on the publication of which, Mr. Leigh, at the request of the gentleman to whom it was addressed, has given his consent.

In transmitting this extract for publication, our correspondent says:

"In favor of the sub-treasury myself,—at least of the great principle of 'divorce.'—I frequently, in arguing that question with my friends previous to the reception of Mr. Leigh's letter, (when appealing to the authority of distinguished names) mentioned him as a friend to the sub-treasury scheme also, from my recollection of his speech at Petersburg, and a letter addressed by him some short time before Mr. Pleasants and other gentlemen of Richmond. Being convinced by his letter that I had done him injustice in this respect, and that his opinions on this subject (as far as my information extended) were very generally misunderstood, I conceived it to be an act of justice to himself and his many friends that his real opinions should be known."

I can hardly explain my opinions on the question of the sub-treasury, in the compass of a letter. The sub-treasury system I spoke of in my speech at Petersburg, was an organization of treasuries and treasurers at various points in the union, all connected with the general treasury at Washington, and under the direction of the treasurer there, and of the secretary of the treasury, while all the treasurers general and subordinate, and the secretary of the department, should be held directly responsible to congress—that is, accountable, each and every one, when called upon, to account directly to congress, and not indirectly through the president. It was an essential principle of such a system, that the public treasure should be in the custody of congress, regulated entirely by law, and that the president should have no share, as constitutionally he was entitled to no share in the custody, any more than in the disposition of it, save what was entrusted to him by law. Now Mr. Van Buren's sub-treasury system is based upon the assumption that the custody of the public treasure should be, *de facto*, by the executive, because, forsooth, the executive has the appointment and removal of all officers appointed for the custody and administration of the treasure, and the sub-treasury bill seemed only intended to recognize *by law* the president's constitutional right of custody of the public money, and to regulate the details of the system so as to endue the executive right of custody with the utmost possible degree of executive influence; and the bill, moreover, pointed out its obvious consequences to that same EXECUTIVE BANK, which general Jackson was willing to furnish congress a scheme of, if he had been consulted, and which if the sub-treasury bill should ever become a law, will, in a very few years I am confident, be openly proposed and adopted. I shall never acknowledge, either directly or indirectly, or by any manner of indirection or implication, that the president has, *by the constitution*, any right whatever to any sort of custody of the public treasure, or any duty or power in respect to it, save what may be given to or imposed on him by law,

and modified or taken away from him by law. Sooner, much sooner, than admit this new, and till general Jackson's time, unheard of, claim to a constitutional right in the president, which the law cannot deprive him of, to the custody of all public money, I will vote for an hereditary monarchy; for the claim, if admitted and acted on, must lead to monarchy, and to the worst of monarchies, by the worst, though by far the easiest of all conceivable roads; by the road of general corruption, worked by executive influence on the money concerns of the nation, exercised for executive purposes. It is in vain to talk of hard money currency, (since, it is morally impossible to accomplish the object) so long as the states have, and exercise the power of creating banks, and that without the least stint or moderation. It is a moral law which can no more be controlled than any physical law of nature, that if there be two currencies in any country, that which is cheapest and least valuable will soon exclude that which is dearest and most valuable. So far as I am informed, Mr. Calhoun and Mr. Benton are the only prominent statesmen in the public councils who go for the hard money currency, and they differ in this, that the former is for a hard money currency only in the money operations of the government, the latter is for it in all the transactions of the community.

The great body of the administration party stop far short of them both—and hence it was that they castrated the sub-treasury bill of Mr. Calhoun's hard money clause. The party opposed to the administration seem destined to be forever weakened by divisions among themselves, that proceeds from their giving infinitely greater importance to the few questions on which they differ, than to those on which they agree. The ministerial party have never any innumerable disagreements—they unite in the same general purpose, and disregard all other objects, or differences of opinion; and that general purpose is the security of the public power in the officers of hands, and with it the economy and enlightenment of the sub-treasury system has afforded a singular exemplification. When I mentioned that system in my speech at Petersburg, it was reprobated by the whole ministerial party, and particularly by their chief organ the Globe, as a system which would give an uncontrollable monarchical influence to the executive, and upon the principle they assumed, and still assume, and which seems now hardly to be contested; but which I then denied and still strenuously deny. They were right; the principles, namely, that the president has a constitutional right, inprescriptible *by law*, to the custody of the public money.

But now, the ministerial party, still holding the same principles as to the inherent constitutional power of the executive, and desiring to act on that principle, are strenuously upholding the president in his sub-treasury scheme; and even those who are opposed to that particular scheme, (witness Mr. Calhoun and the oppositio, &c.), are still the friends of the administration and the executive partisans of the president. On the other hand, Mr. Calhoun, if I rightly understand him, maintains in effect, that the sub-treasury is the question—the great question—the only question of any moment—the question that absorbs all others, and that by which every man's claims to public confidence ought to be tested; and if he does not (and I believe he does not) profess to give his positive support to the administration, and his positive approbation and co-operation to the re-election of Mr. Van Buren, he discountenances all opposition, and damns without reserve any and every competitor that has been named, or has any chance of being nominated by the opposition. The difference between not giving a zealous positive support to Mr. Van Buren, and maintaining a zealous positive opposition to all Mr. Van Buren's opponents or competitors, is not worth counting. Joining Mr. Van Buren on this single question, he abandons the principle of the opposition on every other, especially on the question of the succession. And the public journals friendly to Mr. Calhoun (those of them that I have seen) are pouring such torrents of abuse on the whole opposition party, as are not surpassed by the columns of the Globe or Enquirer. Now, I can readily understand how any man should like the sub-treasury with all the faults of the assumed principle on which it is now rested, and all the vices of its details—that is, prefer it to the unhappy state bank deposit system, which has failed so deplorably—and nevertheless, be as heartily opposed to Mr. Van Buren's re-election as ever. But if this be the ground Mr. Calhoun means to take, I do not understand him, and he is very generally misunderstood. With the opinion I entertain of Mr. Calhoun, and my personal feelings towards him, I grieve to think that I must consider him as a supporter of Mr. Van Buren's re-election. The next election to the presidency is, in my opinion, the great question that absorbs all others.

If Mr. Van Buren and his party cannot be turned out of power—if the doctrine on which that party acts—if the principle by which it is cemented—that "the spoils belong to the victors"—shall be approved and established—if the principle of perpetuating power in the hands of those who hold it, shall still be avowed (as now it is), practised and tolerated—if it shall not be signally rebuked and condemned—then will this government be no longer a blessing, but a curse. I am for Mr. Clay—for him with all my heart. If I differed with him on more and more important points than I do, (and I differ from him on many), I should still most zealously support him against Mr. Van Buren. My opinion, or rather my knowledge of his temper and feelings, leads me to prefer him at this particular conjuncture of affairs, more than I should in almost any other state of things that I can conceive. If he shall be placed in power, he will not only *forgive*, but he will *forget* his enemies. He possesses the virtue of generosity (I use the word in its largest sense) in a higher degree than any other man I know. But I will vote for any respectable man whom the opposition shall concur in nominating.

I shall sacrifice all minor considerations and preferences to the great object. I had not the least design, when I took pen in hand, to write any such long letter; but it shall go without revision or alteration.

I remain, with all regard, your obedient servant,
B. W. LEIGH.

MR. WALKER'S LETTER.

Natchez, June 24, 1829.

GENTLEMEN: Your communication of the 25th ultimo, has been received, declaring that the determination announced in my late letter to retire from public life at the end of my present term, is calculated to produce division and probably defeat in the ranks of the democracy of Mississippi. Having been apprised of the great importance in my health since the date of my late letter, you ask me in consonance with the wishes avowed by the democratic press and party of this state, to review my determination, as heretofore expressed, and request me to become a candidate for re-election to the senate of the United States. From your statements, and other concurring testimony, my mind is brought reluctantly to the conclusion, that, from no merits of mine, but from peculiar circumstances existing at this period, my refusal to become a candidate for re-election, might result, as you anticipated, in a division in relation to the question of my successor, injurious to the prospects of the democratic party in this state. To the democracy of Mississippi I am under obligations beyond the power of language to express. By them I have been elevated to my present station, and by the cheering voice of their approval, sustained amidst panics and pressures, in every vote throughout my entire course, in the senate of the United States. For such a party, there is no honorable sacrifice which I am unwilling to make. Actuated then by these motives, I yield, at your request, my own wishes and determination, as heretofore expressed, and consent to become a candidate for re-election. My health, it is true, has continued greatly to improve since the date of my former communication, and my medical advisers now indulge strong and well-founded hopes of a complete restoration. Whether these hopes may be darkened by again consenting to embark in public life, I leave in the hands of a benignant Providence, conscious that there is no cause in which I could fall with greater honor, than in endeavoring to promote the ascendancy of that great and glorious party, which since manhood has received my first and every vote, and whose principles are inseparably united with the perpetuity of our free institutions.

The present period, as you justly observe, is one of great and momentous interest, and the question truly is, whether this shall be a government of the banks or of the people. If the bill to organize an independent constitutional treasury is again and permanently defeated, if the alliance between bank and state is re-established, if banks, state or national, are again created the only keepers and disbursers of the public money, and all the operations of the general government are made to depend upon their will, we shall already have sunk into despotism. A government of one bank or of a thousand banks is not a government of the people, and the effort now made to ascertain the position, that the officers of the banking institutions, neither selected or removable by nor responsible to the people, are the only individuals to whom can safely be entrusted the guardianship of the public money, is an insolvent and aristocratic demand, a false, arrogant, and despotic pretension, which denies the virtue and intelligence of the peo-

ple, which denies the capacity of the people to select faithful and competent officers to administer the public revenues, and claims for the banks, together with their other exclusive privileges, a monopoly of all the virtue and intelligence, as well as of all the money and power of the country. If the banks should be entrusted with the sole power of appointing their officers, the keepers and disbursers of the public moneys, why not permit them also to select all the officers of the general government, including the secretary of the treasury? Why not permit them, upon the same principles, to dispense altogether with a president of the people and a senate and house of representatives, and through the medium of a self-constituted, a self-renewable and irresponsible bank directory, to direct and control, in secret conclave, all the operations of the government. And under what circumstances is this extraordinary demand by the banks now made for the use and custody of the public money? It is made at a period when the public money has reduced to bankruptcy by the involvement of the banks, and when they failed, in the possession of more than twenty millions of the public money, which they unjustly withheld from the creditors of the nation, a large portion of which has never yet been refunded. If, under circumstances so disgraceful to themselves, so ruinous to the country, the banks have demanded the use and custody of all the public money, and the disbursement of all the revenue of the nation in their depreciated paper, what will they not demand, if reorganized under the direction and control of a great northern central bank of fifty millions? And what will it avail us to strike down the flag of state sovereignty, and to capitulate disgracefully to one paper master instead of a thousand? In both cases, the army of incorporated banks to which we would be asked to surrender, would be the same, but in the last contingency, this army clothed in the panoply of state credit and privileges, and a pecuniary total of four hundred millions of dollars, would be infinitely more dangerous and irresistible, headed and organized, controlled and directed as it would be, by a great central bank with a capital of fifty millions.—Such would be the control of such a bank, even with less capital and power, as declared officially by its late most able and distinguished president, [Mr. Biddle], that the state banks would only exist by its forbearance. By whose forbearance then would they be engulfed and consolidated in the vortex of this great and all-attracting centripetal power? This bank would not only control, as is claimed by its partisans, all the vast incorporated moneyed power and capital of the country, it would not only control and direct the custody, use and disbursement of all public moneys, but the very existence of the general government would be dependent upon its will. At one blow, it could crush for a time the government of the union, or reduce it to a disgraceful capitulation, to the control and subordination of the government of the banks. Nor is it the general government only and the banks of the state that would be controlled by such an institution. Not all the money and property, all the pursuits and industry of the people would be subject to the undisputed control of this gigantic power. The value of all the property of every citizen, and the profits of his business and labor, the price of the very garments that were worn, and the bread that was consumed in every mansion, would be changed and regulated at pleasure by such an institution. Possessed of the sole power and prerogative of manufacturing at pleasure a national currency, clothed with the sovereign attribute of making the only paper money receivable for public dues, controlling and regulating all the state banks and all the vast incorporated moneyed capital of the country, and with the custody, use and disbursement of the public moneys, who does not know that by large emissions and boundless loans of its paper at one time, and an sudden contractions and curtailments at another, it could hold a suffering people as completely within its grasp as is the expiring victim writhing in his agonies within the merciless crushing embrace of a Boa Constrictor. If a particular section of the union, or branch of industry become obnoxious to this mighty power, it could embarrass or crush them at its pleasure. And who would control this gigantic corporation? Not the people or their representatives—for it is a bank created to endure for a generation; placed above and beyond the people by an irrevocable charter: choosing annually its own officers by the votes only of its own stockholders; far removed from any control but that of its own sovereign and despotic will and power. And not only should we ask by whom is this great corporation to be controlled, but where is it to be located? Is it in the south or southwest?—Is it at St. Louis or Louisville—at Nashville or Natchez—at New Or-

leans or Mobile—at Charleston or Richmond, that it is proposed to locate this great institution? Not but in the midst of the brokers and speculators, the bankers and stockjobbers of Wall street, New York; and not a vote north of Maryland can be obtained for any southern or south western location. And why is this! It is a struggle for a moneyed as well as political power—a struggle to fix and change at pleasure the value of all our property and labor, and of their products;—to regulate and control the banks and commerce of the whole country; and by the substitution of sales of national bank paper, in place of cotton bales—and by the creation thus of exchangeable values throughout the union, in place of our exports, to divert our trade from its natural channels, and consolidate the whole at the point where the great northern monopoly shall reign in its marble palace, supreme and triumphant. Is the south less intelligent than the north, that from the organization of the government we ever have been made to be considered by the northern brethren incompetent to manage a great national bank? I am opposed to a national bank at any point; but if created at all, it ought to be at the point where are the exports of the country; and where the imports ought to be, were we not deprived of them by the unjust interference of the national legislature, by creating and substituting in the business and trade of the country, other exchangeable values in the shape of bank paper.

The northern democracy desire to subject their southern brethren to no such oppression. They are, as Mr. Jefferson declared, "the natural allies of the south"; they are for equal rights; they are opposed to banks and tariffs, and all other monopolies, and headed by that patriot statesman, Martin Van Buren, who in his noble casting vote against Mr. Clay in the senate, in 1836, in favor of Mr. Calhoun's bill for suppressing the distribution of incendiary abolition documents through the mail, and by his own personal efforts, as well as by the assistance of his fanatics, had trampled abolition beneath the feet of a grateful people. Nor have I any admiration on this subject for Mr. Clay, whose votes and opinions upon this question had always heretofore been temporizing or against us, but who came in at the eleventh hour, late at the last session, and performed what is now hailed by his advocates as a great exploit, in stripping the poisonous skin from the putrefying corpse of the dead monster, and flourishing it in presidential triumph over our heads in the senate chamber, as the proud trophy of a noble and glorious achievement. The conversion of Mr. Clay in the senate succeeded a few days that of his friend John Quincy Adams, in the house, and failed to restore either of these gentlemen to my confidence on this question.

My sentiments on the bank question correspond with those heretofore expressed by Thomas Jefferson, in his letter of the 13th December, 1803, to Mr. Gillikin, as published by his grandnephew, in the 4th volume of his works, page 40, in which this great apostle of American liberty declares:

"This institution (a bank of the United States) is one of the most deadly hostilities existing against the principles and form of our constitution. The nation is, at this time, so strong and united in its sentiments, that it cannot be shaken at this moment. But suppose a series of untoward events should occur, sufficient to bring into doubt the competency of a republican government to meet a crisis of great danger, or to unshrink the confidence of the people in the public functionaries; an institution like this, penetrating by its branches every part of the union, acting by command and in phalanx, may, in a critical moment, upset the government. I deem no government safe which is under the vassalage of any self-constituted authorities, or any other authority than that of the nation, or its regular functionary. What an obstruction could not this bank of the United States, with all its branch banks, in time of war! It might dictate to us the peace we should accept, or withdraw its aid. Ought we, then, to give further growth to an institution so powerful, so hostile? That it is so hostile we know, 1st. From a knowledge of the principles of the persons composing the body of directors in every bank, principal branch, and those of most of the stockholders; 2nd. From their opposition to the measures and principles of the government, and to the election of those friendly to them; and 3rdly. From the sentiments of the newspapers they support.—Now, while we are strong, it is the greatest duty we owe to the safety of our constitution to bring this powerful enemy to a perfect subordination under its authorities. The first measure would be to reduce them to an equal footing only with other banks, as to the favors of the government. But in order to be able to meet a general combination of the banks against us in a critical emergency, could we not make a beginning towards an independent

use of our own money, towards holding our own bank in all the depositories where it is received, and letting the treasurer give his drafts or notes for payment on any particular place, which, in a well-conducted government, ought to have as much credit as any private draft or bank note or bill, and would give us the same facilities which we derive from the bank?"

Such are the opinions of Mr. Jefferson in relation to this great question. He was against a bank of the United States, against the use of the state banks by the general government; was in favor of the divorce of bank and state, and in favor of the "independent use of our own money" through the medium of "treasury drafts," precisely as is now proposed in the bill for establishing an independent constitutional treasury. This much abused measure, originated then, not with Mr. Calhoun or Mr. Van Buren, but with Mr. Jefferson himself, upon whose advice and sanction, as well as upon principle, it has been adopted by the democratic party.

A bank of the United States being thus dangerous to public liberty, ought to be opposed, even if it promoted the security interest; but when the whole banking system, state and national, is shown to be daily injurious to our welfare, that it augments the price of all we purchase, and brings us no more money for our cotton (the price of that being regulated by the foreign market), why should we hesitate in opposing the whole system? A national bank is the great head of the system, declared by its friends to be indispensable to preserve and regulate the state banks and to maintain a paper currency. Be it so, and I am still opposed to such a bank, because I am against the whole paper system, against it as destructive of the morals, dangerous to the liberties, and ruinous to the true interests of the American people.

That the system is destructive of public morals, the proof is scattered throughout the union, from Michigan to Mississippi. The very foundation of banking institutions is based upon fraud and falsehood. It is based upon an authority to make promises that it is known must be broken, and to issue paper money at a ratio of from three to twenty per cent. over with the specie in their vaults; a promise to pay at all times upon demand all this money in gold or silver, which is known to be impossible of performance, if the holders of this money, as they have a right to do, present it for a redemption in specie. A promise to any individuals to do that which it is known cannot be done if its performance is required by the individuals to whom the promise is made, is a false promise, and a violation of good morals. Especially a promise by banks to a whole community, and which deeply involves their interest, should be regarded as of a character the most solemn, sacred, and obligatory, and never should be made, unless the fulfillment were certain. Let not this be confounded with a promise by an individual to make a payment at a future date, which promise he intends, when it is made, to perform, and believes he will be able to do so. It is not the intention of the banks to perform at all times their promises, for they know that it is impossible; that the specie is not in the country, nor can it be obtained, to pay all their notes at all times as they promise, on demand, in gold or silver; and to gamble and speculate upon the chances of the presentation of their notes for payment, is to convert paper banks into faro banks, and with infinitely greater hazard of loss to the community. The whole system, then, aims a fatal blow at private morality and at public virtue, and as a consequence must be destructive of all pure and sincere religion, for in the absence of virtue and morality, religion cannot exist, except in promises as false and hypocritical, as the promises of payment at all times in gold or silver, engraved on the face of bank notes.

If time allowed it, it might be shown inconceivably that instead of a promise of payment of bank notes in specie being founded on the gambler's calculation of chances, immoral as the gambler's calculation of chances would not be presented for payment beyond the ability of the bank to redeem them, it is, on the contrary, absolutely certain, according to the known rules of currency, that periods must occur from time to time, from the revolutions of trade, when these notes cannot be redeemed in gold and silver. This is proved by the failure of the Bank of France and of the Bank of England, though issuing but two to one, and of all the European banks similarly constituted, and of the American banks from time to time of every state in the union. We had general failures of our state banks in 1808, in 1814, in 1819, and in 1837. At two of these periods, 1808 and 1819, the Bank of the United States was in operation. In 1819 the Bank of the United States was itself reduced to the verge of bankruptcy, with but one dollar in specie to every one hundred in circulation, according to the official report of its

president, and was only saved from insolvency, by turning upon the state banks for the redemption of their notes in specie, thus producing their failure, and the most universal and intense distress, and for the longest period of years throughout the country. In 1837, the Bank of the United States itself failed upon the notes of the old bank as well as of the new, though proclaimed by its president more powerful under the new than the old charter. All this abundantly proves, that though the American banking system, organized under the dominion of a Bank of the United States, may endure for periods averaging from five to fifteen years, yet even with this aid, the failure of the banks from time to time is certain; and consequently it is known by the banks, that their sacred and solemn promises to redeem all their notes at all times upon demand in specie could not be performed, and therefore that the promise never was otherwise than false and fraudulent. The whole system then being founded in fraudulent falsehood, what other results could be anticipated, than those which actually have occurred, and whatever oblivion might be extended to the past, a present determination to perpetuate the system, now that the facts are known, is a determination to banish pure morals, virtue and religion from the community, and as a consequence ultimately to overthrow our free institutions; for an immoral and corrupt people cannot permanently maintain a republican government. Especially is this result inevitable, if the government is compelled to unite its destiny with that of banks, by receiving and disbursing their fictitious promises of payment, and entrusting the public finances to their control and guardianship. Let us examine a few of the demoralizing effects of the system. Have we not seen the banks suspending with many millions of the public money in their custody as a sacred trust, and thus reducing the government to bankruptcy, by a refusal to make payment, when all of them had a people, and most of them a sufficient portion of specie, to have enabled them to liquidate at least this debt. Have we not seen them with considerable amounts of specie in their vaults, in direct violation of their solemn engagements, refusing the payment of their notes, and permitting them to depreciate from five to fifty per cent. in the hands of the people? Have we not seen them here distributing large dividends of alleged profits among their stockholders, in direct fraud of their creditors, to whom they were refusing all payment?

It has been officially proved that two of the banks of this state were started upon the same fictitious certificates of deposits from a bank that had failed, and that another was started by the fraudulent loan of \$100,000 from a bank in a neighboring state, contracted to be returned, and actually returned, a few days after the bank went into operation, thus leaving it to proceed on its issues, with no capital whatever. Have not the banks, after an alleged redemption of specie payment, issued vast amounts of post notes, payable in six or twelve months, and have they not loaned out these notes at full value, and full interest, after they were known to have depreciated more than twenty per cent.? Do they not, although collecting full interest on all their debts, uniformly refuse all allowance of accruing interest on their post notes; and to avoid the payment of all interest, even at maturity, have they not repeatedly received these post notes on deposit, and then after the lapse of months, when these deposits were checked for, have they not refused to pay out the notes deposited on which the interest had accrued or others of a similar character, and compelled their creditors to take less valuable post notes of a later date, and payable at a subsequent period, and sometimes dated and filled up after the bank had failed all interest? Has not the community thus defrauded of the intervening interest, and in fact of all interest? If A should give his note to B for \$100, dated January 1, 1839, B called upon A for the note, and he refused to deliver it, but handed him his note for the same, but dated 1st July, 1839, and payable at twelve months' date with six per cent. interest from date, would not A have defrauded B of six months' interest? And is not this the very thing now being done by many of the banks of this state? If we look at the manner, also in which the loans have been distributed by the banks of this state, the result must amaze every friend of equal rights and privileges. In the official report of the bank commissioners of this state to the legislature last year, it is stated in page 75 as follows: "It will be seen by an examination of the foregoing statement, that 203 directors of 21 banks own the entire circulation of the twenty-far banks." This, however, is only their immediate liabilities as payors of their own banks; but as they often have paper discounted for their benefit, without appearing liable either as principal or endorser, and many of

them have extensive accommodations in each other's banks, we are unable to state the amount of bank credit used by these 203 directors." That 203 bank directors, in a population of near four hundred thousand, should monopolize by loans to themselves one-half the entire bank circulation of the state, is most manifestly unfair and unjust. Of the 22 banks examined by the commissioners, the directory had, as appears by their own returns, loaned to themselves as payors, three millions two hundred and forty thousand dollars, and were liable besides as endorsers in the same banks, for six millions nine hundred and eighty thousand, making an aggregate *ascertained and admitted* liability of the directory to their own banks only, of ten millions two hundred and twenty thousand dollars. But to this we must also add the liability of the directory in the three principal banks of this state, not examined, having an aggregate capital paid in of almost twelve millions of dollars. We have some date, however, as regards one of these banks in the report, namely, the affidavits of a former book-keeper and cashier of the Planters' bank, proving that four commission houses, whose names are given, and who were known to constitute in part the directory of this bank "were liable to the Planters' bank for two millions of dollars." Similar acts have been established as regards the Agricultural bank. As regards the Union bank, I have no report before me, or data from which to give any opinion respecting that institution. But from the data already furnished above, there cannot be the slightest doubt, that the directory of the banks of this state were indebted to *their own banks* at least the following amounts, as payors and discounters, including all notes discounted for their benefit, of six millions of dollars, and as endorsers were liable besides for ten millions of dollars, making an aggregate liability to their own banks of sixteen millions of dollars; and if to this we add the vast amount of their liability to other banks of this state in which they are not directors, the liability of the bank directory of this state to all banks of the state, on their own account cannot be less than eight millions, and as endorsers twelve millions, making an aggregate liability of the bank directory of this state, to the banks of the state, of twenty millions of dollars—being one-half the bank liability of the whole state, combined in less than two hundred and fifty directors. Similar facts as regards the monopoly of discounts by themselves and by commission merchants, are exhibited in the official statements of the Louisiana banks, believed in bank phrology to be among the soundest and best managed banks of the union.

By official communications made by a joint committee of both houses of the legislature of Louisiana, in December, 1837, and March, 1838, it appears that the liability of the bank directory (172 in number) of the sixteen banks of New Orleans to those banks, was, as reported by themselves, *seventeen millions eight hundred and seventy-five thousand five hundred and ninety-two dollars*; namely, as payors and discounters, \$15,607,271, and as endorsers, \$2,268,341; the total amount of all the discounts of the banks, being at the same time \$32,407,170, exhibiting a bank liability of 172 directors in an amount about equal to one third of the bank liability of the whole population of Louisiana. We thus see the bank liability of a bank directory composed of 400 persons in two states, amounting to thirty-eight millions of dollars. From no other state have I any official returns on this subject, except from a single branch of one bank in Alabama, in which the liability of the directory of that branch to the bank was half a million of dollars. From what we have seen, however, in these three states, there cannot be a doubt, but that the total liability of all the directories to all the banks in the union, cannot be less than one hundred and fifty millions, or considerably more than one-fourth of the total liability to the banks, of the whole people of the United States.

Of all the evils of the banking system in the southwest, the greatest was the monopoly of discounts by commission merchants, by which the planter was compelled to pay the bank the usual interest, and additional premium upon exchange, and also, two and a half per cent. commission to the merchant for accepting at six months, and the same for advancing, by which the interest actually paid by the planter, becomes equivalent to at least eighteen per cent. per annum; and this, too, when this very expansion of the bank circulation was exacted from the planter a still heavier tribute, in the shape of augmented prices for provisions, and all the expenses of the plantation. If this state, with her most fertile soil and rich staple is now the most embarrassed of all the states of the union, most truly may we point to the banks as the great cause of all our calamities. Nor is it in the southwest only that are exhibited the ruinous and dis-

moraling effects of the banking system. No; these fatal consequences have been co-extensive with the existence of the system. Look at the ruin consequent upon the fraudulent failures of banks in Baltimore, in Philadelphia, in New York and Boston; look at the wild catbanks of Michigan, as that fraudulent system has been justly designated, and at the corruption to be found every where accompanying the system. No; the demoralizing influences disappear in the career of the Bank of the United States. No; the history of the first three years of that institution is a history of acknowledged fraud, speculation and stockjobbing, abhorrent to every just and honorable precept. When Mr. Cheves became president of this bank, he reported these enormities to the nation, and that, on the 12th April, 1819, the bank had in its vaults but \$71,522 of specie, and owed to the city banks a balance of \$196,418, and its circulation was still \$6,000,000," and the papers of the northern and middle states of that period draw a picture of a distress more intense and universal than that which now pervades Mississippi. Look at the history of expansions and contractions of this bank, expanding "more than ten millions in the course of a few months," and, by its official reports, contracting, "in the eight months, eight millions of dollars," and upwards; and concerning all business upon a perpetual lull, dependent upon the secret and constant changes of the policy of the Bank of the United States. Did not this very bank suspend in 1837, and, with an open declaration of its perfect ability to meet then all its engagements, did it not set its creditors at defiance for more than a year, and violate its solemn promises to redeem its notes at all times, upon demand, in specie. If a wealthy individual would dare thus, with ample means in his hands, to refuse the payment of his just debts, would he not be deemed pre-eminently in infamous? And have we already reached that point in the downward demoralizing tendency of the banking system, when a distinction in morals is attempted to be maintained, between the obligations of a bank and of an individual to perform promises to the utmost of ability so to do? And yet, such demoralizing apologies as these must be made, for the vice is inherent in the system, which perverts and encourages the making and circulation of promises false and deceptive, and just as before, and as after, a suspension; for there never is any thing but an appearance of an ability by a bank to redeem at all times, if presented, all its notes in specie—because it never has specie equal to its issues; and the suspension is but the proof of an inability which in fact, always existed. In truth, the condition of the banks, though apparently better under the dominion of the Bank of the United States, is in fact worse than in the absence of such an institution. Thus, if we look at the returns of the Planters' bank of this state, it will be found in a better condition within a week preceding to its suspension, than at any preceding period under the regulating power of a national bank. Thus, on the 6th November, 1833, its circulation was \$1,437,873; its deposits \$48,759; and its specie \$113,137; and on the 27th April, 1837, its specie was \$101,526 its circulation \$1,539,597; its deposits \$35,262; and its deposits in the name of the treasurer of the United States, \$1,035,576. Thus in 1833, its circulation compared to its specie exceeded twelve to one, and its circulation and deposits combined exceeded its specie about sixteen to one. Now in 1837, its circulation exceeded its specie less than four to one, and its circulation and all its various deposits combined, exceeded its specie but six to one. In every respect, then, its condition was better in 1837, than in 1833, except the delusion created by the existence of the Bank of the United States. So if we look at the condition of the Bank of the State of Mississippi, on the 1st January, 1839, its specie was \$77,665, its circulation \$549,190, and its deposits \$344,756, its circulation being to its specie as seven to one, and its circulation and deposits fourteen to one of its specie, thus exhibiting under the regulating power of a national bank, a much worse condition than that of the Planters' bank, on the 27th April, 1837. Yet to have doubted the ability of the State Bank of Mississippi in 1839, to redeem at once all its liabilities in specie, would have been considerably better, less than high treason, such is the phantasmagoric power of a national bank, to drive the specie for a time out of the banks and out of the country, and yet preserve an appearance of deceptive prosperity, till a convulsion comes, and the delusion vanishes. In fact, the most finished juggler that ever deceived an admiring audience, never performed his part with half the adroitness, as that which has distinguished the Bank of the United States, in substituting appearances for realities. And the same remark which is thus true as to the banks of Missis-

issippi, is true universally as regards the influence of the national bank in maintaining for a time, a large paper circulation, with but very little specie; the specie in the state banks, in the absence of a national bank even at the period of their failure during the terrible disasters of the war, being nearly as four to one. Thus the only effect of a United States bank is, to expel specie from the banks and from the country during its existence, and to blow for a moment the bubble of a delusive prosperity, till, from bringing on a demand for specie from abroad, and contending the inflated system, and down comes the ruin of the whole country. To recognize the system under the regulation of a national bank, is to bring on another short period of delusive prosperity, soon to be followed by terrible disasters. To resolve to create a national bank, is to compel the gradual winding up of the whole system, or at least, the reduction of its circulation to an extremely limited amount, and thus avoid the recurrence of future universal suspensions and convulsions.

Having proved the first branch of my position, the demoralizing effects of the banking system, it would follow as a consequence that these institutions are dangerous to public liberty. But that they are thus dangerous, is demonstrable by many other indisputable facts. The business of making all the money for a nation, is one of the highest attributes of its influence, and infinitely more important in all other governments, the diversified interests of society than in our own. The powers combined. Yet we seem not to have reflected that this gigantic power is entrusted exclusively to this gigantic stockholders of banks, state and national, and placed for a quarter of a century, by irrevocable charters, beyond the control of the people, or of their representatives. Nor is it only the transfer to these corporations of the power of making money, (not by labor or industry, but by stamping notes at the rate of a million in an hour, upon the face of a bank plate), but also the power of determining when, and how, and to whom, and in what quantities, and for what purposes, this money shall be loaned to any portion of the community, and when, and how, and from whom it shall be recalled. And to whom is this power entrusted? Is it to an impartial tribunal, acting openly, and removable by the people for an abuse of power? No: it is to an irresponsible directory, composed of stockholders of the banks, acting in secret conclave, and directly interested in abusing their power, interested in increasing their profits and dividends, by the expansion of their circulation, and interested in increasing the circulation by immense loans to themselves, monopolizing, as we have seen by the returns investigated, one-half the discounts of the banks, and concentrating in themselves in these two states, bank liabilities to the amount, as we have seen, of nearly forty millions of dollars. And how seen, of nearly forty millions of dollars. And how seen, of nearly forty millions of dollars? It was invested in property, to enhance the price of which, far beyond its real value, and enable the bank directory to sell at immense profits, new issues of paper money must be made, often, as we have seen, upon insufficient security, and again repeated to enable the purchasers to make payment. The power is sufficiently alarming when scattered among a thousand banks, but when it is proposed to consolidate it in a great central bank, to place under its control all the incorporated state banks, and to submit to its regulation (the regulation of all property, and of all labor, the power becomes fearful and tremendous, and in its practical effects upon all the transactions of society, incomparably greater than that of all the other powers delegated to the general government. And to whom are to be delegated all these fearful powers? To the directory of a corporation, created by an irrevocable charter, to endure for a generation; to a directory neither elected nor removable by the people or by their representatives, but chosen and removable only by a few incorporated stockholders, exercising, with closed doors and sealed lips, an authority over the rights and interests of the people, more arbitrary and despotic than any now entrusted to any European potentate. Talk not of the power and sovereignty of the states, or of the people, when such a power shall have been created. It will exercise a central power and authority, more unlimited and despotic, more disregarded by human abuses, and more arbitrary and uncontrolled than any of all the various banks of the union, except, by the last official returns, the hundred and twenty-five millions of dollars, upon which, exclusive of exchange and other shaving operations, is extracted, at the average rate of seven per cent, an annual interest of thirty-six millions seven hundred and fifty thousand dollars, be-

ing an annual interest nearly equal to all the specie in all the vaults of all the banks of the union, what being at the last returns, \$37,915,340; thus exhibiting an annual interest of one hundred per cent upon all the gold and silver held by the banks. And this vast and annually augmenting sum is collected, not by labor or industry, but by the non-producers from the producers. It is a tribute, exhausting the fountains of general prosperity, extorted by the few from the toil of the laboring millions. The unequal distribution of wealth is one of the great evils of human society, and so far as the just rights of property are involved, must be protected by every government. But still it is an evil, exhibiting squandering poverty by the side of pampered wealth, and never should be increased by governmental power. To prevent the increase of this evil, we have repealed the British laws of primogeniture and entailment, by which great wealth was perpetuated and consolidated in the hands of the few. But the banking system of incorporated and associated wealth will concentrate and consolidate in the hands of a few, with much greater rapidity than ever was accomplished by any system of an aristocracy that ever cursed the earth, by drawing off from the parched and withering soil the very springs and rivulets that should spread around abundant harvests, but that are taken from the suffering multitude, and concentrated in a few large streams and reservoirs, where the pampered few may luxuriate in all the more than splendid luxury of regal wealth and power. Fertile and productive as is yet the soil of the union, if this system is incorporated and concentrated, wealth endures and concentrates in the same ratio for another generation, it will, by its impoverishment of the many, and concentration of all wealth and power in the hands of the few, convert our this loved country into a more than Lybian desert, upon which vast and unwatered and unfertilized plains shall be seen, and the parched and perishing millions, the miserable wretch and remnant of what was once a flourishing nation, shall appear, as a green spot among the surrounding sands, where the incorporated few shall repose in all the greater wealth and sloth and luxury than ever disgraced the imperial court of the most effeminate despot. The amount of American bank stock is now estimated at about four hundred millions of dollars. If we estimate the other property of bank stockholders at an average of four times the amount of their stock, (and it is much greater in this state), the total amount of wealth of all the bank stockholders of all the banks of the union would be two thousand millions of dollars. Now, calculating the entire wealth of the union upon an estimate in proportion to the population, founded on the assessed values in this state, in which the most complete assessment is given, the entire wealth of the whole country would be greatly less than twenty thousand millions of dollars. Upon this estimate, then, a few bank stockholders, less than one to a hundred of our population, now hold one-tenth of the entire wealth of the whole country accumulated in one generation. What must be the result of another generation, if the system is re-organised (as is desired by the state banks with scarcely a dissenting voice) under the powerful dominion of a bank of the United States, with a capital of fifty millions? As the best managed banks, including the national banks, issue at least three to one of their specie capital, this, at an average interest of seven per cent, upon the paper loans, would be equal to twenty-one per cent per annum. Now, as the profits upon agriculture and labor are not more than an average of six per cent per annum, how long, then, at this more than triple rate of increase, would it take the incorporated wealth to accumulate more than one-half of the whole property of the nation? And as the fortunes of the few are augmented, must the many be impoverished? Who will then be these associated bankers, with all this vast and fruitfully accumulating wealth in their hands, and with all their great powers and exclusive privileges, would not soon constitute an aristocracy, more haughty, wealthy and powerful than any that ever ruled any portion of the earth? It would be, too, a splendid, indolent, luxurious, moneyed aristocracy, impelled by no feeling but that of avarice, and a desire for increase of dividends; elevated by no pride, however absurd, of birth or ancestry; animated by no recollection of their glorious deeds in the field or cabinet; stimulated by no patriotic impulse, by no lofty or generous ambition; the world, at its most corrupt age, would never have been disgraced and governed by such an aristocracy as that which is growing out of our banking system. Let them go for a few years more augmenting in power and wealth and numbers, and the commencement of the battle for liberty and deliverance will have been deferred too long. Perhaps even now the bugle notes of freedom—the

cheering cry of onward! to the rescue of our rights and liberties is sounding *too late* along the ranks of the people. But let us never despair, if a nation of freemen can be roused to a sense of their danger; for even from the brink of the precipice, to which with viewless but rapid strides they seemed to hasten, they would turn back upon their oppressors, and upon the ruins of their system establish the great and fundamental principles of republican liberty.

Having, it is hoped, demonstrated the demoralizing effects and anti-republican tendencies of the banking system, the truth of either of these propositions should induce its own overthrow; but it is injurious as a mere question of finance to the true interests of the American people. The following classes combined, it will be conceded, constitute the large majority of the American people, namely: 1st, the exporting states; 2d, the manufacturing interest; 3d, the navigating interest; and 4th, the working classes, who live by the proceeds of their daily labor. The argument as to the cotton growing states, (and the same principle will apply to the growers of rice, tobacco, and all other exports) has been already exhausted. It has been clearly shown, that by the American bank paper system, the planter is compelled to give quadruple prices for all he buys, including provisions and all the expenses of cultivation, and receives no more for what he sells, than being governed by the foreign market. In relation to the manufacturer, the cost of his original investment is probably doubled by the paper system, as well as the expenses of conducting the establishment. Thus the cost of manufacturing is greatly enhanced, and a price is demanded for the domestic article, far above the price at which a similar article can be purchased from abroad, and the American manufacturer is thus too often ruined, or driven out of the market. But give the manufacturing states the benefit of a metallic currency, and the American can compete with the foreign manufacturer, and obtain the glorious result, of dispensing with all pretext for a protective tariff. As respects the great and important navigating interests, the price of material for building, the cost of construction, and of equipping and sailing vessels, has been so greatly enhanced by the paper system, as to produce of late a declining rate in the ratio of increase of American, as compared with foreign tonnage; and if steam, and the use of coal and machinery is to be introduced to a great extent in navigation, this great interest will be still more seriously depressed, in competition with foreigners, by the raising of the cost of the American vessels. And by the patriot and statesman it should never be forgotten, that the navigating interest is the only nursery of our navy, the great and glorious right arm of the nation's defence and honor. As to the working classes, the injury is great and appalling. The rents of their humble dwellings, and of every article they purchase, including provisions and all the necessities of life, are vastly increased by the paper system, whilst wages raise not in a correspondent ratio. It is settled law of currency, that wages is the last thing enhanced by paper issues, and nothing like a correspondent ratio with all other articles. If any doubt this, let them look at the vast increase of late of property in the great cities of Baltimore, Philadelphia and New York, in the midst of an overflow of bank paper. It is well known that many honest and industrious females there, are compelled to receive but ten cents a piece for making their daily and unremitting labors; and that many of the same females will not purchase for them the mere necessities of life, and that numerous humane societies have been formed there for their benefit, as well as that of the laboring poor generally. Nor is this the only way in which the working classes suffer from the paper system. Knowing but little of banks, upon their failure, the working classes generally hold an undue proportion of the worst paper, and numerous and distressing cases have occurred, in which the laboring poor, both men and women, have lost their little all, accumulated from years of toil and industry, by the failure of banks whose paper they held, or with which they had their funds deposited. I admire neither the head nor heart of that man, who has no sympathy or respect for those who live by daily labor, and by whose unceasing industry, so much is added to the wealth and products of the country. Surely the class should not be depressed by legislation, and the difficulties of subsistence enhanced by the paper system. Cheap lands and provisions increase the facilities of subsistence and augment most rapidly the prosperity and population of the country. In the great city of New York this question seems to be thoroughly understood by the working classes; they are the fixed enemies of the paper system, and with alternate victory and defeat, they have contended manfully against the

bordes of bankers and speculators, brokers and stockjobbers in that great city. Let them persevere, and their ultimate victory is certain and triumphant. The exorbitant price of provisions is now universally felt and deprecated in the northern cities, and it is clearly chargeable to the paper system, not only directly in its vast enhancement of prices, but indirectly, in withdrawing so many thousands from agriculture, to invest their means in banking. The number in this country, of officers, clerks and agents, including also all bank stockholders who are withdrawn from agriculture to live in idleness upon bank dividends, is not to be less than eighty thousand, excluding the entire population of one of the states of this union. If these eighty thousand were engaged in agriculture, how greatly would it add to the products and actual wealth of the country, instead of producing nothing, and living upon the means extracted from the labor of others. This army of bank dependants is equal to many of the standing armies of Europe, and is maintained by a yearly tax upon the labor of the country equal to the entire revenues of the nation. The four hundred millions of capital invested in bank stock would, in the absence of banks, seek investment in commerce, agriculture or manufactures, or in great works of internal improvement, and thus give employment to labor, and increase the products and prosperity of the country; whereas it now draws its dividends from labor, and adds nothing, but subtracts much from the national wealth and industry. In the single case of the railroads in the union, including all their various market places, there must be invested at least thirty millions of dollars, a sum of money which would cover any state with rail roads, and canals, but which now for every useful purpose, might as well be sunk in the ocean. Nor should it be forgotten that the cost of making our roads and canals, and of removing obstructions from our navigable streams, is perhaps quadrupled by the paper system. Thus also the expenses of the governments, state and national, and of our country, and town and city corporations, are also at least doubled by an expanded paper currency; another item of loss, amounting to at least fifty millions of dollars per annum. If we take a look at the augmentation of the expenses of the British government, since the partial introduction there of the paper system, the ratio of increase will be amazing, and especially if compared with other European governments, where the currency is almost exclusively metallic. The opposition complain of the increased expenditure of the government in the union, by adding the contingent appropriation, (which never will be used) ten millions to defend the country in case of an invasion by England on the Maine boundary question; by adding five millions on account of the post office department, which pays for itself; and other expenses growing out of the Florida war and defence of the western frontier, they count up an appropriation of forty millions. This is all fallacious; but in so far as there is any actual increase of expenditure by the government, after allowing for the necessary addition arising out of our greatly augmented population, it is all justly chargeable to the opposition, as the advocates of the paper system. It is thus that the expenses of maintaining the army and navy, and all other national expenditures are more than doubled, by changing this from a hard money into a paper money government.— With the diminished expenditures of a hard money government, we might save our entire tariff and the proceeds of the public lands in favor of our settlers; with the augmented expenditures, arising from the paper system, we know not how soon an unjust demand may be made to increase the tariff and the price of the public lands. Nor should we forget, that the reunion of the banks, state or national, with the government, as the keepers of public money, renders the banking interest the great ally of the tariff. The public money being deposited with the banks, the greater the tariff and revenue and price of public lands, the greater will be the deposits in the banks, and the larger their profits. The average annual deposits of the government in the Bank of the United States without interest, was above six millions, all which they used and loaned at pleasure at the usual rate of bank interest. The greater the revenue then, the greater would be the profit of the bank, and if the veto of general Jackson upon the recharter of the government in 1832, and the veto upon the bank in 1832, had not occurred, the tariff party would have been unquestionably stronger in 1833, and that iniquitous system might have been perpetual.

Nor is it particular interests only that suffer by the paper system, but by it the balance of trade is constantly rendered more unfavorable to this country, by the great increase of the prices of imports and of all that is consumed here, whilst nothing

more is obtained for our exports, that being governed by the foreign market. The great argument for the banking system, that it increases the prices of lands and plantations, is entirely fallacious. For whose benefit is this increase? Not for the benefit of the planter or farmer, but of the speculator only; for if the planter or farmer sell at high prices, they must give high prices when they purchase again—and the parent, who desires to purchase for his children farms and plantations, to begin the world upon, or any other person first becoming a planter or farmer, must pay a price vastly enhanced by the paper system. The great debtors of Mississippi were all to be ruined by abandoning the fact, for paper system. Directly the reverse is the fact, for the debts of the insolvent debtors must be chiefly paid by the net profits of cotton planting, which we have seen is vastly increased by the absence of paper money. Nor do we design to effect any very sudden revolution, for the specie clause of the sub-treasury bill went into operation only slowly and gradually, after the expiration of seven years, when it was supposed most existing debts would have been liquidated. Our object is to expel at once from circulation all bank paper except that payable at all times upon demand in specie, and gradually to abolish all bank notes of a less denomination than twenty dollars, and to fill up the vacuum with gold and silver. I do not hesitate, however, to avow it as my own wish and opinion, for which I only am responsible, (and not the party), that when this great reform shall have been accomplished, such will be the improvement in public morals, the augmented prosperity of the country, and increased vigor of republican principles, that we might in time proceed to the expulsion of all bank notes of a denomination less than one hundred dollars, and perhaps be enabled ultimately to dispense with the whole system; a system that was brought into existence less than two centuries ago, by government extravagance, that does not now exist in one-tenth of the nations of the globe, and that never did exist in the great and prosperous island of Cuba, within five days sail of our coast. Let us proceed then slowly and gradually, but firmly and fearlessly, with this great work, unterrified by the clamor of the banks that will resist all diminution of their power, and all decrease of their circulation and dividends; let us proceed by appeals to the judgment of the people, to act through the peaceful instrumentality of the ballot box. Let no inconsiderate haste or lawless violence mark our career, and above all, let us never violate the just rights of property or the sacred principles of the constitution. And especially let our war be upon systems, and not upon individuals. Ruinous as are the effects, demoralizing and anti-republican the tendencies, of the banking system, many honest but deluded men have been, and a few are still connected with the system. Let us ask all such men, guided by facts, and enlightened by experience, to review their opinions, and to unite with us in accomplishing the great reform of the banking system, now proposed by the republican party. In disavowing all personal hostility to the officers of banking institutions, I must not be considered as desiring to propitiate the favor of the banking interest. No; with my views and opinions, that is impossible; and, with the exception of one old and valued friend, whose long, ardent, honest and efficient support of the democratic party never should be forgotten, and who, I trust, will yet co-operate with us on this great question, I must expect from the banking and moneyed interest nothing but opposition, struggle and ardent. This opposition I must be prepared to encounter and combat, with becoming courtesy, and proper regard for the feelings and character of others, but when I shall cease to exercise that noble privilege of an American citizen, the right of expressing fully my opinions as heretofore upon all great public questions, I shall consider life as utterly worthless—and neither the concentrated opposition of the banking and moneyed power—nor the tongue of slander—nor the pen of calumny—nor threats of violence—nor dread of personal consequences, shall deter me from a zealous and fearless support, in and out of the senate, of all the principles avowed in this communication. It is a conflict for liberty, and although victory would be glorious in so good a cause, it would be glorious even to fall in such a struggle.

And to you gentlemen, the homage of a grateful heart, for your favorable opinions expressed in your letter, and your more than generous support and indulgent confidence will be remembered by me with affection and gratitude, till the last pulse of life shall cease to beat. Your friend and fellow citizen,
R. J. WALKER.
To Messrs. A. G. McWhirt, Thos. Hinds, V. M. Howard, Samuel A. Cartwright, S. J. Golsom, W. M. Guin, R. M. Gaines, and others.

CHRONICLE.

A heavy account. The North American, a paper published at Swanton, Vt. contains a table setting forth the amount of property burned and pillaged by the troops and loyalists in Lower Canada, during the late insurrection. The following recapitulation exhibits the result:

Houses burned,	213
Houses demolished, (in St. Anthonye),	20
Barns, stables and other houses burnt,	380
Families plundered,	3,061
Total amount of property destroyed,	\$819,217

The population of Pittsburg and its environs is estimated in "Harris' Directory" at 60,000, viz:

Native born Americans,	23,000
Irish,	10,000
German,*	12,000
English,	2,800
Welsh,	2,000
Scottish,	2,000
French,	700
African,	2,500

The Pittsburg Gazette thinks the above an exaggerated estimate, and that the error lies principally in the second and third items.

Theatrical criticism. Capt. Maryatt in his "Diary," gives the following as a specimen of American criticism; it is at least expressive: "Well, Abel, what d'ye think of our native genius, Mister Forest?" "Well, I don't go much to theatricals, that's a fact; but I do think he *peeled the agony up a little too high* in the last scene."

Amount of specie imported into New Orleans from foreign ports, for the week ending the 5th August, 1839, viz:

Silver,	\$214,750
Silver bullion,	5,000
	\$219,750

About five hundred youths have been enlisted since the passage of the law authorising the employment of apprentices in the navy of the United States. Two hundred and four of these have been placed on board of sea-going vessels.

The Great Western. Hunt's Merchant's Magazine for August contains an interesting table of the several passages of this noble steamer. From this table it appears that she has made seventeen passages from and to Bristol. The average of these passages from New York is 13.3-4 days. The shortest was 12-1-2 days; the longest 15 days. The average of the passages from Bristol was 16-1-2 days; the shortest 13 days, and the longest 21 days. The average of all the passages out and home, was 15 days. By one of the passages from New York to Bristol despatches by the ship were received in Liverpool and London on the thirteenth day after leaving New York, say on the evening of the seventeenth of October, having left New York, on the afternoon of the fourth of that month. By the same, and by one other passage, passengers and despatches reached Paris, by the way of England on the fifteenth day.

New England quarries. The stones of the Girard orphan college, are obtained from the marble quarries in Sheffield, Berkshire county, Massachusetts, and transported to the Hudson rail road. The blocks for the columns are of an average measurement of six feet in diameter, arc rounded and rough hewn at the quarry, and cost \$120 a block when ready for transportation. The distance of land carriage is 24 to 26 miles.

Health of Trenton, N. J. As an evidence of the health of Trenton, we state the remarkable fact, that there has not been a burial in the Presbyterian churchyard, although the Presbyterian congregation is, excepting perhaps the Methodist, the largest in the city, since the 11th day of February, being nearly six months.

Trenton Gazette.

We have seen in the newspapers a great many foolish statements concerning the queen of England's household. The following is a list of the ladies about her majesty's person, with the amount respectively of their salaries which we publish for the information of those who are interested in such matters.

[Nat. Gaz.]

- Principal Lady of the bedchamber, marchioness of Normandy, 500l.
- Ladies of the bedchamber, Marchioness of Brandenburg, 400l. marchioness of Tavistock 500l. countess of Charlemont 500l. countess of Burlington 500l. Lady Portman 500l. Lady Littleton 500l. lady Barham 500l.
- Maids of honor. Hon. H. Pitt, 300l. hon. M. Dillon, 300l. hon. Miss Cooks, 303l. hon. Miss Cavendish, 300l. hon. M. Faget, 300l. Miss Murray, 300l. Miss Lister, 300l. Miss Spring Rice, 300l.
- Bed-chamber women. Lady C. Barrington, 300l. lady H. Clive, 300l. lady C. Copley, 300l. viscountess Forbes, 300l. hon. Mrs. Brand, 300l. lady Gardner, 300l. hon. Mrs. J. Campbell, 300l. Total \$ 5,900l. sterling.

A great auctioneer. Mr. George Robbins, "through whose instrumentality half the landed property in England has changed hands," announces simultaneously,

first 50,000 acres of land in America; then a villa and lands, with 1,500 acres, the favorite residence of Tuscany, and not far removed from Florence; then follows 600 acres of land in Brittany, especially adapted to successful emigration; and lastly, a little castle and 400 acres of land, approaching the vicinity of Athens. They indeed a new era in the vocation of an auctioneer.

Iron steamboat. We learn from the Pittsburg Gazette of Saturday, that the large iron steamboat now in progress of construction in that city will be launched in a few days. Her length, (the Gazette states), is about 145 feet, breadth of beam 25 feet, and depth of hold 6 feet. Her hull is composed entirely of iron.

Her bottom, sides and deck, are of sheets of iron, secured together by a heavy iron rivet; her ribs and beams are formed of strips of iron bent into this shape U, so as to give them stiffness and to permit the bottom and the deck sheets to be readily riveted to them. A water proof bulkhead extends through her whole length, and three similar bulkheads divide her length into four parts.

Her hold will, therefore, be divided into six compartments, and she will be water proof sheet iron bulkheads, thus rendering the sinking of the boat almost impossible. Her guards will also be composed exclusively of iron, so that her hull is entirely safe from fire. The whole frame of the deck is so well secured together as to give her very great stiffness and tenacity.

An eye to business. Meeting in our exchange papers the account we gave last week of the perilous adventure of Chapin and Robinson at the falls, reminds us of a circumstance connected therewith, which we had not time to narrate. After Robinson had been rescued, he reached the spot upon which Chapin was so providentially thrown, the two were observed by the anxious spectators to be very busy for some time among the underbrush which covers it. No human foot probably had ever before pressed the spot they stood upon, and though, while there, they were out of danger, escape seemed almost hopeless until their eyes were consequently watched with the greatest anxiety, while they were making preparations, as was supposed, for their fearful voyage. On landing, it was found they had brought with them a neat lot of trim canes. It is scarcely necessary to add that both are Yankees. Their cool courage and eye to the main chance sufficiently attest the fact.

[Wallo Commercial Advertiser.]

American canoes in English vessels. We are informed that the Great Britain, just lately sailed, carried in English canoes, which was found not to answer the purposes of the ship, for one made by the Messrs. Wood & Co. of New York, and one of the same kind has also been ordered for the new steam ship building at Bristol. The American article costs much less, and is infinitely better calculated for the use of steam ships or packets than any of the kind that has been made on the other side of the Atlantic.

[Express.]

The revenue that accrued at the port of Boston, for the month ending the 1st inst, was \$420,690, against \$308,538 at the same period last year, and showing an increase of \$127,160.

At Moscow there are 112 market places, with 3,584 shops, 2,505 other shops and warehouses, 89 dress makers' and mercers' shops, 11 fishermen, 70 hotels and inns, 14 coffee houses, 27 confectioners, 200 taverns, 10 eating houses, 239 wholesale wine merchants, 123 retail wine shops, 560 manufacturers, among which are, 405 for cotton goods, 54 for silks, 49 for linens, and 21 for woollens, 20 printing offices, of which 7 belong to the government, 12 lithographic engravers, 165 public carriages, 2,304 private coaches, 2,137 caddises, 229 phaetons, 10,229 Russian carriages, 13,343 sledges, 5,692 wagons. The club of nobles was visited last year by 15,227 persons, merchants club 30,411, English club 51,100, German club 101,755; the Russian theatre by 354,691, and the French theatre by 51,205.

Western traders. The Galena Gazette mentions the arrival there of four men from Seldrick's settlement, seven hundred and fifty miles northwest of St. Peter's. They are said to be intelligent half-breeds, and came on a trading expedition. They brought with them large quantities of dressed deer skins, worked mooseans, buffalo robes, dried buffalo meat, &c. besides a large number of beads and other articles of the latter was said at St. Peter's and Prairie du Chien.

Portsmouth stockings. The factory in this town, which is the largest existing in New England, is now in full operation. Last week, 3,000 pairs of woollen hose were completed. Constant employment is given to about 220 hands, in and about the factory. The spinning room is now in operation, and most of the yarn used is there spun. About a hundred pounds of wool are now spun and manufactured daily.

[Portsmouth, N. H. Journal.]

The lieutenant governor of Upper Canada has offered \$2,000 reward for the apprehension of Lett, the alleged murderer of captain Usher, and also implicated in the late affair at Coburg.

The Liverpool Mercury states that gen. Skrzynecki, the heroic leader of the Poles during the last attempt of that brave people to obtain their independence, has been appointed to the command of the Egyptian army.

Fining a governor. A good joke is told of governor Doggs. By the ordinance of the city of Jefferson

discharging a pistol within the city limits is punishable by fine. The governor broke this law and was hauled up before the mayor, and fined five dollars. The governor protested, contending that he had the power to remit the fine. The mayor denied this doctrine and said that about preparing a *mittimus* to lodge the governor in jail, when some of his friends forked over, and released the dignitary from "durance vile." As there is no precedent in the books, we commend this case to the attention of jurists. [St. Louis Republican.]

The silk bounty in Illinois, gives a premium of one dollar for every ten pounds of cocoons produced in this state—for every pound of reeled silk, a premium of one dollar. This privilege not to extend to bodies corporate and public.

Trinity church steeple. It is with extreme regret that we see the magnificent spire in progress of being levelled to the ground. It has stood far more than half a century, admired by strangers, and an object of pride to New Yorkers. This church was built soon after the great fire of 1788, which swept every building but one then standing on the west side of Broadway. It had been intended by the vestry to preserve the tower safe, and, in case of a pestilence, the whole so weak as to place in imminent peril, the lives of those who worshipped in that ancient temple of God. But on taking down the rear and side walls, it was discovered that the whole fabric must be pulled down, as the tower was not sufficient to sustain the spire. The consequence was that much against the will and wish of the vestry, they are compelled to prostrate the steeple. We are very much surprised that it is to be placed on its site, although there are but few worshippers left in that section of the city. Grace and St. Paul's are but thinly attended—one church will accommodate the whole. [N. Y. Times.]

Noble generosity. At a meeting of an association of the Methodist Episcopal church in the south, preparatory to celebrating the centennial anniversary of Methodism, and for the purpose of extending the interest of which it was to be applied to the support of superannuated ministers, their widows and orphans, and the cause of education; col. William C. Preston, whig member of the U. S. senate, from South Carolina, being one of the audience, rose in the congregation and briefly stated that he did not belong to the Methodist church, neither did any of his family, nor the father of which he was descended, he considered himself under peculiar obligations to that branch of the Christian church, it being mainly through the instrumentality of his grandmother, who was a sister of Patrick Henry and a member of the Methodist church, and had the charge of his education, that he occupied the station he now held in the United States, and when asked—Mr. Secretary put my name down for one thousand dollars, which was promptly done, and as promptly paid.

Agricultural. It is stated that Dr. Joseph E. Muse, of Cambridge, Maryland, has a field of 4 acres of corn, which will yield 105 bushels of shelled corn to the acre. He made 70 bushels to the acre last year.

A. T. H. Jones, esq. of Somerset county, Maryland, gathered this season, 561 4 bushels of wheat from 11-2 gillions sowing. It weighed just sixty pounds per bushel.

A relic of the olden times. We learn through the possession of a valued friend, that there is now in the possession of William Wainsley, of Byberry township, Philadelphia county, a pair of cart wheels, the hubs of which in his grand-father's time were surrounded by other felloes, and were pressed into service by the government, for the conveyance of troops and baggage in Braddock's western expedition.

After the defeat they were returned to the owner, (Wm. Wainsley's grandfather), and have remained in the family ever since. If the old hubs could speak, how would the *spokes* be astonished? What an interesting story they might tell of by-gone days, when the young Washington was fighting under the British flag and bravely protecting the haughty English regiments, who were galled by the American riflement? What revolutions have taken place since those old hubs first developed? There is certainly something interesting even in things inanimate, when their antiquity connects them with the olden time.

[Bucks County Intelligencer.]

There are four native Albinos in Springfield, Illinois. Two of them are lads, and they are quite indolent; the others are girls. The Springfield Journal says, that they have fine voices, and could they receive proper instruction, would make accomplished singers.

The editor of the Worcester *Egis* says, that he once knew an Albino in Connecticut, who was a singing master. Though young his hair and beard were as white as this paper, and his pink colored eyes were so delicate that he was obliged to keep them constantly covered by green glasses, or otherwise from strong light. He had a brother like himself in these respects.

By a recent statement in a Jamaica paper, it appears that that island contains 35,000 white inhabitants, 100,000 free colored, and 311,000 newly emancipated apprentices. There are 125,000 white and black, who can vote.

Travel. The London Spectator remarks, that 4,000,000 fewer persons travelled by stage coach in 1835 than 1836; and 15,400,000 more by railway in the same period.

*Some of the most intelligent German gentlemen think the population 13,000.





